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EFFORT COUNTERMEASURES WITH ACTION CRIMINAL COLLECTIVE THEFT SAME IN MODE BREAKING THE CAR GLASS

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ABSTRACT

The discomfort that arises in the public is not without reason, due to the intensity of the crime following which the numbers are very high. Cases of theft using car glass finishing mode often occur in the city of Medan due to several problems. The problem is that the background of the perpetrator of the crime of theft is seen from economic factors or dependence on illegal drugs such as narcotics and other social factors. The research method used is a normative juridical legal research method. The approach used is the statutory approach, the tracing system used is the library research method The research results show that the modus operandi of the perpetrators of the crime criminal theft Which done in a way together with mode breaking a car window is by breaking the keyhole, breaking glass, making fake keys, or in other neater ways. Already It is an obligation for police officers to learn new methods which was carried out by the perpetrator of the theft by breaking the car window so that can finish disclosure case or even Possible can anticipate something follow criminal crime in the future.

Keywords: Countermeasures, Action Crime, Theft, mode, Glass Car.

Journal History

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INTRODUCTION

According to Article 1 paragraph (3) of the 1945 Constitution of the State of Indonesia is Country Which based on on law. As country law, Indonesia accept law as an ideology to create order, security, justice and welfare for its citizens. Law is all the rules and principles that exist regulate social life in society where the aim is to maintain order Which carried out through various institution And process To use realize enactment



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rule as something reality in public.¹ In Chapter 2 Book Constitution Law Criminal (Criminal Code), state every person, meaning who just Which do deed criminal can be punished. So that the Criminal Code (KUHP) can apply to anyone who commits a criminal act in the territory of the country Indonesia. The rapid development of people's lives as a result and process service development in all field life social, picky, economics, security, And culture has bring impact negative formenhancement quality and quantity various type crime Which very harm And unsettling public.²

Every public with its characteristics each, Possible give pattern the problem separately in in framework enforcement the law. However every public have a purpose Which The same, so that in in public achieved peace as results from enforcement law. The law enforcement process indeed cannot be separated from the legal system itself. The legal system can be interpreted as a part or process or stage which are interdependent and must be implemented and obeyed by law enforcement and society towards achieving legal certainty. That's what the law is for served as commander in chief in managing various dynamic movements of society. Enforcement process law felt Still Far from hope public.³

Theft something deed follow crime Which happen among people whose targets are to steal building materials, such as in at home, in the office or in public places. Theft of valuable equipment in the car and then broke the car window. Rising number of cases theft Which happen make or give rise to inconvenience for public. Inconvenience Which arise in public No without reason, with reason intensity follow crime theft Which the numbers very tall. Case theft with mode solve glass car Which often occurred in the city of Medan due to several problems. As for the problem The background behind the perpetrator of the crime of theft is in terms of factors economy or dependence on illegal drugs such as narcotics and factors social, lack of level education, increase amount unemployed And not enough understand towards law, as well as factor environment bad life perpetrators of criminal acts of theft. In fact, from 2017 to 2019 that theft by breaking car windows occurred in the city The number of fields touching 15 cases. in 2017 a theft occurred with the mode of breaking car windows totaling 5 cases, while in year In 2018 there were 8 incidents and in 2019 there was 1 incident and in 2019 2020 there was 1 incident. 2 Thefts by breaking car windows in the city Medan has experienced an increase since 2017-2020, previously in 2011-In 2016 there were 4 cases and now there is a huge increase reasonable tall, So it is necessary to improve operational countermeasures following events or experiences in response efforts has been carried out

¹Frans Answaldo Sihombing, "Analisis Hukum Tindak Pidana Kejahatan Kekerasan Terhadap Orang Lain Yang Dilakukan Secara Bersama-sama", Jurnal Panca Budi, Vol. 1, No. 1, Maret 2019, p. 1...

