

A CRIMINOLOGICAL REVIEW OF THEFT COMMITTED BY JUVENILES IN THE JURISDICTION OF THE TAMPAN SECTOR POLICE

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Abstract

This study aims to examine the factors contributing to theft committed by juveniles and to analyze the efforts undertaken by the Tampan Sector Police (Polsek Tampan) in addressing juvenile theft within its jurisdiction. The research focuses on understanding juvenile delinquency from a criminological perspective and evaluating law enforcement responses that emphasize child protection and restorative justice. This research employs an observational and descriptive methodology using a survey approach. Data were collected through interviews with law enforcement officers of the Tampan Police Station and juveniles involved in theft cases, supported by secondary and tertiary legal materials. The study analyzes the data qualitatively to identify causal factors and law enforcement strategies in handling juvenile theft. The findings indicate that juvenile theft in the jurisdiction of Polsek Tampan is influenced by multiple interrelated factors, including family conditions, environmental influences, economic pressures, educational limitations, and the rapid development of information and communication technology. Furthermore, the study reveals that Polsek Tampan implements integrated countermeasures through pre-emptive, preventive, and repressive approaches. Pre-emptive efforts focus on community development and legal awareness, preventive measures emphasize police presence and situational crime prevention, while repressive actions prioritize restorative justice through diversion mechanisms in accordance with the Juvenile Criminal Justice System. The study concludes that addressing juvenile theft requires a comprehensive approach that combines law enforcement with social intervention and community involvement. Strengthening inter-agency cooperation and enhancing legal awareness among youth are essential to preventing juvenile involvement in criminal activities and ensuring the protection of children's rights within the criminal justice system.

Keywords: *Criminological analysis; Juvenile delinquency; Theft; Police intervention;*

PENDAHULUAN

Children, as the younger generation, are the pillars of the nation's future, like young shoots that will grow into large trees that protect the surrounding ecosystem. This resilient younger generation must begin with the development of children into adolescents, who will eventually become adults capable of interacting with one another through socialization. The main

purpose of this socialization is not merely to make it easy to know and understand. The ultimate goal is for humans to be able to act and behave in accordance with applicable rules and values and for individuals to be able to appreciate them.¹

Children, as part of the younger generation, are the successors of the nation's ideals and human resources for national development. In order to realize a

¹ Abdul Syani, *Sosiologi, Skema, Teori Dan Terapan* (Jakarta: Bumi Aksara, 2000).

quality Indonesian human resource that is capable of leading and maintaining the unity and integrity of the nation within the framework of the Unitary State of the Republic of Indonesia based on Pancasila and the 1945 Constitution, continuous guidance is needed for their survival, growth, and physical, mental, and social development, as well as protection from any possibilities that may endanger them and the nation in the future.

The preamble to the UN Declaration implies that humanity has an obligation to provide the best for children. All parties agree that the role of the child is the hope for the future, that my child is the most precious thing to me, and that my child is my zest for life. The provisions of the law on legal protection are contained in Article 34 of the 1945 Constitution. These provisions are reinforced by the issuance of Law No. 4 of 1979 and subsequently updated by Law No. 23 of 2002 on Child Welfare.²

The importance and role of children in national life is recognized in the considerations of Law No. 23 of 2002 on child protection, which states: “that children are the buds, potential, and young generation who will continue the nation's struggle, have a strategic role, and possess special characteristics and traits that guarantee the continued existence of the nation and state in the future.”³

Modern society, with its complexity resulting from technological advances, mechanization, industrialization, and urbanization, has given rise to many social

problems. Therefore, adapting or adjusting to this highly complex modern society is not easy. The difficulty of adapting causes much uncertainty, confusion, anxiety, and conflict, both external conflicts that are open and internal conflicts that are hidden and closed in nature. As a result, people develop patterns of behavior that deviate from general norms, acting selfishly for their own gain and personal interests, thereby disturbing and harming others.⁴

Technological and informational developments in the era of globalization have a significant influence and role in shaping children's behavior. For example, every day children watch television programs that show films and scenes of violence that are inappropriate for children to watch, which greatly affects their behavioral development. In this regard, if parents are not careful in guiding their children, it will cause problems in the future.

In efforts to nurture and protect children in society, problems often arise, leading to deviant behavior among children, which directs them to commit unlawful acts regardless of their economic and social status. This intentionally or unintentionally causes children to commit acts that harm themselves and the surrounding community. Thus, children come into conflict with the law, and it is only natural to be concerned about what is happening to Indonesian children, especially in the Tampan subdistrict of Pekanbaru. Crimes committed by children are essentially a product of social conditions, including social unrest or social

² Emilia Krisnawati, *Aspek Hukum Perlindungan Anak, Bandung* (Bandung: CV Utomo, 2005).

