

TEBING TINGGI POLICE CHIEF'S EFFORTS IN COMBATING ONLINE GAMBLING CRIMINAL ACTS AGAINST ITS MEMBERS

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ABSTRACT

Internet gambling usually occurs because of placing bets on sports or casino activities via the internet. Online gambling perpetrators can be punished based on Article 27 paragraph (2) in conjunction with Article 45 paragraph (2) of Law Number 19 of 2016 concerning Information and Electronic Transactions. Online games where the entire process, be it betting, playing or collecting money, is via the internet. Online gambling practices are carried out by making transactions in the form of selling chips which are then offered and purchased by other people or certain agents to be sold/transferred to other interested poker accounts. These pins and chips will be sold at a certain price in cash in the form of money (rupiah). The obstacle in enforcing sanctions against members of the Police involved in online gambling crimes is the lack of prevention efforts carried out by law enforcement itself, law enforcement still uses old regulations to impose criminal penalties on online gambling perpetrators, while there are already special regulations governing online gambling crimes.

1. Introduction

Advances in information and communication technology have generated various impacts, both positive and negative. While on the one hand, they contribute to increased welfare, progress, and human civilization, they also serve as an effective means of perpetrating illegal acts.

Information and communication technology has also transformed global behavior and lifestyles, transforming the world into a borderless world, and bringing about changes in various areas of life. The development of information technology has given rise to a variety of services in the field of information and communication technology with various facilities. The internet is a key component of this advancement, facilitating interaction without the need for direct interaction.

Technological developments have not only had positive impacts on society. For example, internet technology can also have negative effects on its users. Through the internet, various types of crimes have become easier to commit, such as

defamation, pornography, account hacking, network destruction, virus attacks, and even online gambling. One of the tools frequently used in online gambling is mobile phones and computers. While mobile phones are used for communication, computers are used for work. However, the principle remains the same: they can be used as tools for committing crimes.

Crime is a social problem in society. The current crime rate is increasing both in quantity and quality. This is due to advances in economics, technology, social sciences, and culture. Cybercrime itself is a new form or dimension of contemporary crime that has received widespread international attention.

Advances in computer and internet technology have also influenced the growth of gambling crimes, which utilize these two tools. This type of crime is difficult to eradicate from society, especially because its more private and secretive nature makes it easier for perpetrators to commit these crimes.

In essence, gambling is contrary to religion, morality, and ethics, and endangers society, the nation, and the state, especially from a national perspective. Gambling has a negative impact, harming the morals and mental health of society, especially the younger generation. On the one hand, gambling is a social problem that is difficult to overcome, and its emergence has existed since the beginning of human civilization. According to the Big Indonesian Dictionary, gambling, or "gambling," is a game involving money as a wager. Gambling involves risking money or assets in a game of chance, with the goal of winning more than the original amount.

From a legal perspective, gambling is a crime that disturbs society. Gambling encourages people to constantly strive for victory, leading to greed and a desire for victory. However, the consequences often lead to losses. The impact of gambling can also lead to criminal acts such as theft, robbery, corruption, and other immoral acts.

The impact of gambling is highly detrimental to society and the nation's morals. Essentially, this crime disrupts public order, peace, and security. Furthermore, it has a significant impact on children, who will follow suit and engage in gambling activities they see occurring in their environment, resulting in material losses for those involved.

2. Research Method

This research is descriptive and analytical in nature, meaning it describes, examines, explains, and analyzes the problems of law enforcement against perpetrators of online soccer gambling crimes, as related to statutory

regulations, and then analyzes them. This research is a scientific activity based on specific methods, systematics, and thinking aimed at studying a specific law through analysis.

Given the object of the research, which is positive law, the approach used in this study is a normative juridical approach. As a normative juridical study, this research also analyzes the law, both written in books (law as it is written in the book) and the law decided by judges through the judicial process (law as it is decided by the judge through the judicial process), often referred to as doctrinal research.

In relation to the type of research used, namely normative juridical, with the aim of obtaining qualitative results, the approach taken is a statute approach, carried out by means of library research, namely by reading, studying and analyzing literature/books, laws and regulations and other sources.