² Soerjono, 1996, *Kejahatan dan Penegakan hukum di Indonesia*, Cetakan Pertama, Jakarta, p. 1

³ http://ejurnal.untag-smd.ac.id/index/.php/D/D/article/view/4767 accessed on date 10 May 2023



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and the level of success must be collaborative and involving agency apparatus enforcer law other like party Police, Prosecutor's Office, District Court and State Detention Center (Rutan) and if necessary involve academics to overcome theft type crimes with a solving mode glass car. Increased theft with glass breaking mode car What happened in Medan City is one of the cases that is of concern for apparatus enforcer law, specifically apparatus police city Medan Which carry out evaluations and carry out efforts to prevent theft information, whether pre-emptive, preventive or educate And rehabilitation Which done by party police, Attorney, Court Country And House Prisoner Country (Detention Center).⁴

Related previous case Which already occurred is impoliteness and brilliance perpetrator Which can harm person other, so follow criminal Theft conspiracy involving breaking car windows occurred on Recently in the city of Medan, people have felt anxious and become cautious, and feel uncomfortable when parking their vehicle, especially a vehicle four-wheeled / car that leaves things in the vehicle parked on the side of the road or in other parking areas such as in malls, supermarkets, restaurants and offices. So from the side agency enforcer law must more extra Work hard For do countermeasures And restrictions follow criminal theft with mode solve glass car Which classified in clarification follow criminal Theft is accompanied by weights within the community because of the method which the perpetrators used to carry out their actions were quite easy and fast. Unbeknownst to the owner of the vehicle and not detected by alarm installed on the vehicle moment the glass broke as a result spark plug used motorbike thrown the perpetrators. Move on from this chronology, can said perpetrator oppose law with do Act Criminal Theft is regulated in CHAPTER XXII of the Criminal Code (KUHP). violate Chapter 362 And 363 Book Constitution Law Criminal (KUHP). Article 362 of the Criminal Code (KUHP): "Whoever take something, which wholly or partly belongs to another person, with Meaning For owned in a way oppose law, threatened Because theft, with a maximum prison sentence long five years or criminal fine a maximum of nine hundred rupiah, and established enforcement of regulations for perpetrator follow criminal theft with mode solve glass car.

METHOD

The research method used is a normative juridical legal research method. The approach used is the statutory approach, the tracing system used is the *library research* method . 5 With a statutory approach, you will find answers regarding the limits and standardization of changes to a law . 6

⁴ http://hukum online. Com. Upaya Penanggulangan Komplotan Tindak Pidana PencurianDengan Modus Memecahkan Kaca Mobil %28.pdf?sequence=1&isAllowed=y.

⁵ Peter Mahmud Marzuki, Legal Research (Jakarta: Kencana, 2011), p. 15.

⁶ Eka NAM Sihombing, Cynthia Hadita, Penelitian Hukum Legal, (Malang: Intrans Publishing, 2022), p. 48.



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DISCUSSION

Modus Operandi Of The Perpetrators Of The Crime Of Theft Committed By Together With Mode Solve Glass Car

The word Modus Operandi is a word that is heard quite often and very often closely related to the process by which a crime occurs or the method do something follow criminal Which done individual or group nor Which done by a number of person Which usually done in a way regular. The modus operandi itself has a definition, namely, operational method something will happen just happened in one day or even a combined from a number of deed. Start – at first mode operandi only use weapon sharp, tool – tool material And tool communication simple. Then it reformed by using firearms, modern communication tools, chemical substances, and cooperate with those who are actually required to secure goods – goods Which become the target. In his statement, Aiptu Rikardo also gave several examples from mode operandi Which used perpetrator in gang follow criminal theft with mode Solve Glass car.

The example of modus operandi in the field begins with the perpetrator see victims who had just withdrawn large sums of money from the bank, after The perpetrator followed the victim who had just come from the bank and then followed the victim's car until the victim's destination stops, then the victim parks it somewhere And after victim leave his car in areas environment parking, At that time the victim was careless and usually the victim kept his money under the seat car then the perpetrator approached the victim's car by covering it victim's car with the perpetrator's vehicle so that people around him would not become suspicious at that time the perpetrator carried out the action. After that, the perpetrator immediately broke the car window victim the with ceramic bicycle spark plugs motorcycle or car Which has in crush it until it becomes powder. The spark plug ceramic powder is thrown into the direction glass car victim so that glass car victim the become cracked to pieces. After cracking the perpetrator directly pushed the glass which are already cracked and destroyed so that it does not cause a sound from the car alarm system victim. And you need to remember that when the car window is cracked it doesn't have any effect give rise to voice alarm warning Which It is in car sounds.