³ Otong. Rosadi, *Hak- Anak Bagian Dari HAM* (Subang: Wildan Akademika, 2004).

⁴ Kartini Kartono, *Patologi Sosial 2, Kenakalan Remaja*. (Jakarta: PT. Raja Grafindo Persada, 2011).

ills, while social ills are any forms of behavior that are considered inappropriate, violate general norms, customs, formal laws, or cannot be integrated into general behavior patterns. In general, children in conflict with the law are adolescents, in this case, adolescents who are experiencing a transition to adulthood, letting go of (childhood) values and acquiring new (adult) values.

In various television coverage and news reports, there are almost daily reports of crime among teenagers, ranging from theft and robbery to various other forms of criminal activity. One notable case in Riau Province involves crimes committed by children in the jurisdiction of the Tampan Police Station in Pekanbaru City. These acts are considered highly disturbing to the community and can be categorized as a social pathology, a societal disease that needs to be treated immediately. Many of the perpetrators have even committed acts of cruelty. They rob, destroy, and take other people's belongings. Of course, this needs to be dealt with immediately so that there are no more victims.

The Tampan Police Station is a lower-level organizational structure of the Indonesian National Police within the Pekanbaru Police jurisdiction that directly interacts with the community in providing protection, guidance, and services to the community in the Tampan subdistrict. As a subdistrict in the capital city of Riau Province, it covers an area of 5,981 km² comprising four urban villages with a population of approximately 206,307, which is almost half of the total population recorded in the city of Pekanbaru. The large population and area make the Tampan Police jurisdiction prone to criminal acts/crimes, with an average of one incident

per day reported to the police. From January to December 2023, there were 154 criminal incidents. The most common criminal activities in the jurisdiction of the Tampan Police Station are street crimes, including theft, whether it be ordinary theft, aggravated theft, or theft with violence.

Compared to 10 other police stations within the Pekanbaru Police jurisdiction, the Tampan Police Station has the highest crime rate compared to other police stations, with 154 cases, mainly street crimes including theft, both ordinary theft, aggravated theft, and violent theft. followed by the Bukit Raya Police Station with 150 criminal cases (127 of which were solved) and the Payung Sekaki Police Station with 136 criminal cases and 120 solved cases, followed by other police stations.

Crimes occurring in the jurisdiction of the Tampan Police Station are mostly committed by teenagers. The most prominent types of crimes are theft and motorcycle theft committed by teenagers. These crimes are very disturbing to the community, so it is necessary to find the causes and ways to overcome them.

When considering the framework of the Indonesian state, which aims to develop high-quality human resources capable of leading and maintaining the unity of the nation and state within the framework of the Unitary State of Indonesia, the guidance of children is an integral part of these efforts. Therefore, the issue of delinquent children or children in conflict with the law must be resolved comprehensively.

Based on the above conditions, the author wishes to focus this research on the topic "A criminological review of theft by children in the Tampan Police jurisdiction".

PROBLEM IDENTIFICATION

Based on the description presented in the background above, the problems identified in this study can be formulated as follows:

- 1) What are the factors that cause theft by children in the jurisdiction of the Tampan Police Station?
- 2) What are the efforts to combat theft by children in the jurisdiction of the Tampan Police Station?

METHOD

This study is an observational research⁵ conducted through a survey method using data from interviews. This study is descriptive in nature, as it aims to provide a clear and detailed description of the issues under study, particularly those related to the factors that cause children to commit aggravated theft in the jurisdiction of the Tampan Police Station. Object. The research population includes all parties involved in handling aggravated theft crimes at the Tampan Police Station, namely the Tampan Police Chief, the Head of Criminal Investigation, the Criminal Investigation Unit, all members of the Tampan Police Criminal Investigation Unit, and children who have committed aggravated theft. From a total population of 31 people, the author determined the sample based on certain procedures so that it could adequately represent the population. The sample consisted of the Criminal Investigation Unit of the Tampan Police Station who were directly involved in handling cases of aggravated theft committed by children, namely six

members of the Criminal Investigation Unit and six children who committed the crime, bringing the total sample to twelve people. The data sources used in this study included primary data, secondary data, and tertiary data. Data collection was conducted through interviews.

