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Faculty of Law, Sultan Agung Islamic University
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"Legal Reconstruction in Indonesia Based on Human Right"

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PREFACE

First of all, let's say Thanks to Allah, who has been giving us guidance, happiness, healthy, and mercy, so we can finish this conference proceeding without any obstacles. Praise and salutation upon our prophet Muhammad saw the last messenger, the best figure of this universe; the person who was able to save us from Jahiliyah era.

We would like to extend our thanks to the invited speakers: Prof. Henning Glaser from Thammasat University, Prof. Shimada Yuzuru from Nagoya University, HilaireTegnan, Ph.D from Sorbone University, Prof. Topo Santoso From Indonesian University, and Dr. Sri Endah Wahyuningsih, S.H., M.H from Sultan Agung Islamic University.

This was our fourth International conference and call for paper held by Faculty of Law, Sultan Agung Islamic University. This annual conference tries to gain any information and studies done by academician and practitioner in the concerned field to be discussed as guidelines to exchange and talk about views on the most important recent on Legal Construction and Development focusing on The Role of Indigenous and Global Community in Constructing National Law happens in both developed and developing countries and its role in shaping a good future, and to discuss the challenges and practical aspects in integrating competition law enforcement and guidelines to develop legal state in accordance with the diversity of all countries around the world. We hope this conference brings benefit for both participants and our faculty.

We are pleased to have your critique, suggestion and correction in order to make us better. Finally, we do thanks to all who helped this conference. May Allah guide us to always develop useful knowledge for human being.

PROCEEDINGS
The 5th International Conference and Call for Paper Faculty of Law 2019
Legal Reconstruction in Indonesia Based on Human Right

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APPLICATION OF RESTORATIVE JUSTICE IN LAW ENFORCEMENT OF MONEY LAUNDERING RELATED TO NARCOTICS CRIME

. MUHAMMAD DJAMIR

ABSTRACT

Law enforcement of money laundering related to narcotics crime shows that in certain cases the proceeds of crime cannot be found or returned, and there are still various other obstacles encountered in the TPPU law enforcement process. Based on this, TPPU law enforcement related to narcotics crime is not based on restorative justice values.This research to find and analyze what types of sanctions can be imposed on perpetrators of money laundering crimes related to narcotics crime based on restorative justice. The research method used is normative legal research.The results showed that the types of criminal sanctions that can be formulated and imposed in accordance with the paradigm of restorative justice in money laundering related to narcotics crime are how to find and return the proceeds of crime (asset recovery), for example: asset confiscation.

Keywords: *Restorative Justice, Money Laundering Crimes, Narcotics Crimes*

A. BACKGROUND

The development of science and technology as well as the non-conducive socio-economic situation and the increasing number of unemployed, have an impact on increasing crime and the modus operandi of a crime. In fact, it is not just doing one act, after the perpetrators have committed a criminal offense then continues to carry out the next criminal act whether it is a stand-alone crime or a crime related to an original crime (predicate crime).

One crime that is very closely related to this is the crime of money laundering as stipulated in Law Number 8 of 2010 concerning Prevention and Eradication of Money Laundering (TPPU). Basically the purpose of this Act is to break the chain (Cut Criminal Link) of a criminal offense.

The development of money laundering has shown that in general the perpetrators of crimes try to hide or disguise the origin of assets that are the result of criminal acts in various ways so that assets resulting from criminal acts are difficult to trace by law enforcement officials so that they can freely utilize these assets well for both legitimate and illegitimate activities. This clearly can result in losses for a nation, other than that the crime of money laundering threatens the stability and integrity of the economic system and financial system, to endanger the joints of community, national and state life based on the Pancasila and the Constitution of the Republic of Indonesia Year 1945.

The concept of anti-money laundering is the perpetrators and the results of criminal acts can be known through tracing, henceforth the proceeds of crime are seized for the state or returned to the rightful. If the assets resulting from a criminal act that are controlled by a criminal offender or organization can be confiscated or seized, it can automatically reduce the crime rate.

The concept is contained in the Explanation of Law Number 8 of 2010 concerning Prevention and Eradication of Money Laundering (TPPU). In Article 3 of the Law of the Republic of Indonesia Number 8 of 2010 concerning Prevention and Eradication of Money Laundering Crime, it means that money laundering means placing, transferring, paying, spending, granting, donating, depositing, leaving, bringing abroad, exchanging, or other actions for assets that are known to be suspected of being the result of a criminal act with the intent to conceal or disguise the origin of assets so that they appear to be legitimate assets.