Other methods include the perpetrator not following the victim but the perpetrator surround and draw the mall parking area or in the parking area on the edge road, when the perpetrator saw that there were many cars parked in a parking lot, then The perpetrator flashed the car window to see if there was a laptop bag left behind or is there anything valuable that has been left behind that can be taken? The tools used to break the glass are the same, namely Motorbike or car gum that has been crushed into powder. Ceramic powder The spark plug was thrown at the victim's car window, causing the victim's car window to explode cracked. After cracked perpetrator push glass the Then take goods the with fast.



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Crime Mode operandi theft Which done in a way together- The same method of breaking car windows is also motivated by many people factor between other:

a. Factor economy / eye search

Lack of economy is the main factor in the occurrence of criminal acts of theft Because very impact Which Enough significant in life public, so from That because element economy the para perpetrator doing his actions in order to be able to finance his daily life - day. If linked with theory so factor economy is classified to in factor – factor crime Which in compulsion.

b. Factor Habit / Criminal Professional

Making money instantly through theft is a reason for perpetrator follow criminal make it A habit eg convict in case This police state that perpetrator confess his profession as a professional criminal because stealing for him is a job done every day so that it is easy to earn money and to fulfill the perpetrator needs to admit that he has been carrying out the crime for several years and The perpetrator joined a syndicate group that specialized in breaking car windows and tire deflated. Police City Medan state that perpetrator Already I've been used to doing this for a long time and it makes me This job is their profession and the perpetrators never give up Therefore, in the crime factor, it can be said that every act is evil If you do it often then this evil act becomes a profession very pleasant for him.

c. Factor environment

This factor also greatly influences someone to do something criminal acts, in other words an unfavorable environment can create somebody become wicked. For example somebody Which previously No Once make something follow criminal Then get along And life in the environment the criminal gang will most likely join the gang And do something crime.

The crime of theft involves breaking the car window Currently it is still a quite serious problem in the city of Medan where efforts are being made prevention still very required. By Because That required somethingefforts to overcome or at least prevent it from all parties are good the public and law enforcement officers who must be identified in order to be able to proceed in an orderly, directed and planned manner and take firm action against the perpetrators of theft with mode solve glass car so that as much as possible Possible push rate development, Because No No Possible in its development Theft can be considered as a normal phenomenon in society so that more and more people become victims of wrongdoing responsible perpetrator the theft.

As time goes by, there are ways to commit theft the more develop, deri mode operandi Which generally nature traditional/simple become mode operandi Which modern. With method damage the keyhole, break the glass, make a fake key, or in other waysanother neater way. It is the duty of police officers to learn new methods used by perpetrators of theft with The mode of breaking the car window in order to complete the



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disclosure of the case or even Possible can anticipate something follow criminal crime in the future.

The mode of crime is the method often used by perpetrators to committing a crime or a different way of committing it. Therefore know mode crime so will concluded description Which clear about form from crime Which done by perpetrator. Being form symptoms of crime shared according to deed Alone or deed group, butdeed That can Also seen as perpetrator's expression And Then para perpetrator in make it base distribution. According to method do as something possibility distribution:

- a. The act is carried out in such a way that the victim can observe the perpetrator's actions and observing the perpetrator, without considering whether victim realize deed the as follow criminal or No. For example persecution, insult, robbery, a number form fraudulent act, follow sexual crime. On the contrary, the act is done in such a way that the victim does not see the perpetrator's actions or did not see the perpetrator when the act was carried out. For example embezzlement, theft normal, And forgery.
- b. The action is carried out using or without using it facilities or special tools (carpentry tools, materials material chemistry)
- c. The act was carried out by using physical violence, in a way threaten or in a way hit

Theft with aggravation as regulated in Article 363 of the Criminal Code, at Basically the elements contained in this article are the same as the elements elements in article 362 principal theft. In this article there is an element of weighting The threat of a heavier sentence is imprisonment for up to seven years. As for Element weighting in chapter This is: ⁷