RESULT AND DISCUSSION

1. Factors causing children to commit theft in the jurisdiction of the Tampan Police Station

The Tampan Police Station is a district-level police organization with jurisdiction over the Tampan district, which is one of the districts of the Pekanbaru City Government, the capital of Riau Province. The highest number of crimes committed in the Tampan Police Station area from January to June 2023 was aggravated theft, with 20 cases reported and 9 cases solved. Of those solved cases, 11 suspects were classified as minors between the ages of 15 and 18.

The aggravated thefts were committed using the *modus operandi* of snatching, but in this case, they could not be classified as violent theft (Article 365 of the Criminal Code) because the victims did not experience violence or threats of violence from the perpetrators. The *modus operandi* of the 9 cases of aggravated theft that were uncovered involved 2 to 3 perpetrators using motorcycles to take bags from victims who were also riding motorcycles, either by damaging them with scissors or by directly snatching them without using

⁵ dan Ani Yumarni Martin Roestamy, Endeh Suhartini, *Metode Penelitian, Laporan Dan Penulisan Karya Ilmiah Hukum Pada Fakultas*

Hukum (Bogor: Program Studi Ilmu Hukum Fakultas Hukum Universitas Djuanda, 2020).

violence or threats of violence against the victims.⁶

The factors that cause children to commit aggravated theft in the jurisdiction of the Tampan Police Station are

1. Family Factors.

The family is the smallest unit that provides the primary foundation for a child's development. The family is the closest people to the child, and parents are the closest family members who are the main factors in raising their children, starting from infancy until

In adulthood, proper parenting by both parents has a significant impact on children, as do parental behavior patterns toward children and parental behavior patterns that children can emulate.

Children raised in broken homes will be greatly affected in their lives, because broken homes are families that are not harmonious, do not function like peaceful and prosperous families, and often experience arguments and disputes that lead to divorce. This situation greatly affects family members, especially children, especially if the children are still at a vulnerable age in their growth and are still classified as children entering adolescence.

The impact of this influence causes children to often feel uncomfortable at home and to be neglected by their parents, so that they seek an environment that will accept them and make them feel important in that environment. Sometimes, in order to

quickly enter an environment and be accepted in that environment or group, they resort to deviant behavior so that they can quickly adjust. Among the five suspects involved in aggravated theft committed by children in the jurisdiction of the Tampan Police Station, three suspects were found to be children from broken homes, namely AM, SA, and DZP.⁷

From interviews with perpetrators with the initials A.M., S.A., and D.Z.P., who were part of a gang that committed snatch thefts, it was revealed that they were neglected by their families, especially their parents, due to broken homes. They felt lonely and tried to fill the void by looking for friends and activities that would bring them comfort and pleasure, as well as joining people who cared about them.

2. Environmental Factors.

The environment is one of the factors that influence the formation and development of individual behavior, both the physical environment and the sociopsychological environment. Learning is one of the environmental factors. Some refer to this environmental factor as experience, because it is through the environment that individuals begin to experience and feel their surroundings. Humans cannot completely escape the influence of the environment, because it is always present around them. The environment can influence individuals in two ways, namely:⁸

⁶ "Interview with Brigadier Ali Bakri. Assistant Investigator, Criminal Investigation Unit, Tampan Police Station. Date: September 12, 2021.," (n.d.).

⁷ "Interview with Brigadier (A. B), Assistant Investigator of the Criminal Investigation Unit of the Tampan Police Station at the Tampan Police

Station Headquarters on September 12, 2023.," (n.d.).

⁸ Tarsisius W. Taufiq Rohman Dhohiri, *Sosiologi III Suatu Kajian Kehidupan Masyarakat SMA/MA* (Bandung: Yulistira, 2001).

a. The environment shapes individuals as social beings

The environment refers to other people or human beings who can influence and be influenced, so that in reality it requires individuals to be social beings who interact with one another. The severing of human relationships with society in the early years of development will result in a change in human behavior as humans, a change in human behavior in the sense that they will not be able to interact and adapt with their peers and their environment.

b. The surrounding environment

The environment can create a new face for individuals. An environment with a variety of cultures is a source of inspiration for them. The environment can shape a person's personality because humans are thinking beings. Curious and eager to try out everything available around them.

The environment plays a role for individuals as:

- 1) A means for individual interests and survival, as well as a means for social interaction.
- 2) A challenge for individuals, which they strive to overcome.
- 3) Something that individuals follow. A diverse environment constantly stimulates individuals to adapt and follow it, as well as to try to imitate and identify with it.
- 4) An object of adjustment for individuals, both alloplastic and autoplasic. Alloplastic adjustment

means that individuals try to change their environment.