The proceeds of crime [1]referred to are assets obtained from criminal acts of corruption, bribery, smuggling of goods, smuggling of labor, smuggling of immigrants, in the banking sector, in the capital market, in the fields of insurance, narcotics, psychotropic, human trafficking, illegal arms trafficking , kidnapping, terrorism, theft, embezzlement, fraud, counterfeiting of money, gambling, prostitution, in the field of taxation, in the field of forestry, in the field of environment, in the marine field, or other criminal acts which are threatened with 4 (four) years imprisonment or more, which is carried out in the territory of the Republic of Indonesia or outside the territory of the Republic of Indonesia and the crime is also a crime

[1] Pasal 2 ayat (1) Undang-Undang Republik Indonesia Nomor 8 Tahun 2010 tentang Pencegahan dan Pemberantasan Tindak Pidana Pencucian Uang

according to Indonesian law. In this provision, narcotics crime is included as a predicate crime.

However, if later in a case, the offender is only charged with a narcotic crime charge, then obviously this results in a closed possibility to explore and discover the possibility of assets obtained from the narcotics crime. In the end, this pattern only focuses on the criminal, but not on finding and returning the proceeds of crime (recovery assets).

Restorative justice sees crime not only as an act of violating criminal law as state law, but also as an act that causes harm to victims (victimization). In the context of money laundering related to narcotics crime, restorative justice has consequences not only for the consideration of the victim aspect in handling crime, but also how criminal sanctions are formulated and then imposed can be useful for the community and the state. Restorative justice does not merely consider the importance of involving the victim in the case settlement process but how to find and return the proceeds of crime (recovery assets). Thus, the results of the criminal offense are confiscated for the state or returned to those entitled who can ultimately provide justice both to the state, the community, and break the chain (Cut Criminal Link) of a criminal offense.

Based on the description, the author intends to conduct a series of research and chain of eyes with the title: APPLICATION OF RESTORATIVE JUSTICE IN THE ENFORCEMENT OF CRIMINAL LAUNCHING OF MONEY LAUNDERING IN CONNECTION WITH THE CRIME OF Narcotics.

B. PROBLEM FORMULATION

According to the authors, the formulation of the problem is the culmination of an inverted pyramid against the background raised so that it makes it clear what problems are being raised. Based on the background of the problems outlined, the formulation of the problem can be formulated. What types of sanctions can be imposed on perpetrators of money laundering related to narcotics criminal acts based on restorative justice?

C. RESEARCH OBJECTIVES

The purpose of the research is what is to be achieved in lifting this research. Departing from the formulation of the problem, the purpose of this study is to find and analyze what types of sanctions that can be imposed on perpetrators of money laundering related to narcotics criminal acts based on restorative justice.

D. RESEARCH METHODS

In the theory of research methods, Soerjono Soekanto stated that "research is a scientific activity that is based on certain methods, systematics and ideas that aim to study one or several specific legal phenomena with a process of analysis". [2]According to Abdulkadir Muhammad that based on the focus of the study, legal research is divided into three types namely;[3]

a. Normative law research: uses normative legal case studies in the form of products of legal behavior. The subject of the study is the law which is conceptualized as a norm or rule that applies in society and serves as a reference for everyone's behavior. So that legal research focuses on an inventory of positive law, principles and doctrines of law, legal discovery in concreto cases, systematic law, the extent of legal synchronization, comparative law and legal history.
b. Normative-empirical legal research (applied law research): using normative-empirical legal case studies in the form of legal behavior products. The subject of the study is the implementation or implementation of positive legal provisions and contractual factual in every particular legal event that occurs in the community in order to achieve the specified goals.
c. Empirical legal research: using empirical law case studies in the form of community legal behavior. The subject of the study is the law which is conceptualized as actual behavior as an unwritten social phenomenon that is experienced by everyone in public relations.

The type of research for this dissertation uses normative law research. Where in the study is a law that is conceptualized as a norm or rule that applies in society and becomes a reference for everyone's behavior. This legal research focuses on finding positive laws and principles or legal principles / doctrines in cases in concreto, and analyzing them so that the writer discovers and analyzes what types of sanctions can be imposed on money launderers relating to narcotics criminal acts based on restorative justice .

