

Law Enforcement Against The Crime Of Vandalism In The Jurisdiction Of The Medan Polrestabes

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ABSTRACT

Vandalism is closely related to social problems in general (social panthology), the causes of which can occur due to economic, political, or even smaller scope factors, namely the family. The subjects of this vandalism are all people involved in the culture of destruction, destruction carried out together by a group or individual. Their targets are usually in general public spaces such as bus stops, traffic signs, highway signs, walls, and so on. In Indonesia vandallime is considered a form of activity that is often ignored by society because it is considered a form of petty mischief that has little impact on life. However, vandalism is a serious problem , if it is not handled quickly and appropriately it will become a big problem. The problem in this research regarding law enforcement against acts of vandalism is that there are still things that deviate from the law , for example the absence of complete assignment letters when carrying out investigations. The aim of this research is to determine a series of acts of vandalism. The method used in this research is an empirical juridical method, namely a case study of vandalism in the jurisdiction of the Medan Police.

Keywords : Indonesian Stock Exchange, Carbon Emission Disclosures , Financial Ratios

INTRODUCTION

The city of Medan is a city that is known for the beauty of every corner and there are also many historical places and buildings that still stand tall and strong. Apart from that, Medan is also one of the five big cities in Indonesia which is a very popular tourism destination for out-of-town tourists, especially for spending weekends and holidays. However, behind this historical beauty, there are always irresponsible individuals who damage several public facilities, which is usually called vandalism.

Vandalism according to the Big Indonesian Dictionary is "The act of damaging and destroying works of art and other valuable items (natural beauty and so on) or violent and violent destruction and destruction". Vandalism itself is often found in the middle of public spaces or public facilities which greatly disturbs the beauty and comfort of the public space itself, and not only that, vandalism and vandalism are also often found on personal belongings such as vehicles, business premises/ trade, also in residential areas or privately owned buildings. According to Ralf Dahrendorf, the public sphere is interpreted as "The most private world of life, such as love and friendship, as well as the world of market mechanisms which include personal and intensive interests, are not the only dimensions of human life. In the public sphere, people act not only because they are driven by kindness, not just as a

reaction to various incentives (financial or not), but people have an ethos of serving the interests of the community."

Acts of vandalism in the city of Medan are very diverse, starting from graffiti on walls in the form of murals, forms of aspirations that are not heard by the government and criticism, graffiti on area markers such as motorbike gangs, vandalism of public facilities, destruction of personal belongings, theft, and others. One of the most frequently found examples of vandalism is graffiti on walls. This graffiti really disturbs the beauty of the corners of the city and is usually done generally by teenagers and is usually done to show the existence and work of art which actually disturbs the comfort and beauty of the city, and also examples of acts of vandalism in the form of damage that target private property are as follows. Damaging property, vehicles and business premises, all of which fall into the criminal realm.

Criminal law regulates acts of vandalism which are included in criminal acts in the form of violations and can be said to be minor crimes. Minor crimes are seen from the sanctions imposed on the perpetrators of vandalism in the form of fines and imprisonment (can be replaced by fines). The regulation of vandalism is contained in the third book, chapter 1 concerning violations of general security for people or goods and health, the Criminal Code (hereinafter referred to as the Criminal Code). Vandalism is a minor crime, but it causes unrest in society. The criminal penalties regulated in the Criminal Code do not have a deterrent effect on perpetrators of vandalism. This is proven by the fact that there are still many criminal acts of vandalism that disturb the comfort and peace of the community. Punishment in the form of sanctions or imprisonment is a form of retaliation for legal violations committed, but does not look at the impact on the perpetrators of vandalism and the community. So the government needs to deal with the problem of vandalism, with the need for a relationship between the perpetrators of vandalism and the community to be able to resolve the problem, through recovering the damage or losses resulting by implementing restorative justice.

In the city of Medan itself, many cases of criminal vandalism are left unattended and only a few reports are submitted and reported to the police by parties who feel they have suffered a loss and on average these cases fall into the realm of crime. According to data from the Medan Police Criminal Investigation Unit, in 2020 there were around 14 reports received at the Medan City Police, in 2021 there were 19 reports and in 2022 there were only 9 reports reported by people who felt disadvantaged by this act of vandalism. On average, the cases reported are cases related to the destruction of personal property, for example destruction of property, damage to business premises, private vehicles or those related to article 406 where

the elements are that the perpetrator commits an unlawful act by destroying and damaging property. property of the victim so that the victim feels aggrieved and the perpetrator generally carries out the act based on various motives and reasons.