The environment greatly influences their lives; a diverse environment constantly provides stimuli for individuals to adapt and follow it, as well as to try to imitate and identify with it. And the social environment influences the well-being and behavior of the people who live in it.

3. Economic Factors.

Economic factors are factors that originate outside of humans. A person generally commits theft in order to take possession of another person's property so that the economic value of that property can be exploited by the perpetrator. Therefore, a person with a low level of economic welfare will be more vulnerable to theft. According to Marx's theory, "crime is merely a product of a poor economic system, especially the capitalist economic system, so the task of criminology is to reveal the true relationship between the economic structure of society and crime."

Similarly, Plato said, "Wealth and poverty are a great danger to the soul. The poor find it difficult to meet their needs and feel inferior, giving rise to a desire to commit crimes, while the rich live luxuriously for all their entertainment."

Looking at current economic developments, it cannot be denied that human needs are increasing, requiring high expenditures. However, sometimes these high expenditure demands are not matched by high income. Ultimately, in order to meet these needs, a person sometimes resorts to any means necessary. Based on the results of the author's interviews with the five children suspected of theft, the

economic factors that caused the suspects to commit aggravated theft can be divided into two parts:

a. Economic factors in meeting daily needs

DZP, who ran away from home and then stayed at an internet cafe, had to commit crimes such as snatching in order to meet his daily needs, especially after losing at online gambling. This was because he did not have a job and did not have the skills to get a job. He spent his days playing on the internet and sometimes helping the operator at the internet cafe. Similarly, suspect AM, who was one of the suspects in the theft, committed snatch theft to meet his daily needs because his parents rarely gave him money for spending, so he resorted to snatch theft. He used the money from the theft to buy phone credit, motor oil, and other necessities.

b. Economic factors used for pleasure or extravagance.

The proceeds from the crimes committed by the children of the suspects involved in aggravated theft were used for pleasure and extravagance, including online gaming, online gambling, purchasing drugs, and even to satisfy their sexual needs. The suspect, BS, 17 years old, comes from an upper-middle-class family, where both parents are civil servants. Although his basic needs are met materially, he still commits robbery. The proceeds from his robberies are used for online gambling and purchasing methamphetamine. Every time he succeeds and obtains money, he buys methamphetamine and uses it in a hotel, while the rest is used as capital for gambling.

The more positive information and knowledge they gain from school, whether in the fields of general knowledge, religion, or personality.

A low level of education greatly influences a person's behavior, because people with a low level of education will have limited access to information and knowledge. Thus, all opportunities to access information and knowledge will be cut off, so that the reasoning that will shape their behavior will be limited to the knowledge they have gained from their own environment. Therefore, it will be difficult for them to distinguish between bad, evil, and good behavior because the norms absorbed in their souls are lacking. Knowledge and character building are inseparable from a person's level of formal education, especially if their parents are unable to provide good examples and teachings as a foundation at the family level.

5. Technological Advancement Factors

Rapid technological advancement, especially in information technology such as the Internet, has a significant impact on social life within society. It has become easier for people to do everything, including committing crimes using new methods that escape the reach of applicable laws. The Internet has become a new cultural influence that is very difficult to control, because it is easily accessible by anyone without being known or restricted by others, whether it is in the form of information, data, or other activities that are online or directly connected in communication.

It is this technological advancement that has led to deviant behavior among irresponsible users, such as using the

internet as a means to commit crimes, including fraud, the dissemination of pornographic websites, transactions involving prohibited goods, online gambling, and other crimes that can be committed using the internet.

This is also what triggered the six children who were suspects in aggravated theft to commit their crimes. These five children were highly addicted to using the internet for online gaming and online gambling, spending entire days in front of their computers.

The online games they played could generate money, because the points they earned could be traded, and to play the games, they needed points, which had to be purchased. Similarly, online gambling required a deposit of money in a bank account before they could start gambling. If they won, the money would be transferred directly to the player's account, but if they lost, they had to top up their account balance to continue playing. This is what drives the six children to become so addicted to playing that they resort to any means necessary to obtain money for playing, including committing theft with aggravating circumstances or robbery.

The suspect SA explained that almost every day he would go to an internet cafe to spend his time gambling online and playing online games. If he lost at online gambling, he would switch to online games, and if he ran out of money, he would resort to snatching to get money. The money he got from snatching would be used to play online games and gamble online. He was very addicted and could not stop playing games on the internet.