DISCUSSION

[2] Soerjono Soekanto, 1986, *Pengantar Penelitian Hukum*, Universitas Indonesia, Jakarta, hlm.43.

[3] Abdulkadir Muhammad, 2004, *Hukum dan Penelitian Hukum*, Cetakan Pertama, PT. Citra Aditya Bakti, Bandung, hlm. 52

A. CRIMINAL LAUNCHING OF MONEY LAUNDERING RELATING TO THE CRIMINAL ACTION OF NARCOTICS

Money Laundering (TPPU) is not only narrowly defined as those who actively commit acts of placing, transferring, spending, paying, granting, depositing, bringing abroad, changing forms, exchanging with currency or securities or other acts of assets that are known to be known to or reasonably suspected are the proceeds of crime (Article 3 of Law Number 8 Year 2010 concerning Prevention and Eradication of Money Laundering Criminal Acts), but also passive actors who only hide or disguise the origin of assets, source of location, designation, the transfer of rights, or actual ownership (Article 4 of Law Number 8 of 2010 concerning Prevention and Eradication of Money Laundering Acts), including those that only receive, control and use the said assets (Article 5 of Law Number 8 Year 2010 concerning the Prevention and Eradication of Money Laundering Crime).

From this understanding it is clear that the purpose of the perpetrators of the Criminal Act of Money Laundering is not only to hide the proceeds of crime but to change the origin of proceeds of crime for further purposes and to eliminate direct contact with the original crime. Therefore, in various financial crimes, Money Laundering Crime can be ensured to hide the proceeds of the crime in order to avoid lawsuits.

Law Number 8 of 2010 concerning Prevention and Eradication of Money Laundering Crimes has determined the types of predicate crimes that are suspected of being related to Money Laundering. Money Laundering is a follow-up crime because Money Laundering cannot stand alone and must be preceded by a Predicate Offense and is actually classified as a criminal act (Concursus realist).

In this regard, the proceeds of crime are assets obtained from original crime. In Article 2 of Law Number 8 of 2010 concerning Prevention and Eradication of Money Laundering Criminal Acts, the proceeds of such crimes can be obtained from corruption, bribery, narcotics, psychotropic, labor smuggling, migrant smuggling, banking crime, criminal offenses in capital market sector, criminal offenses in the field of insurance, customs criminal offenses, excise, trafficking in persons, trafficking in illegal weapons, terrorism, kidnapping, theft, embezzlement, fraud, counterfeiting of money, gambling, prostitution, criminal acts in the field of taxation, criminal offenses in the field of forestry, criminal offenses in the

environmental field, criminal offenses in the field of maritime affairs and fisheries criminal offenses, or other criminal offenses threatened with imprisonment of 4 (four) years or more, committed in the territory of the Unitary Republic of Indonesia or outside the territory of the Unitary State The Republic of Indonesia and such crimes are also criminal offenses under Indonesian law drain. Assets that are known or reasonably suspected to be used and / or used directly or indirectly for terrorism activities, terrorist organizations, or individual terrorists are equated as a result of criminal acts. Based on this, the narcotics crime is an original crime.

Article 1 paragraph 1 of the Law of the Republic of Indonesia Number 35 Year 2009 Concerning Narcotics, the definition of narcotics, namely substances or drugs originating from plants, both synthesis and semisynthesis, which can cause a decrease or change of consciousness, loss of taste, reduce to eliminate pain , and can cause dependence, which is divided into groups as attached in the Act.

Narcotics are a type of chemical or drug that is very much needed for medical and scientific purposes. According to Article 6 of Law Number 35 Year 2009 concerning Narcotics divides narcotics into three groups, including:

1) Narcotics as referred to in Article 5 are classified into: a. Narcotics Group I; b. Narcotics Group II; and c. Narcotics Group III.
2) Narcotics classification as referred to in paragraph (1) shall be determined for the first time as stated in Attachment I and is an integral part of this Law.
3) Provisions regarding changes in the classification of Narcotics as referred to in paragraph (2) shall be regulated by a Ministerial Regulation.

Narcotics crime can be in the form of drug dealers and drug abuse. Narcotics crime is one of the original criminal acts in TPPU. The proceeds of crime of narcotics dealers driving are carried out laundering of assets obtained from the narcotics crime.