- 1) For example goods Which it was stolen creature life or animal, Which including "animal" Which explained in Chapter 101 Criminal Code is all type animals that chew the cud (buffalo, ox, goat, etc.), animals that apply to one (horse, donkey) while pigs, dogs, cats, No hoofed One And No also similar pig.
- 2) Example theft That done on time currently happen disaster natural, such as fires, volcanic eruptions, shipwrecks, stranded ships, accident Crete fire, riot hara rebellion or danger war. Theft committed at this time is punishable by more punishment hard, because at the time everyone was saving their souls and bodies as well as his wealth, perpetrator use chance For dohis crime. These include actions and the occurrence of disasters That is so tightly connection:
- 3) For example, the theft was carried out at night in a house or yard closed Which There is his house done by person Which is at there without

⁷ Zamnari Abidin, Hukum Pidana Dalam Skema, Ghalia Indonesia, Jakarta, 2004, p.68

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knowledge or without permission Which entitled. Time The night as referred to in Article 98 of the Criminal Code is the time between the sun sets and rises again. What is meant here is home a building that is used as a residence day and night. Warehouse and shops that are not occupied during the day and night, are not included meaning of home. Instead of huts, train cars, and plots room in in boat, if inhabited Afternoon And Evening, including meaning of home. What is meant by closed yard here is plain land Which on around him There is fence (wall, bamboo, fence grow – living plants), and other signs that can be considered limit. For can sued with chapter This, si perpetrator on time do theft That must enter to in House or yard the. If just pulling it out of the window won't work classified with theft Which intended here.

- 4) For example, theft is carried out by two or more people together The same. In order to be prosecuted under this article, two or more people must must act together as intended by article 55 of the Criminal Code, And No like case Which intended in chapter 56 Criminal Code, ie somebody Act, whereas a other only as perpetrator servant just.
- If the thief was committed to the place of crime or to be able to take goods to be stolen, done by dismantling, preventing, climb or use child key false, And order false.

This theft includes aggravated theft because of the mode It involved more than 2 (two) people and damaged the windshield of the enforcer's carThe regulation is in the form of Article 363 of the Criminal Code with a maximum prison sentence of 7 year.

Handling Regulations for the Crime of Theft Committed in a way Together with **Solve Glass Car**

According to Father Aiptu Ricardo Sihotang SH, Enforcement police in prevent theft mode solve glass car stand between For reach objective -objective And fulfillment social law. If just police given the task of pursuing social goals, there is really no need for trouble faced. But the police are always asked to take action. Not only Therefore, the police are also required to comply with legal provisions, Police Work Applicable is law enforcement. Police are the law of life. Through promises police And objective law For safe And protected public becomereality. The purpose of the police action has its own social meaning or have social goals alone. Enforcement Police law carry out enforcement prevention theft criminal in in gang follow criminal theft with mode solve glass car in city Medan that is:

a. Do Patrol,

police patrol regularly on the streets of Medan City by carrying out patrol is something action effective done by police in do it law enforcement in Medan City. Patrol activities are carried out by the City Police Medan by forming a crime detective to carry out patrols with use two-wheeled vehicles (2) or fourwheeled vehicles (4). Usually activities Patrols are carried out throughout Medan City, but patrols will do more often done in place Which quiet including prone to to action murder And action theft use do patrol so that crimes involving theft using the theft-by-solving mode The car window didn't happen again, at least in this time the police succeeded in suppressing the number



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criminal case of gang theft using the mode of breaking car windows in city Medan.

b. Do cooperation agency private or country
In enforcement gang follow criminal theft police cooperate, with various parties, for example bank security officers and security officers mall and agency office security in other departments and parking attendants in the city Medan so that more increase standard its security the goal so that The theft crime of breaking car windows no longer occurs, and the resource person requires every official office or bank or at the mall in CCTV must be installed in the parking area so that all motorized vehicles or vehicles four (4) wheels can be accommodated and if there is a theft task police easy And very helped in search tool proof For catch perpetrator. Perpetrator follow criminal theft with mode breaking glass car liable as Theft with The aggravations regulated in Article 363 of the Criminal Code are basically elements contained in this article are the same as the elements in article 362 theft principal. In chapter This There is element weighting Which threat punishment heavier namely prison during- forever seven year.

c. Effort countermeasures crime. Effort countermeasures crime must done in a way maximum so that the action is integrated and the action will not cause any harm perpetrator new And exists victim new next. Prevention or countermeasures is approach simple And directed Which can n avoid public from risk victim new.