Similarly, other influences from the unrestricted use of the internet have had a

detrimental effect on them, such as accessing pornography, which damages their mental health, leading them to pay for prostitutes and use drugs.

2. Efforts made by the Tampan Police Station in combating theft committed by children

The Indonesian National Police is a state law enforcement institution vested with fundamental responsibilities as stipulated in Law Number 2 of 2002 on the Indonesian National Police. These responsibilities encompass maintaining public order and security, providing protection and services to the community, and enforcing the law as an integral part of the criminal justice system. In carrying out these functions, the Indonesian National Police plays a strategic role in safeguarding legal order, upholding the rule of law, and ensuring the protection of citizens' rights within the framework of a democratic state governed by law.

Organizationally, the Indonesian National Police maintains a uniform set of primary duties from the central level to regional units. In addition to its law enforcement mandate, the police institution also functions as a guardian of public security and order within society. Maintaining public security and order implies that the police, through its operational units at every level, are obligated to provide a sense of safety to the general public by preventing and eliminating security disturbances, suppressing criminal activities, maintaining social order, and enforcing the law.

The Tampan Sector Police (*Polsek Tampan*) represents the lowest organizational unit within the police structure and serves as the frontline

institution that directly interacts with the community. As the most immediate extension of the Indonesian National Police, Polsek Tampan plays a strategic role in delivering protection, guidance, public services, and law enforcement at the grassroots level.

Considering the extensive jurisdiction of Polsek Tampan and the high incidence of theft crimes committed by juveniles within its territorial authority, comprehensive efforts are required in the form of prevention, mitigation, and law enforcement measures. These efforts are primarily the responsibility of law enforcement agencies, particularly the police, given their statutory functions and core duties in maintaining public order and enforcing the law.

Accordingly, the measures undertaken by Polsek Tampan in addressing juvenile theft offenses include the following:

1. Pre-Emptive Measures

Pre-emptive measures constitute the initial efforts undertaken by the police to prevent the occurrence of criminal acts. These measures are primarily aimed at instilling positive values and social norms so that such norms become internalized within individuals. When normative values are deeply embedded, the intention (*mens rea*) to commit a crime can be eliminated, even in situations where opportunities to engage in criminal conduct exist. In this context, pre-emptive crime prevention focuses on removing criminal intent at its earliest stage, thereby preventing offenses from occurring despite the presence of situational opportunities.

In practice, pre-emptive measures implemented by the Tampan Sector Police (*Polsek Tampan*) involve the active engagement of various police functions operating within Polsek Tampan, including:

a. Community Development Unit (Binmas Unit)

The Community Development Unit (*Binmas Unit*) constitutes the frontline function in implementing pre-emptive measures within the Tampan Sector Police (*Polsek Tampan*). Its primary mandate is early crime prevention through community development activities, targeting both organized and non-organized community groups. Through the *Bhabinkamtibmas* officers, the Head of the Binmas Unit conducts preventive efforts aimed at reducing juvenile delinquency and crime by implementing door-to-door programs. These programs involve direct data collection from families with children under the age of 18, coupled with outreach activities that emphasize the vulnerability of minors to deviant behavior. Parents and family members are advised to strengthen supervision and provide early moral and educational guidance within the household.

In addition, the Binmas Unit carries out the “Police Goes to School” program, which was initiated by the Head of Polsek Tampan. Under this program, police officers holding unit head positions (*Kanit*) are assigned to serve as flag ceremony supervisors at schools at the beginning of each month. During these occasions, they deliver legal education and awareness sessions, particularly highlighting the risks and consequences of juvenile involvement in criminal activities. Other Binmas initiatives include the dissemination of banners and leaflets in public spaces,

especially around internet cafés within the Polsek Tampan jurisdiction. These materials contain preventive messages encouraging youth to avoid criminal behavior and informing them of the legal consequences of engaging in crime, considering that internet cafés are predominantly frequented by adolescents aged 12 to 18 years.

b. Intelligence and Security Unit (Intelkam Unit)

The Intelligence and Security Unit (*Intelkam Unit*) functions as the eyes and ears of police leadership by providing information and strategic recommendations aimed at preventing disturbances to public security and order. In relation to the prevention of aggravated theft committed by juveniles, during the first semester of 2016 the Intelkam Unit prepared an intelligence assessment based on a six-month crime anatomy analysis. The findings indicated that the majority of offenders within the Polsek Tampan jurisdiction fell within the juvenile age category, ranging from 12 to 18 years. Based on this analysis, the intelligence report recommended the intensification of pre-emptive measures through legal awareness campaigns targeting children, both in school environments and within families, by empowering *Bhabinkamtibmas* officers and other personnel of Polsek Tampan.

c. Traffic Unit

In carrying out its duties, the Traffic Unit (*Lantas Unit*) also plays a role in public education and traffic engineering. Accordingly, in its efforts to promote traffic safety, order, and smooth mobility, the unit

incorporates broader social issues into its outreach activities based on directives from the Head of Polsek Tampan. These include discussions on juvenile delinquency and the dangers of drug abuse.