In Article 69 of Law Number 8 of 2010 concerning Prevention and Eradication of Money Laundering Criminal Acts, it is determined that investigations, prosecutions, and examination in a court of Criminal Money Laundering can be carried out in advance, the original criminal act must not be proven first. Follow-up crime (follow-up crime) is a continuation of the original crime (predicate crime), as an attempt to hide, or eliminate traces, in such a way that it cannot be known that the assets originated from

criminal acts. Therefore, predicate crime (predicate crime) is a crime that generates money / assets which are then carried out the washing process. So that it is impossible for a Money Laundering Criminal Act without the original criminal offense.

Based on the Constitutional Court Decision Number 35 / PUU-XV / 2017, the Constitutional Court affirmed that the Money Laundering Act is a criminal act that stands alone, but is preceded and may be followed by other criminal acts. Money Laundering is part of a series of related crimes. This confirms that the eradication of TPPU is based on the principle of follow the money, not follow the person, because the criminal acts are intertwined with transferring assets from one hand to the other.

Therefore, to carry out investigations, prosecutions and examinations in TPPU cases, it must still be preceded by an original criminal act, so that in this discussion the original criminal act in question is a narcotics crime, but the original criminal act must not be proven first. So that the TPPU does not need to wait long until the original criminal case is decided or has obtained permanent legal force.

B. APPLICATION OF RESTORATIVE JUSTICE IN CRIMINAL LAUNCHING OF MONEY RELATING TO THE CRIME OF Narcotics

The idea of restorative justice first appeared among criminal law experts as a reaction to the negative impact of applying criminal law (sanctions) with its repressive and coercive[4] nature. This even often makes the stigma that the application of the law (sanctions) is identical to reprisal / giving any misery. In line with this Louk Hulsman states that the criminal law system is built on the mind: "the criminal law must cause misery".[5]

This at the level of practice does not always provide a positive thing for the perpetrators as well as the community and the state, especially relating to money laundering related to narcotics crime. Then, Hulsman put forward an idea to abolish the criminal law system, which is considered to bring more suffering than good, and replace it with other ways that are considered better.[6]

TPPU law enforcement related to narcotics crime must be done on the basis of

[4] Oleh Melani pendekatan *restoratif Justice (keadilan pemulihan)* untuk menyelesaikan kejahatan seringkali diperlawankan dengan pendekatan *Retributive Justice* (keadilan berdasarkan balas dendam) (Melani, *Restorative Jusice, Kurangi Beban LP*, http://www.kompas.com/kompas-cetak/0601/23/opini/2386329.htm, diakses 17 Agustus 2019

[5] LHC. Hulsman, 1988, *Selamat Tinggal Hukum Pidana ! Menuju Swa Regulasi* (diterjemahkan oleh : Wonosusanto), Forum Studi Hukum Pidana, Surakarta, hlm. 67

[6] *Ibid*, hlm. 74.

fair value. One of the values of justice is the value of justice as contained in restorative justice. Restorative justice was first put forward by Barnett when he pointed to certain principles used by legal practitioners in America in mediating between victims and perpetrators of criminal acts.[7]

The development of thinking about restorative justice was influenced not only by the abolitionist movement but also by the emergence of victimization. Simply stated, victimization is a branch of science that studies the problem of victims.[8] Victimology studies are only focused on studying crime victims (special victimology), as a form of dissatisfaction of some criminologists about crime studies that are too focused on the offender side (offender oriented).

According to Tony F. Marshall, restorative justice is an approach to solving the problem of crime between the parties, namely victims, perpetrators, and the community, in an active relationship with law enforcement officials[9]. Furthermore it is said that to solve the crime problem, restorative justice uses the following assumptions:[10]

a. The source of crime is the condition and social relations in society;
b. Prevention of crime depends on the responsibility of the community (including local and central government in relation to social policy in general) to deal with social conditions that can cause crime;
c. The interests of the parties in settling criminal cases cannot be accommodated without the provision of facilities for personal involvement;
d. The measure of justice must be flexible to respond to important facts, personal needs, and resolution in each case;
e. Collaboration between law enforcement officials and between officials and the community is considered important to optimize the

[7] Tony F. Marshall, *Restoratif Justice an Overview*, dalam http://www.aic.gov.au/ rjustice/other.html), diakses 10 Agustus 2019.