3. Results And Discussion

Results

Gambling is a classic problem that has become a bad habit for humanity. In line with developments in society, science, technology, and globalization, the level and methods of crime have also changed, both in quality and quantity. In essence, gambling is clearly contrary to religion, morality, and the Pancasila morals, and endangers the livelihoods and lives of society, the nation, and the state.

People utilize advances in information technology to obtain information from the outside world. As a direct impact of globalization in the reform era, the negative impacts on everything will be directly felt by society, especially those with lower-middle and lower levels of education and economic status. As a result, shortcuts to obtaining things are no longer desirable, including gambling. Psychologically, Indonesians cannot be said to be lazy, but they are indeed somewhat spoiled and prefer various conveniences and dreams that encourage gambling to flourish. Mentally, those involved in gambling will lose their work ethic and enthusiasm because they rely on the hope of becoming rich through gambling.

Thus, gambling may be a social disease as old as humanity itself, yet it continues to fulfill a human need. Gambling, as defined by society, is any game or activity based on chance or without the use of money or goods as stakes.

Some people accept and enjoy gambling, while others dislike it and reject it, even shunning it, considering it a condemned act. Such people desire a good life free from all actions deemed undesirable or inappropriate.

Another perspective holds that gambling is viewed solely from an economic perspective, linking it to development issues, thus believing it to be right and proper and must be accepted. It is impossible to achieve it through other means, even if it may be for a long time. This implies indirectly hindering planned development. Thus, they tend to adopt the philosophy of justifying all means.

Thinking from an economic perspective is indeed appropriate for accelerating the flow of income and/or desired results, and can be accumulated relatively quickly. With gambling, money flows easily. This is the view or assessment of the group that enjoys and accepts the presence of gambling, which focuses only on the profit aspect, without considering the negative consequences.

4. Discussion

Perpetrators of gambling crimes must be sanctioned. In other words, law enforcement must be carried out against those who gamble. Conceptually, the essence and meaning of law enforcement lies in harmonizing the values outlined in established principles and attitudes as a series of final-stage values to create, maintain, and preserve social peace.

Police officers who commit online gambling crimes will first be prosecuted in a general court hearing. After a verdict has been issued and the sanctions imposed, the police officer will then undergo a code of ethics hearing, which can result in dishonorable dismissal.

Police investigators, in addition to carrying out their duties and functions, also have the authority to investigate and enforce the law against officers or individuals who commit crimes. In addition to the above, investigators are obliged to pay attention to and properly resolve reports and/or complaints from the public in accordance with their duties and functions as investigators.

Investigations of members of the Indonesian National Police (Polri) who commit online gambling crimes are conducted by investigators as stipulated in the criminal procedure law applicable within the general courts, as stipulated in Article 2 of Government Regulation of the Republic of Indonesia Number 3 of 2003 concerning the Technical Implementation of General Court Institutions for Members of the Indonesian National Police.

Examination of Polri members is carried out according to rank, as stipulated in Article 5 of Government Regulation Number 3 of 2003 concerning the technical

implementation of general court institutions for Polri members. Examination of Polri members within the framework of investigations is conducted taking into account rank.

The implementation of legal proceedings against Polri members requires a legal basis to serve as a formal legal basis for taking action against any Polri member who commits a crime. Investigations into alleged violations of the Polri professional code of ethics against Polri members who commit online gambling crimes are conducted after the criminal case has been tried in the District Court and has become legally binding.

The Polri, as an organization, absolutely has internal regulations to improve performance, professionalism, organizational culture, as well as the unity, honor, and credibility of the organization. Disciplinary regulations are also intended to ensure the maintenance of order and the implementation of duties in accordance with the objectives, roles, functions, authorities, and responsibilities of the Indonesian National Police (Polri). As a strong organization, the Indonesian National Police (Polri) must have rules of conduct for the work, actions, and interactions of its members, as well as for interacting with the surrounding community.

The provisions regarding Polri disciplinary regulations, along with government regulations, have been adjusted to reflect the demands of the duties, authorities, and responsibilities of civilian members of the Indonesian National Police (Polri). Furthermore, the formulation of Polri disciplinary regulations is adapted to the context of legal and constitutional developments and the aspirations of the community, in accordance with the demands of the times.