Through school visitation programs, the Lantas Unit conveys public security and order (*kamtibmas*) messages related to the vulnerability of minors to criminal behavior and narcotics abuse. These activities are conducted routinely during the second week of each month and are led directly by the Head of the Traffic Unit (*Kanit Lantas*), occasionally in coordination with the Pekanbaru City Police (*Polresta Pekanbaru*).

d. Criminal Investigation Unit (Reskrim Unit)

The Criminal Investigation Unit (*Reskrim Unit*) collaborates with the Probation Office (*Balai Pemasyarakatan*), which is also located within the Tampan District, to provide guidance and supervision for juveniles who act as victims, witnesses, or children in conflict with the law. In cases involving minor juvenile misconduct, the Reskrim Unit may refer the children to the Probation Office for counseling and guidance prior to their reintegration into their families.

This cooperation between Polsek Tampan, particularly the Reskrim Unit, and the Probation Office has been well established over time. In addition to handling juvenile cases, this collaboration also extends to monitoring the behavior of children who have previously been in conflict with the law, whether through mandatory reporting mechanisms or supervision during their rehabilitation and recovery process.

2. Preventive Measures

Preventive measures constitute a continuation of pre-emptive efforts and remain within the framework of crime prevention prior to the occurrence of criminal acts. Unlike pre-emptive strategies that focus on eliminating criminal intent, preventive measures emphasize the elimination of opportunities for crime to occur. In this context, prevention is carried out by reducing situational factors that may facilitate criminal behavior.

Preventive activities are implemented through the physical presence of police personnel at locations and times identified as vulnerable to criminal activities, as well as in situations that require police intervention to prevent disturbances to public security and order. The presence of law enforcement officers is intended to deter potential offenders and ensure a sense of safety within the community.

To carry out these preventive measures effectively, Polsek Tampan conducts coordinated activities by involving all functional units within the Tampan Sector Police, including:

a. Sabhara Unit

To minimize the occurrence of aggravated theft, the Sabhara Unit, through its Patrol Subunit, conducts routine patrols in areas identified as vulnerable to criminal activity. Patrol routes are determined based on intelligence assessments provided by the Intelligence and Security Unit (*Intelkam Unit*). These patrols are carried out continuously on a 24-hour basis using both four-wheeled and two-wheeled vehicles, under the direct supervision of the Duty Officer (*KA SPK*) of Polsek Tampan.

To optimize patrol effectiveness, Polsek Tampan has established a *Cipta Kondisi* platoon system, consisting of four platoons. Each platoon is led by two unit heads (*Kanit*) holding officer rank, who take turns conducting nightly patrols and checkpoints (*razia*) when deemed necessary. The implementation of this *Cipta Kondisi* strategy has proven effective in restricting the mobility of criminal offenders, particularly perpetrators of aggravated theft such as street snatching on public roads. In addition, the Sabhara Unit has been deployed at banks, vital objects, and other public facilities, providing overt security using complete uniforms and official attributes. This visible police presence serves as a deterrent, reducing opportunities for criminal acts by limiting offenders' ability to carry out their actions.

b. Intelligence and Security Unit (*Intelkam Unit*)

In addition to providing strategic input to the Head of Polsek Tampan regarding vulnerable locations, critical time frames, and offender group predictions, the *Intelkam Unit* implements *Kring Intel* activities. Under this scheme, intelligence personnel are covertly stationed in crime-prone areas to conduct surveillance and monitoring. This approach enables early detection of potential criminal activities, particularly aggravated theft, and facilitates a rapid response by relevant police units.

c. Criminal Investigation Unit (*Reskrim Unit*)

The Criminal Investigation Unit (*Reskrim Unit*) also applies a zonal deployment strategy known as *Kring Reskrim*, similar to that implemented by the *Intelkam Unit*. Under this arrangement, *Reskrim* personnel are positioned in areas

prone to criminal activity. When a criminal offense occurs, officers are able to take immediate legal action, including the arrest of suspects, thereby ensuring a swift and effective law enforcement response.