The Criminal Code (KUHP) clearly regulates damage related to acts of vandalism, including those discussed in Chapter XXVII regarding destroying or damaging goods in Article 406 paragraph 1 which reads: "Whoever intentionally and against all intents and purposes, the law destroys, damages , making it unusable or removing something which wholly or partly belongs to another person, is punishable by a maximum imprisonment of two years and eight months or a maximum fine of four thousand five hundred rupiah." The elements related to acts of vandalism in this article are destroying or damaging goods or things belonging to other people where there is an individual element. In the third book of the Criminal Code which relates to violations, it also discusses acts of damage in Chapter I, namely about violations of public security for people or goods and health, namely in article 489 paragraph 1 which states that: "Mischief to people or goods that can cause danger, loss or distress, is threatened with a maximum fine of two hundred and twenty-five rupiah."

Therefore, after the author explains the background of the problem above, the author is interested in taking this topic with the title: "**Law Enforcement Against Criminal Acts of Vandalism in the Legal Area of Medan Police**". Based on the background of the problem and problem identification, several problems can be formulated as follows:

1. What are the obstacles faced by the Medan City Police in enforcing the law against perpetrators of vandalism in the city of Medan?
2. What solutions did the Medan Police take to face obstacles in law enforcement against perpetrators of vandalism?
3. How is law enforcement against perpetrators of vandalism crimes in the jurisdiction of the Medan City Police?

RESEARCH METHODS

The method used in this research is an empirical juridical method, namely legal research regarding the enactment or implementation of normative legal provisions in action at each specific legal event that occurs in society.

Field Research (conducting research by going directly into the field), that is, by directly going into the field to search

1. research data by interviewing a member of the public regarding the criminal act of vandalism This is in the Medan Police area.

2. *Libraries Research* (library research), namely collecting data by searching and researching books, magazines, *websites* and other resources regarding criminal acts of vandalism.

In this research, the following data collection methods were used:

1. Observation
2. Interview
3. Documentation Method

The author analyzes the data using a normative method, namely a process for finding legal rules, legal principles and legal doctrines to answer the legal issues faced. Therefore, the author will explain various problems regarding law enforcement against criminal acts of vandalism in the jurisdiction of the Medan Police

RESEARCH RESULTS

3.1 General Description of Criminal Acts at the Medan Police

Recently there have been widespread acts of vandalism at the Medan Police. With rampant acts of vandalism, it has become difficult to control. This is a problem in itself for the Medan Police, because the act of vandalism itself is an act of damaging or destroying personal or public property in various ways, such as graffiti on public facilities including walls and fences, pasting brochures, posters and so on. which seems to disturb the order, cleanliness and beauty of the Medan Police area itself.

As mentioned above, in this case the research carried out by the author focused more on the act of scribbling on walls, walls or other people's property as well as on public infrastructure. This act of doodling is commonly known as graffiti. Graffiti itself means scribbles on walls that use a composition of colors, lines, shapes and volumes to write certain words, symbols or sentences.

This research highlights the phenomenon of gang graffiti and sign graffiti which only gives the impression of being dirty and destructive. Gang graffiti is graffiti carried out by gangs to mark territory or convey threats of violence, and sometimes plagiarized graffiti, which imitates gang graffiti. Sign graffiti (marking/tagging), this graffiti takes the form of lots of scribbles from chicken scratches to complicated street art.

This graffiti at the Medan Police is usually done by teenagers. These teenagers usually

start by following what their friends are doing¹. When a friend is doing graffiti, someone wants to do that too. Apart from following what his friends did in committing acts of vandalism, the perpetrator committed the act of vandalism because he saw what he saw on social media or on the roads and buildings where there was vandalism, which made the perpetrator also commit the act of vandalism. They are willing to try new things .

The perpetrator's reason for committing the act of vandalism was as a medium to express himself because he had a lot of problems and a lot of thoughts so it could be entertainment. There is satisfaction for the perpetrator because he has done the doodling.

Apart from that, the perpetrators of vandalism usually carry out their actions simultaneously. When carrying out acts of graffiti vandalism, perpetrators usually target strategic areas. The strategic land consists of empty buildings, collapsed houses, shophouse walls or fences and public infrastructure. The perpetrators usually carried out their actions during quiet times, such as late at night before early morning .

When conditions were quiet and they had found a strategic location, the perpetrators began to commit acts of vandalism by scribbling on the walls using pylox. This is what makes acts of graffiti vandalism difficult to take action against because they carry out their actions in a cat and mouse manner with patrols carried out by officers.

Then, related to the perpetrator's knowledge of the existence of regulations governing vandalism at the Medan Police, based on research conducted by the author, it is known that the perpetrators know that acts of vandalism are prohibited, but they do not know that there are regulations governing and sanctions for these actions .

There are several reasons why perpetrators carry out acts of graffiti vandalism.²Firstly, when they commit the criminal act of graffiti vandalism, the aim is to give a sign or code that the gang group has come to that place or can also indicate that the area is the gang's territory. Second, they did this to maintain the existence of the gang. This means that they want to show that they exist and want to introduce their gang's name to outsiders or you could say that they want to make their gang's name bigger .