[8] Hoefnagels dalam bukunya menegaskan bahwa : " *victimology, which has become known mainly through the work of Von Hentig and Mendelsohn, has thrown ligh on "the other side" of criminology, vis. some of the the others-than-offenders. It is an additional demonstration that criminology must not remain exclusively "criminal-centered", if the reality of relationships is to be preserved.* (G. Peter Hoefnagels, 1973, *The Other Side of Criminology : An Inversion of The Concept of* Crime, Kluwer-Deventer, Holland, hlm. 62). Sedangkan menurut IS. Susanto studi terhadap pelaku kejahatan dalam kriminologi, terutama dalam kriminologi positivis, dengan tujuan untuk mencari sebab-sebab orang melakukan kejahatan, dalam perkembangannya lalu diperluas dengan studi tentang korban kejahatan. Studi tentang korban ini kemudian berkembang cukup pesat dan munculah viktimologi. (IS. Susanto, 1990, *Kriminologi* (diktat kuliah), Fakultas Hukum Universitas Diponegoro, hlm. 11.)

[9] Tony F. Marshall, *Loc . Cit.*

[10] *Ibid*

effectiveness and efficiency of how to resolve cases.

f. Justice is achieved with the principle of balancing interests between the parties.

In contrast to Tony F. Marshall, Donald J. Schmid states that restorative justice is a system or practice that emphasizes efforts to cure the suffering resulting from violations of the law[11]. Thus, in restorative justice, the parties (perpetrators, victims, and the community) are encouraged to make collective decisions about how to heal or repair damage caused by a crime.[12]

John Braithwaite provides an understanding of restorative justice as the recovery of victims[13]. Furthermore it is said that what is meant by the recovery of victims consists of:[14]

a. Restore property loss;
b. Restore injury;
c. Restore sense of security;
d. Restore dignity;
e. Restore sense of empowerment;
f. Restore deliberative democracy;
g. Restore harmony based on a feeling that justice has been done;
h. Restore social support.[15]

The definition of restorative justice expressed by John Braithwaite provides a broader view. In this sense, if related to TPPU related to narcotics crime, restorative justice views crime not only as an act of violating criminal law as state law, but also as an act that causes harm to the victim (victimization). In this context, restorative justice carries the consequences of not only considering the aspects of victims in handling crime, but also how criminal sanctions are formulated and then imposed can be useful for society and the state. Restorative justice does not merely consider the importance of involving the victim in the case settlement process but how to find and return the proceeds of crime (recovery assets).

Based on Article 3, Article 4 and Article 5 of Law Number 8 of 2010 concerning Prevention and Eradication of Money Laundering Criminal sanctions provided in the form of imprisonment and fines. Article 3

[11] Donald J. Schmid, *Restorative Justice : A New Paradigm for Criminal Justice Policy*, dalam http://www.austlii.edu.au/au/journals, diakses 10 Agustus 2019.

[12] *Ibid*

[13] John Braithwaite, *Restorative Justice and Better Future*, dalam http://www.aic.gov.au/rjustice/other.html, diakses 10 Agustus 2019.

[14] *Ibid*
[15] *Ibid*

states that every person who places, transfers, transfers, spends, pays, gives, entrusts, carries abroad, changes forms, exchanges for currency or securities or other acts of Assets that he knows or is reasonably expected to be the result of a criminal offense as referred to in Article 2 paragraph (1) for the purpose of concealing or disguising the origin of Assets that are being punished for Money Laundering with a maximum imprisonment of 20 (twenty) years and a maximum fine of Rp 10,000,000,000 (ten billion rupiahs)).

In Article 4 the regulation concerning criminal sanctions also consists of imprisonment and fines. The article states that every person who conceals or disguises the origin, source, location, designation, transfer of rights or actual ownership of the Asset that he knows or reasonably suspects is the result of a criminal offense as referred to in article 2 paragraph (1) convicted of an act Money Laundering with a maximum imprisonment of 20 (twenty) years and a maximum fine of Rp. 5,000,000,000 (five billion rupiah).

The same thing is also regulated in Article 5 where criminal penalties consist of 2 (two), namely imprisonment and fines. The article states that every person who receives or controls the placement, transfer, payment, gift, donation, safekeeping, exchange or use of assets that he knows or deserves is a criminal offense as referred to in article 2 paragraph (1) shall be liable to a maximum imprisonment 5 (five) years and a maximum fine of Rp 1,000,000,000 (one billion rupiah).