3. Repressive Measures

Repressive measures are undertaken after a criminal offense has occurred and are aimed at law enforcement through the imposition of legal sanctions. These measures are carried out primarily by the Criminal Investigation Unit (*Reskrim Unit*) by exercising formal legal actions, including arrest, detention, and other investigative procedures, up to the stage of prosecution by the Public Prosecutor's Office. The repressive approach thus represents the application of criminal law as a response to violations that have already taken place.

In cases involving juveniles as offenders, commonly referred to as *children in conflict with the law*, law enforcement authorities are mandated by statutory provisions to prioritize the principle of restorative justice. This principle is implemented through diversion mechanisms, with an emphasis on avoiding detention whenever possible for children suspected of committing criminal offenses. Such an approach reflects the recognition that punitive measures should not be the primary response in juvenile justice, particularly when alternative resolutions that promote rehabilitation and social reintegration are available.

The handling of juvenile offenders differs significantly from the treatment of adult offenders, as it must adhere to the specific legal framework governing the juvenile justice system. In Indonesia, this framework is primarily regulated under

Law Number 11 of 2012 on the Juvenile Criminal Justice System, which establishes distinct procedures and safeguards for children in conflict with the law. Furthermore, the handling of juvenile cases is also governed by internal regulations and operational guidelines within the Indonesian National Police, which provide detailed instructions on the implementation of restorative justice, diversion, and child-sensitive investigative practices.

Relevant Internal Regulations and Guidelines

a. Chief of the Criminal Investigation Agency (Kabareskrim) Telegram No. 1124/XI/2006 of 2006 and Telegram No. TR/395/VI/2008 dated 9 June 2008, concerning the implementation of diversion and restorative justice in handling cases involving juvenile offenders, as well as the fulfillment of the best interests of the child in cases where children act as offenders, victims, or witnesses.

b. Regulation of the Chief of the Indonesian National Police No. 10 of 2007 on the Organization and Operational Structure of the Women and Children Service Unit (*Unit Pelayanan Perempuan dan Anak – PPA*) within the Indonesian National Police.

c. Regulation of the Chief of the Indonesian National Police No. 3 of 2008 on the establishment of Special Service Rooms (*Ruang Pelayanan Khusus – RPK*) and the procedures for examining witnesses and/or victims of criminal offenses.

d. Regulation of the Chief of the Indonesian National Police No. 8 of 2009 on the implementation of human rights principles by the Indonesian National Police.

e. Telegram of the Chief of the Criminal Investigation Agency dated 3 September 2009, concerning guidelines for the handling of children in conflict with the law.

The following are the stages implemented by the Criminal Investigation Unit (*Reskrim Unit*) in handling children suspected of committing a criminal offense, as outlined below:

- a. Investigators receive a report or complaint from the public, or independently discover a criminal offense allegedly committed by a child.
- b. Upon receiving a report or identifying an offense, investigators promptly initiate an investigation to collect information and evidence.
- c. When sufficient preliminary evidence is found, investigators issue an official assignment order and an investigation warrant.
- d. The Head of the Criminal Investigation Unit appoints investigators who are appropriate to the nature of the case and the child's gender, prioritizing female officers and investigators experienced in handling juvenile cases.
- e. During the investigation process, investigators are required to notify the Probation Office (*Balai Pemasyarakatan*) and seek recommendations from community counselors, and where necessary, consult experts in education, mental health, religion, or social services.
- f. Before summoning the child suspect, investigators must first examine the

complainant and witnesses, including conducting consultations with relevant experts.

- g. The summoning and examination of the child must consider psychological impacts and be conducted only when the child is in a physically and mentally fit condition, using a family-oriented and child-friendly approach.
- h. Children who are summoned or apprehended must be placed in a designated special service room at the police station in accordance with standards stipulated in police regulations.
- i. Arrest and detention of a child may only be carried out as a last resort, within strictly limited timeframes, and detention is prohibited for children under the age of 14.
- j. Investigators are required to prioritize deliberation and restorative justice mechanisms, including diversion, involving community counselors and relevant parties, and may exercise discretionary authority in accordance with applicable laws. If no agreement is reached, the case file is forwarded to the public prosecutor.
- k. Detention of a child may only be imposed as a measure of last resort in cases involving offenses punishable by imprisonment of seven years or more; where detention is unavoidable, investigators may apply alternative forms of detention, such as city detention or house arrest, or place the child in a designated juvenile facility or a separate unit within a detention center, following

an assessment based on the results of a social inquiry report.