From this aim it can be concluded that the purpose of graffiti vandalism is only to carry out graffiti which seems to only damage or pollute strategic places without permission or illegally.

The author has also conducted interviews with several people at the Medan Police, the

¹Interview conducted with the perpetrator of the crime of graffiti vandalism with the initials FBR on Saturday 31 December 2022 at 13.00 WIB

²Interview conducted with the perpetrator of the crime of graffiti vandalism with the initials AND on Thursday January 5 , 2023 at 16.39 WIB

results of which show that the community strongly disagrees with the criminal act of vandalism. This is because vandalism itself destroys the beauty and cleanliness of the Medan Police Station area by making it ugly, dirty and unsightly from what is scribbled on .

The existence of acts of vandalism makes people anxious and angry, because apart from making them dirty, ugly and unsightly, it turns out that criminal acts of vandalism are also increasing in number, and it is not uncommon for walls or fences that have just been painted, but at night they are scribbled on .

The public themselves also know that the crime of vandalism with graffiti is prohibited, but they do not know for sure whether there are regional regulations that clearly regulate vandalism at the Medan Police .

The public also does not know exactly which agency they should report to if they know, see or become victims of criminal acts of vandalism.³The public is also hesitant to report criminal acts of vandalism because they do not know who the real perpetrator is and are afraid that if they report it, the perpetrator will take revenge against them .

3.2 Obstacles in Enforcement Criminal Vandalism Law at the Medan Police

Firstly, it is difficult to catch and/or find the perpetrator or witness to the vandalism after midnight. This is because the perpetrators who commit acts of vandalism usually do so when it is quiet or precisely after midnight. Apart from that, the perpetrator was also like "cat and mouse" with the officers in carrying out his actions. They carried out their actions in secret from the officers and the officers were also unable to carry out comprehensive patrols in all areas of the Medan Police.

Second, there is a lack of infrastructure and personnel to carry out intensive patrols in the quite extensive Medan Police area. The inadequate condition of infrastructure also becomes an obstacle to law enforcement against vandalism. Apart from that, the number of police personnel is not enough, so they are overwhelmed in carrying out intensive patrols in the Medan Police area.

common perception among the relevant agencies/agencies in handling acts of vandalism. In this case, there is no common mindset between departments/agencies in dealing with acts of vandalism. Handling still operates individually in dealing with acts of vandalism and has not moved in an integrated manner between related agencies/departments.

Fourth, there is a lack of public participation in reporting acts of graffiti vandalism,

³Interview with Mr Sugeng, a resident of Gergunung on Monday , January 9 2023 at 14.45 WIB.

whereas the public can report via telephone or via Twitter to the Medan Police. In this case, there are rarely any reports or complaints from the public when they see and/or know about acts of graffiti vandalism.

Lastly, the obstacle is the lack of budget (APBD) allocated for handling related regional regulations. Limited funding allocation is also an obstacle in enforcing laws regarding vandalism, this is because limited budgets result in a lack of material and immaterial support in handling related regional regulations, resulting in law enforcement being carried out sparingly.

Of the five constraints, it turns out that they are in accordance with Soerjono Soekanto's theory about the factors that influence law enforcement. In this research, the factors that influence law enforcement regarding vandalism at the Medan Police are law enforcement factors, infrastructure factors, and community factors.

The factor is law enforcement itself because in this case, the Medan Police still lacks personnel to carry out law enforcement. This is because the Medan Police are type A where ideally they have 150 members, whereas currently there are still 70 members. Apart from that, there is no common perception between related departments/agencies in preventing acts of vandalism.

The infrastructure factor, in this case the infrastructure required by the Medan Police, is still not optimal, such as the number of personnel is still insufficient and the budget (APBD) allocated for handling related regional regulations is still insufficient.

Community factors, community factors also play a role in law enforcement efforts, in this research, the community still has not played an active role in efforts to deal with the problem of vandalism, this can be seen from the lack of reports from the public when they know and see acts of vandalism.

CONCLUSION

Referring to the discussion that has been outlined regarding the obstacles faced in enforcing the law regarding vandalism at the Medan Police, as well as alternatives for law enforcement regarding vandalism at the Medan Police with a comparison of law enforcement regarding vandalism in Medan City, the author has provided conclusions on the problem formulation that has been analyzed .