It is clear that in a case, the offender is only charged with a narcotic criminal offense, so this results in a closed possibility to explore and discover the possibility of assets obtained from the narcotics crime. This means that restorative justice as a recovery for the community and victims whose assets have been taken from narcotics crime then by money laundering perpetrators cannot be sought or seized.

Restorative justice has the consequence of not only considering the aspects of victims in handling crime, but also how criminal sanctions are formulated and then imposed can be of use to society and the country. Restorative justice does not merely consider the importance of involving the victim in the case settlement process but how to find and return the proceeds of crime (recovery assets). Thus, the results of the criminal offense are confiscated for the state or returned to those entitled who can ultimately provide justice both to the state, the community, and break the chain (Cut Criminal Link) of a criminal offense. This is in line with Mark Umbreit who stated that

restorative justice rests on the following principles:[16]

a. Restorative justice is more focused on efforts to heal the victims rather than criminalizing the perpetrators.
b. Restorative justice considers the important role of victims in the criminal justice process.
c. Restorative justice requires that the offender take responsibility directly to the victim.
d. Restorative justice encourages people to be involved in the accountability of perpetrators and proposes an improvement that is based on the needs of victims and perpetrators.
e. Restorative justice emphasizes the awareness of the offender to want to provide compensation as a form of accountability for his actions (if possible), rather than criminal conviction.
f. Restorative justice introduces community accountability to social conditions that contribute to the occurrence of crime.

In line with this, if we refer to the Decision of the Constitutional Court Number 35 / PUU-XV / 2017 as described above, where the Constitutional Court asserts that Money Laundering is a criminal act that stands alone, but is preceded and may be followed by other criminal acts . However, in carrying out investigations, prosecutions and examinations in TPPU cases, the original crime does not have to be proven first. So that the TPPU does not need to wait long until the original criminal case is decided or has obtained permanent legal force.

Therefore, even though the narcotics crime has not been proven or has not been decided and obtained permanent legal force, the TPPU law enforcement relating to the narcotics crime must continue to run. However, when referring to Article 3, Article 4 and Article 5, which in principle emphasizes that criminal sanctions in the TPPU are only in the form of imprisonment and fines.

Based on this, it is still not in accordance with the principle affirmed in the TPPU, namely the eradication of the TPPU based on the principle of follow the money, not the person, because the criminal acts are intertwined, transferring assets from one hand to the other.

[16] Mark Umbreit, 2002, *Encyclopedia of Crime and Justice* : Second Edition (Editor in Chief : Joshua Dessler), Macmillan Reference, Gale Group, USA, hlm. 1334. Mengenai pendapat dari Mark Umbreit ini lihat juga dalam : Katherine Beckett and Theodore Sasson, 2004, *The Politics of Justice : Crime and Punishment in America (Second Edition)*, SAGE Publications, California, hlm. 196.

Restorative justice does not merely consider the importance of involving the victim in the case settlement process but how to find and return the proceeds of crime (recovery assets). Thus, restorative justice has a focus on: damage / suffering / loss caused by crime, efforts to repair the damage, and reduce the possibility of damage occurring in the future by preventing crime that will occur[17]. Therefore, with the crime of appropriation of assets this will be in line with TPPU's direction, namely how to find and return the proceeds of crime (recovery assets), this is also in line with the principle of follow the money, not follow the person.

If this is realized then the TPPU law enforcement related to narcotics crime can be based on the value of restorative justice. In restorative justice, perpetrators are asked to take responsibility for their actions and for the consequences they have caused, for example by providing compensation to victims. With restorative justice, relations between perpetrators and victims will also be reintegrated into the community.[18]

E. CONCLUSION

Types of criminal sanctions that can be formulated and imposed in accordance with the paradigm of restorative justice in money laundering related to narcotics crime is how to find and return the proceeds of crime (recovery assets), for example: seizure of assets.

the money, not follow the person.

SUGGESTIONS

There must be an understanding among law enforcers in TPPU law enforcement related to narcotics crime so that TPPU law enforcement is related to narcotics crime based on the principle of follow the money, not follow the person so TPPU law enforcement is related to narcotics crime based on restorative justice.

[17] Donald J. Schmid, *Loc. Cit.*

[18] *Ibid*

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