The initial handling conducted by investigators of the Tampan Sector Police (*Polsek Tampan*) when dealing with a child suspected of committing a criminal offense prioritizes the implementation of diversion, namely the redirection of the settlement of juvenile cases from the formal criminal justice process to mechanisms outside the criminal court system. Diversion is intended to ensure that the handling of children in conflict with the law emphasizes rehabilitation and the best interests of the child rather than punitive measures.

In implementing diversion, Polsek Tampan refers to Telegram of the Chief of the Criminal Investigation Agency of the Indonesian National Police No. TR/1124/XI/2006, which provides guidelines and technical instructions on diversion practices applicable to children in conflict with the law. This telegram is grounded in Article 18 of Law Number 2 of 2002 on the Indonesian National Police, which regulates police discretion. The provision grants investigators the authority to take alternative actions aimed at achieving the best interests of the child in the handling of juvenile cases.

The legal basis for the application of diversion is further stipulated in Article 16 paragraph (1) letter (l) in conjunction with Article 16 paragraph (2) of Law Number 2 of 2002, which allows police investigators, in the course of investigation and inquiry, to take other actions that are legally accountable. Such actions must not contravene existing laws, must be consistent with legal and professional obligations, must be reasonable and proportionate, fall within the scope of

official authority, be based on compelling circumstances, and respect human rights.

Accordingly, the police are encouraged to develop and apply diversion principles within a restorative justice framework in handling criminal cases involving children. This approach seeks to foster community understanding that juvenile offending should be viewed as a form of juvenile delinquency that may arise from failures or shortcomings of adults in providing proper guidance and supervision during a child's development. Juvenile crime is therefore perceived not merely as a violation of legal norms, but as a disruption of human relationships that generates a collective responsibility for all members of society to participate in seeking the most appropriate solutions. Such solutions must balance the interests of victims with the present and future well-being of the child as the offender. In essence, diversion refers to the redirection of cases involving children suspected of criminal conduct away from formal judicial procedures, with or without specific conditions, toward alternative resolution mechanisms.

CONCLUSION

Based on the foregoing discussion, the following conclusions may be drawn:

1. The factors contributing to juveniles becoming perpetrators of theft offenses within the jurisdiction of the Tampan Sector Police (*Polsek Tampan*) include family-related factors, environmental influences, economic conditions, educational limitations, and the rapid development of information and communication technology.

2. The measures undertaken by Polsek Tampan in addressing juvenile theft offenses consist of pre-emptive measures, preventive measures, and repressive measures, which are implemented in an integrated manner as part of crime prevention and law enforcement efforts.

RECOMMENDATIONS

1. It is recommended that effective cooperation be strengthened among government institutions and law enforcement agencies in the City of Pekanbaru to provide special attention and comprehensive handling of children in conflict with the law.
2. It is further recommended that the government and the police intensify the regulation and supervision of internet cafés through periodic inspections, while simultaneously enhancing legal awareness programs for young people in order to promote compliance with applicable laws and prevent juvenile involvement in criminal activities.

REFERENCES

- “Interview with Brigadier (A. B), Assistant Investigator of the Criminal Investigation Unit of the Tampan Police Station at the Tampan Police Station Headquarters on September 12, 2023.” n.d.
- “Interview with Brigadier Ali Bakri. Assistant Investigator, Criminal Investigation Unit, Tampan Police Station. Date: September 12, 2021.” n.d.
- Kartono, Kartini. *Patologi Sosial 2, Kenakalan Remaja*. Jakarta: PT. Raja Grafindo Persada, 2011.
- Krisnawati, Emilia. *Aspek Hukum Perlindungan Anak, Bandung*. Bandung: CV Utomo, 2005.
- Martin Roestamy, Endeh Suhartini, dan Ani Yumarni. *Metode Penelitian, Laporan Dan Penulisan Karya Ilmiah Hukum Pada Fakultas Hukum*. Bogor: Program Studi Ilmu Hukum Fakultas Hukum Universitas Djuanda, 2020.
- Rosadi, Otong. *Hak- Anak Bagian Dari HAM*. Subang: Wildan Akademika, 2004.
- Syani, Abdul. *Sosiologi , Skema , Teori Dan Terapan*. Jakarta: Bumi Aksara, 2000.
- Taufiq Rohman Dhohiri, Tarsisius W. *Sosiologi III Suatu Kajian Kehidupan Masyarakat SMA/MA*. Bandung: Yudistira, 2001.