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KAJIAN YURIDIS PENEGAKAN HUKUM TINDAK PIDANA PENIPUAN ONLINE DI KABUPATEN SEMARANG

ABSTRAK

Latar Belakang: Saat publik beralih pada aktivitas online, kemungkinan kejahatan dunia maya meningkat. Penipuan online adalah kejahatan "berteknologi tinggi", sehingga membutuhkan penegakan hukum yang benar-benar memahami masalah. Beberapa fakta di lapangan belum terungkap terkait tindak pidana di media online. Rumusan masalah dalam penelitian ini ialah bagaimana pengaturan tindak pidana penipuan online dalam hukum pidana? dan bagaimana penegakan hukum terhadap tindak pidana penipuan online di Kabupaten Semarang?. Tujuan penelitian ini adalah guna memahami deskripsi kajian yuridis penegakan hukum pada kasus tindak pidana penipuan online khususnya di Kabupaten Semarang.

Metode: Pendekatan penelitian ini ialah pendekatan yuridis normatif. Berfokus pada pengaturan tindak pidana penipuan online dan proses penegakan hukum, khususnya di Kabupaten Semarang. Pengumpulan data dilakukan dengan studi kepustakaan dan wawancara. Analisa data yang dipakai ialah analisa kualitatif

Hasil: Untuk Kabupaten Semarang, penegakan hukum pelanggaran penipuan berdasarkan Pasal 378 KUHP dan penipuan berupa dengan data atau sistem komputer, diatur oleh Pasal 28 ayat 1 Undang-Undang ITE. Kebanyakan kasus penipuan online di Kabupaten Semarang dengan modus jual beli barang, undian hadiah, tanam saham, dan pertukaran saldo PayPal. Adapun penegakan hukum oleh Polres Kabupaten Semarang, menggambarkan proses penegakan hukum rata-rata masih pada tahap penyidikan dikarenakan kebanyakan pengaduan kekurangan bukti dan saksi.

Simpulan: Penegakan hukum kasus penipuan online berdasar pada Pasal 378 KUHP dan Pasal 28 ayat 1 Undang-Undang ITE. Pelaksanaan prosedur penegakan hukum dalam kasus penipuan online di wilayah hukum Polres Semarang sebagian besar terhenti pada tahap penyidikan. Hal ini disebabkan kurangnya bukti dan kurangnya saksi.

Kata Kunci: Penegakan Hukum, Tindak Pidana, Penipuan Online

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JURIDICAL REVIEW OF ONLINE FRAUD LAW ENFORCEMENT IN SEMARANG REGENCY

ABSTRACT

Background: As the public turns to online activity, the likelihood of cybercrime increases. Online fraud is a "high-tech" crime, so it requires law enforcement who truly understand the problem. Some facts on the ground have not been revealed regarding criminal acts in online media. The formula of the problem in this study is how to regulate of online fraud crimes in criminal law? and how to law enforcement against online fraud crimes in Semarang Regency? The purpose of this research is to understand the description of law enforcement juridical studies on online fraud criminal cases, especially in Semarang Regency.

Methods: This research approach is a normative juridical approach. Focusing on the regulation of online fraud and law enforcement processes, especially in Semarang Regency. Data collection is done with literature studies and interviews. The data analysis used is qualitative analysis.

Results: For Semarang Regency, the enforcement of fraud violations based on Article 378 of the Criminal Code and fraud in the form of data or computer systems, regulated by Article 28 paragraph 1 of the ITE Law. Most cases of online fraud in Semarang Regency with the mode of buying and selling goods, lottery prizes, planting shares, and exchanging balances PayPal. Law enforcement by the Semarang District Police, describing the average law enforcement process is still at the investigation stage because most complaints lack evidence and witnesses.

Conclusion: Law enforcement of online fraud cases based on Article 378 of the Criminal Code and Article 28 paragraph 1 of the ITE Law. The implementation of law enforcement procedures in online fraud cases in the Semarang Police jurisdiction has largely stalled at the investigation stage. This is due to lack of evidence and lack of witnesses.

Keywords: Law Enforcement, Criminal Acts, Online Fraud