Business public For cope crime can done in a way repression through the criminal justice system. Efforts to combat crime through The penal route focuses more on the repressive nature after the crime has occurred. Business this is done to be done for reduce or suppress the amount crime And try do or do something with repairperpetrator Which has do crime.

The repressive efforts carried out are efforts to control crime in a way conceptual Which aimed after happen crime. Countermeasureswith repressive efforts intended to take action against the perpetrators of crimes accordingly with their actions and correct them again so that they realize that the act he committed was an act that violated the law and causes harm to society, so it will not be overcome and person other Also No will do it remember penalty Which will bear it very heavy.

According to Aiptu Ricardo Sihotang Also in the statement say that on moment effort countermeasures crime mode operandi This Also there is factors Which become inhibitor so that difficult foreradicate it. Inhibiting factors Which experienced is as following:

- 1. Lack of evidence and public witnesses who don't care/don't want to know to crime Which happen around
- 2. Means supporter in place incident case (crime scene) not enough adequate

Countermeasures is effort Which held For prevent, face, or overcome a situation includes preventive activities and while also trying to improve someone's stated behavior

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guilty, in other words, countermeasures can be carried out preventively and repressive.

Effort countermeasures crime must done in a way maximum so that the action is integrated and the action will not cause any harm new perpetrators and new victims. Prevention or overcomingis approach simple And directed Which can avoid society from the risk of new victims. Neither did the police in dealing with it In this case, the people of Medan City are also expected to participate in eradicate crime mode operandi This Business public For Tackling crime can be done repressively through the justice system criminal. Efforts to combat crime through criminal channels are more focused on the repressive nature after a crime occurs. This effort was made to be carried out to reduce or suppress the number of crimes and try to commit or do something by repairing perpetrator Which have done crime.

Repressive actions can basically also be seen as preventive actions in meaning wide. Business in do countermeasures crime with law criminal on basically Also is part from business enforcement law (especially enforcement by criminal law). That's why it often happens It is said that politics or legal policy criminal is part of *law enforcement* policy. Therefore it is natural too if criminal law policy or politics is also an integral part of social policy or politics (*social policy*). Social *policy* can interpreted as all business Which rational For reach well-being public And at a time covers protection public. So in in The meaning of " *social policy*" is also included in it " *social welfare policy* " And " *social defence policy*".

Effort repressive is something effort countermeasures crime in a way conceptual direction after a crime occurs. Countermeasures with repressive efforts are intended to take action against perpetrators of crimes in accordance with his actions as well as fix it return so that they aware that the act he committed was an act that violated the law and cause loss public, so that No will deal with it and people other Also No will ndo it remember penalty Which will bear it very heavy.

In effort preventive Which most importantly is with use method do something business in effort preventive Which positive as well as done a way to organize a situation such as the economic situation, the environment and also culture for society which becomes a dynamic force in building and not the other way around, like giving rise to social fears that refer to itappearance behavior deviated. besides That in effort preventive Whichneeded is How method For increase awareness And community participation that security and public order are a responsibility together. Effort prevention, that is For person Which Have resistance And immunity to theft. Prevention is better than eradication, You can prevent theft by breaking car windows ways, such as training and supervision in the family, counseling by the party competence. It aims to reduce or eliminate cases of theft vehicle motorcycle And theft weighting.

Then There is known also Effort Preemptive Where effort preemptive is a way of approaching society through dialogue or sharing or carrying out direct field research activities regarding vulnerabilities and the danger of theft crimes in the city of Medan by The gang stole by breaking car windows. Appeal providing banners and warnings and then installing banners in all places parking environment so that people who have four-wheeled vehicles (4) to be more careful in leaving valuables behind when the car is parked and police advice, the public must be aware if they want to take money Large numbers must be accompanied, not alone. If you are alone, that's where the conspirators are theft

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have chance. And give appeal to every street corners and parking areas everywhere to install CCTV because Every place in the parking area must have CCTV so that it can be processed arresting the perpetrator and the evidentiary process of looking for evidence so that the police do not experience difficulty when operate his task.

In the information above, we can understand preventive and pre- emtive That is How We do something business Which positive, as well as how do we create conditions such as economic conditions, the environment, also community culture which becomes a dynamic force in development and not. On the contrary, it seems to give rise to social tensions push emergence deed deviate Also beside That How increase awareness And participation public that security And order is a shared responsibility. Based on the research results aboveso writer analyze that based on widespread theft with The mode of breaking car windows in the city of Medan is mainly a preventive measure Not yet maximum.