1. The Medan Police, in the practice of law enforcement for criminal acts of vandalism, make the following efforts, namely preemptive efforts such as providing counseling and outreach to people/communities who are suspected of acts of vandalism. The

second is preventive efforts. Preventive efforts themselves are carried out by monitoring people/communities who are suspected of committing acts of vandalism, apart from that, patrols and integrated operations are also carried out to prevent and find the perpetrators. The final effort made was a judicial operation. Judicial operations themselves are divided into two, namely non-judicial operations carried out by the police and judicial operations carried out by PPNS. Non-judicial operations carried out by the Police involve arresting and investigating perpetrators, while judicial operations carried out by PPNS involve investigating perpetrators until the process of submitting them to court. In enforcing the law on vandalism at the Medan Police, the police certainly have problems. The obstacles faced in enforcing the law regarding vandalism at the Medan Police include , the first is the difficulty of arresting and/or finding the perpetrators or witnesses of vandalism because they carry out their actions in the dark or late at night.

2. The second is the lack of facilities and infrastructure as well as personnel to carry out intensive patrols in the quite extensive Medan Police area. In this case, the lack of infrastructure and inadequate personnel has resulted in the lack of optimal law enforcement regarding vandalism.
3. common perception among the relevant agencies/agencies in handling acts of vandalism. The absence of the same perception between agencies/institutions involved in law enforcement regarding vandalism seems to have caused these agencies/institutions to act independently in handling vandalism and not yet working together in an integrated manner.
4. Furthermore, the fourth is the lack of community participation in efforts to enforce vandalism laws, where there is a lack of public reporting if they know and see acts of vandalism. Lastly, there is a lack of budget (APBD) allocated for handling related regional regulations .

REFERENCES

- Eddy O, SH (2014). Principles of Criminal Law. Medan: Cahaya Atma Pustaka.
- Hagan, F.E. (2013). Introduction to Criminology Theory, Methods and Criminal Behavior. Jakarta: Kencana Prenadamedia Group.
- Hamza, A. (2005). Environmental law enforcement. Jakarta: Sinar Graphics.
- Kartono, K. (1986). Social Pathology Volume II Juvenile Delinquency. Jakarta: CV. Rajawali.

- Khazawi, A. (2002). Criminal Law Lessons Part I. Jakarta: Raja Grafindo.
- Moeljatno. (2008). Principles of Criminal Law. Jakarta: Rineka Cipta.
- Muladi, & Nawawi, B. (2014). Criminal Theories and Policies. Medan: Cahaya Atma Pustaka.
- Nuraeny, H. (2012). The Face of Basic Criminal Law and Development. Jakarta: Gramata Publishing.
- Priyatno, D. (2012). The Face of Criminal Law: Principles and Development. Jakarta: Gramata Publishing.
- Prodjodikoro, W. (2011). Basics of Criminal Law. Jakarta: Sinar Graphics.
- Rahardjo, S. (2010). Sociology of Law, Development of Methods and Choice of Problems. Medan: Genta Publishing.
- Satjipto Rahardjo, SH (2010). Sociology of Law, Development of Methods and Choice of Problems. Medan: Genta Publishing.
- Simanjutak, U. (1994). Prosecution Techniques and Legal Remedies. Jakarta: Bina Cipta.
- Soejono. (1995). Crime and Law Enforcement in Indonesia. Jakarta: Rineka Cipta.
- Soekanto, S. (2016). Factors Affecting Law Enforcement. Jakarta: Rajawali Press.
- Sudarto. (1990). Criminal Law I. Semarang: Sudarto Foundation, Faculty of Law, Diponegoro University
- Andrisman, T. (2009). Criminal law. Lampung University, 72
- Anggono, FR (T. Yr.). Vandalism Behavior Among Teenagers in Kulon Progo Regency. Research Journal, 13.
- Damayanti, Rainathami, H., & Sukaesih. (2015). (Efforts to Prevent Misuse of Library Collections of the Ministry of Education and Culture. Journal of Information & Library Studies Vol.3/No.2, 149. <https://id.wikipedia.org/wiki/Graffiti>. (T.Yr.).
- Muniriyanto, & Suharnan. (N. Yr.). Family Harmony, Self-Concept, and Juvenile Delinquency. Indonesian Journal of Psychology, Vol.3, No.2, 6.
- Nurrohmah, A. (T. Yr.). Like Art? Get to know the difference between murals and graffiti first, found at <https://Polka.Id/Perbedaan-Mural-Graffiti/>. <https://Polka.Id/Perbedaan-Mural-Graffiti/>.
- Pangestiti, PK (2017). Motivation for Vandalism in Adolescent Boys. Mercu Buana University Thesis, 25-26.
- Triani, A. (2012). Implementation of Medan City Regional Regulation Number 12 of 2002 concerning Cleanliness Management Against Criminal Acts of Vandalism Committed by Minors. Thesis, 45-46.
- Zuki, F.K. (2016). Optimizing Civil Service Police Units in Handling Vandalism in Medan City. Law Journal, Faculty of Atma Jaya Medan.
- Questions and Answers* [sagamaislam.blogspot.com](https://id.wikipedia.org/wiki/Graffiti)
<https://id.wikipedia.org/wiki/Graffiti>. (n.d.).