Polri members will be civilian police officers and serve all members of society, from all social strata and ranks. Police members must remember that there is no qualification more essential for a police officer than perfect anger or emotional control, and not taking any form of insult, even the slightest, to heart, even if it is verbally or through threats.

Discipline is an honor closely linked to credibility and commitment. The discipline of Polri members is an honor that demonstrates credibility and commitment as Polri members. The creation of disciplinary regulations for Polri members aims to enhance and maintain their credibility and unwavering commitment. The credibility and commitment of Polri members are reflected in their role as state officials entrusted with the duties and authority to protect, safeguard, and serve the public, as well as to enforce the law and maintain security. Discipline for Polri members differs from loyalty, as the enforcement of

disciplinary regulations is based on awareness rather than fear, and commitment rather than loyalty.

Police officers who commit online gambling crimes can be dishonorably discharged, but if they violate discipline or the police code of ethics, the police force is a specialized agency with specific regulations. Therefore, while serving in that agency, they must be prepared to accept and enforce all regulations established by the agency to maintain the good name and public trust in the agency they serve. Because the police force is a large institution, it carries specific and challenging responsibilities. Being a member of the police force requires being prepared to be busy with the demanding task of protecting and securing the public and the nation. If a police officer abandons their duties for other purposes outside their mandate, they can be expelled from the police force.

Online gambling crimes committed by members of the Indonesian National Police (Polri) are legally unjustified. Furthermore, Article 6, letter q of Government Regulation No. 2 of 2003 concerning the Indonesian National Police Disciplinary Regulations prohibits abuse of authority in carrying out their duties as police officers. A police officer who commits violence must be prosecuted and held criminally liable in accordance with the offense. Police officers who commit violations will be held accountable through a Police Disciplinary Hearing, a Police Code of Ethics Hearing, or even a General Court.

Gambling cases are becoming increasingly prevalent. Gambling is a classic problem that has become a bad habit for humanity. Along with developments in society, science, technology, and globalization, the level and methods of crime have also changed, both in quality and quantity. In essence, gambling clearly contradicts religion, morality, and the Pancasila ideology, and endangers the livelihoods and lives of society, the nation, and the state.

The ease with which people can obtain information from the outside world through advances in information technology, as a direct impact of globalization in the reform era, has had a negative impact on everything, especially those with lower-middle and lower levels of education and economic status. Consequently, shortcuts to obtaining things are no longer desirable, including gambling.

Prevention through education, not only through increasing knowledge and skills, but also through mental education through religious education, morality, and how to live a proper life. This is direct community development without neglecting environmental education, so that the environment helps prevent crimes that damage society itself.

Prevention is better than repressive and corrective measures. Prevention efforts do not always require a complex organization and bureaucracy, which can lead

to bureaucratism that is detrimental to the abuse of power/authority. Prevention efforts are more economical than repressive and rehabilitative efforts. Serving a larger number of people does not require as much staff and effort as repressive and rehabilitative efforts, comparatively. Prevention efforts can also be carried out individually and do not always require the expertise that repressive and rehabilitative efforts do. For example, taking care to avoid becoming a victim of crime, not neglecting to lock your house or vehicle, installing lights in dark areas, and so on.

5. Conclusion

Law enforcement against police officers involved in online gambling crimes is regulated by Government Regulation No. 1 of 2003 concerning the Dismissal of Police Officers and Regulation of the Republic of Indonesia National Police No. 7 of 2022 concerning the Code of Professional Ethics and the Indonesian National Police Code of Ethics Commission. The handling mechanism is through a hearing of the Indonesian National Police Code of Ethics Commission, as stipulated in Regulation of the Chief of Police No. Pol.: 8 of 2006 concerning the Organization and Work Procedures of the Indonesian National Police Code of Ethics Commission. The sanction imposed on police officers involved in online gambling crimes is dishonorable discharge from the police force.

The Tebing Tinggi Police Resort's efforts in combating online gambling crimes against its officers are collaborative, yet remain firm in enforcing the law, and study the work ethic or spirit of the police within their work environment to motivate them to be good police officers. The obstacle in enforcing sanctions against members of the Indonesian National Police who are involved in online gambling crimes is the lack of prevention efforts carried out by law enforcement itself, law enforcement still uses old regulations to impose criminal penalties on online gambling perpetrators, while there are already special regulations that regulate online gambling crimes.

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