Increase the intensity of raids, patrols and guards only when they occur the crime of theft involves breaking the car window, however, nonext will not enough effective For cope crime theft with mode solve glass car the. Strive Alone cope crime of aggravated theft without involving the surrounding community will also be very make party police not enough maximum Work because exists limitations amount personnel police in something unit.

However, in law enforcement in this case there is a modus operandi also the inhibiting factors experienced by the police in enforcing the law No maximum. As for factor inhibitor that is :

- 1. Factor inhibitor from Apparatus enforcer Law
 - Inhibiting factors for law enforcement officers who have constraint or obstacle Which often faced by City Medan indo task moment investigate case Theft with mode solve glass car, namely:
- a) A number case big theft criminal, theft with mode solve glass car happen in City Medan, And No comparable with amount investigator or investigator
- b) In do investigation Still There is overlapping overlapping tasks from investigator in finish case Which requested finished together.
- c) Investigator experience difficulty in reveal case theft with weight Which No in accordance, many popping up para perpetrator with use mode new, Which make investigator difficulty For do proof.
- d) In do investigation, a number of investigator Still do method violence Because para perpetrator moment asked information No declare your honesty to the police so you can get it confession from suspect police forced to use violence.
- e) In terms of skills, there is still a lack of skills, abilities and activities and motivation of supporters to support carrying out tasks special in framework process investigation Crime Theft with the investigation process. Doubtful obstacles regarding abilities And creativity Still There is considered No adequate in handle theft with mode operandi solve glass car.
- 2. Factor Means And Facility in Enforcement Law

Lack of facilities and infrastructure for transportation facilities such as



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vehicles two (2) and four (4) wheels and there is still a shortage of police officers in do raid, patrol is form in effort. For prevent crimes from occurring, therefore patrols or raids in the city of Medan Which coverage yet wide, so police difficult. For lower or minimize crimes from occurring, but there is always evaluation from the parties police, and the police always try to keep crime at a minimum decrease police hope so that public Want to help in lower follow crime in Medan City.

CONCLUSION

Mode Operandi Perpetrator Act Criminal Theft Which Done By Together with the method for breaking car glass, this is the method breaking keyholes, breaking glass, making fake keys, or by ways other Which more neat. Already become obligation for apparatus police For learn modes new Which done by The perpetrator of the theft uses the method of breaking the car window in order to complete it disclosure of cases or perhaps even anticipating an action criminal crime in the future. Efforts to overcome criminal acts of theft using solving methods glass car is with Prev emptive Efforts, Make banners / banners that are attached to each roads in the city of Medan, and in the parking lots of shopping malls and environmental parking must be mandatory for malls and office buildings or the bank is required to install CCTV in the parking area so that this can be done help police in process investigation And investigation. Conduct counseling to public And Also police public must do completeness to public so that public could be more Be careful when putting valuables in the car and also more heart - heart in think about it his car. Preventive Efforts, Carrying out police operations or raids effectively scheduled And continues And done by police in a way complete including the functions of Sabhara, Intelligence, Binamitra, Sat Then and Criminal Investigation. Conduct cooperation between party police with agency correctional institutions and collect data on recidivists new just go out from institution society. Society so that more Be alert and don't leave valuables behind in his car and for the police to be further strengthened with The police are present in places that are prone to frequent crime, and must be done activity like guarding And activity Patrol.

The police, so that the police improve the socialization program or comprehensiveness law or cooperate with student faculty law city Medan the goal so that student acting active in prevent crime or assist the police in dealing with it crime and socialization to society. To carry out centralized patrols and recruitment of police officers, as well as in police guard posts against crime-prone areas and bank parking lots and shopping center. The police must be firm and actually take action firm against the perpetrator which is expected commit crime. Naturally crime of theft by mode breaking glass car. The police must evaluate so that notice factor main inhibitor from effort overcoming the crime of theft by breaking glass car. Public, Public must lighten up And help intertwine cooperation with apparatus enforcer law or party police in reveal case crime together party police. Society in expect have awareness And vigilance Which OK.



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Agar on time happen follow criminal crime theft with mode breaking people's car windows so that they immediately report it to the authorities police.

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