

Law Enforcement Against Violent Theft Perpetrated by Children: A Study at the North Sumatra Regional Police

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Abstract. *This study aims to analyze law enforcement against perpetrators of violent theft committed by minors in the North Sumatra Regional Police jurisdiction. The phenomenon of juvenile delinquency involving violent crimes such as violent theft is a social problem that is becoming increasingly complex and requires serious attention from various parties, especially law enforcement officials. This study uses an empirical juridical approach with primary data obtained through in-depth interviews with the police, prosecutors, courts, and relevant stakeholders in North Sumatra. Data collection techniques were carried out using purposive sampling of key informants who have direct understanding of the handling of violent theft cases involving child perpetrators. The results show that law enforcement against juvenile perpetrators of violent theft in North Sumatra faces various challenges, ranging from legal and social aspects to rehabilitation. On the other hand, the limited facilities for empowerment and social reintegration for juvenile offenders also pose obstacles to the application of restorative justice principles. This study recommends the need for a balanced approach between retributive and restorative aspects in handling cases of children who commit violent crimes, as well as increased coordination between law enforcement and social welfare agencies in efforts to prevent and handle violent crimes committed by minors.*

Keywords: *Enforcement; Minors; Restorative Justice; Theft; Violent.*

1. Introduction

Children are part of the younger generation, playing a vital role in the nation's

future and are human resources representing the nation's potential and aspirations. They play a crucial role and possess unique characteristics and qualities, requiring holistic development and physical, psychological, and social protection (CO Y Afita & MN Setiawan, 2022). Children are a key factor in the nation's progress; for the Indonesian nation, children are the main agents and pillars of national development, which is crucial to creating a just and prosperous environment based on the mandate of the 1945 Constitution. Therefore, children require special attention and guidance to achieve good growth and development in physical, spiritual, and emotional terms. It is in this process of support and guidance that the value system of children and adolescents is formed.

Based on Article 1 paragraph (3) of Law No. 11 of 2012 concerning the Juvenile Criminal Justice System, a child is a child who has reached the age of 12 (twelve) years but has not reached the age of 18 (eighteen) years and is suspected of having committed a crime.

Children who commit crimes are often referred to as "bad kids." Recently, this issue has frequently been highlighted in media reports regarding juvenile delinquency or crimes committed by children.

Several factors contribute to children engaging in delinquency and ultimately coming into conflict with the law, including a lack of parental attention, economic conditions that force children to meet their own needs, and the child's ongoing search for identity. Lack of family attention and supervision often leads to children feeling deprived of the love and guidance they need for their development (MR Lubis, & Putra, 2021). These conditions encourage children to seek attention and recognition outside the family environment. This situation often triggers deviant behavior or delinquency, which can negatively impact both the child and those around them. Furthermore, economic pressure to meet basic living expenses is often a factor behind children's involvement in various forms of delinquency, including acts of violence (A. Mahesha, D. Anggraeni & MI Adriansyah, 2024).

A lack of attention and affection for children is a significant factor in their development and behavioral growth. This situation can lead children to commit acts of violence in their environment or join youth groups that often cause unrest in the community. Once children become part of these groups, they are more likely to engage in criminal behavior and often participate in brawls (D. Jatmiko, 2021).

One of the crimes committed by children who have not yet reached adulthood and which has become a concern for the handling of the North Sumatra Regional Police (Polda Sumut) is the crime of theft accompanied by violence, which in society is better known as *begal*, because it causes

considerable unrest.

According to the Big Indonesian Dictionary (KBBI), the term begal refers to perpetrators of robbery, harassment, or similar acts who operate in open places, generally using motorbikes or by forcibly stopping the targeted person (<https://kbbi.kemendikdasmen.go.id/entri/begal>). Mugging is a street crime case carried out by two or more people. In carrying out their actions, groups of muggers often use violence and do not hesitate to injure or kill their victims in order to obtain the victim's property (Agustina Aulia Putri et al, 2024).

In 2022, there were 3 cases of muggings committed by minors, in 2023, there were 6 cases of muggings committed by minors, in 2024, there were 2 cases committed by minors, and in 2025, there was 1 case of mugging committed by minors.

No.	Year	Number of Cases	Settlement		
			Diversion	SP3	P21
1.	2022	3 Cases	1 Case	2 Cases	-
2.	2023	6 Cases	2 Cases	1 Case	3 Cases
3.	2024	2 Cases	1 Case	1 Case	-
4.	2025	1 Case	1 Case	-	-

The influence of their social environment is so great that they show little fear when committing acts of violence. Therefore, detaining juveniles is considered necessary as a form of guidance and law enforcement to prevent recidivism. This is in line with various cases circulating on social media, where muggings that cause unrest in the community are often carried out by school-aged children who are still considered teenagers (Hermawenda, M. Kastulani & HL Fitriani, 2023).

Before the enactment of Law No. 11 of 2012 concerning the Juvenile Criminal Justice System, regulations regarding juvenile justice still referred to Law No. 3 of 1997. In the previous period, children who committed crimes were processed through the same legal mechanisms as those applied to adult perpetrators (RAM Damanik, 2020).

Sanctions imposed on children differ from those imposed on adults. This distinction is based on the child's pre-maturity and the need for psychological attention. Based on these considerations, the Republic of Indonesia has enacted specific regulations, namely Law No. 11 of 2012 concerning the Juvenile Criminal Justice System and Law No. 35 of 2014, which amends Law No. 23 of 2002 concerning Child Protection.

According to Law No. 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA), law enforcement for children prioritizes Restorative Justice through the Diversion mechanism which is a form of case resolution through a non-litigation

or out-of-court approach, with the aim of prioritizing the best interests of children, guidance, and social reintegration, not retaliation, and avoiding criminalization as a last resort, with various sanctions (criminal warnings, guidance, community service) and special actions for children under 14 years old, with an emphasis on protection, guidance, and stigma avoidance.

Article 79 paragraph (5) of Law No. 20 of 2025 concerning the Criminal Procedure Code (KUHP) stipulates that the implementation of Restorative Justice aims to restore the condition of the parties to the state they were in before the crime occurred, the implementation of which must be stated in an agreement. Once all the contents of the agreement have been fulfilled, the case process must be stopped and then a request for a decision must be submitted to the court (Muhaimin, 2020).

Based on the description above, the author is interested in conducting research with the title "Law Enforcement Against Perpetrators of Criminal Acts of Theft with Violence Committed by Minors: A Study at the North Sumatra Regional Police". As for the formulation of the problem to discuss and study the problem above, there are two things, namely b. What is the form of law enforcement against perpetrators of the crime of theft accompanied by violence committed by children in the North Sumatra Regional Police area and what are the obstacles and efforts made by law enforcement against children who commit the crime of theft accompanied by violence in the North Sumatra Regional Police area.

2. Research Methods

This research uses an empirical approach because it focuses on the study of law enforcement against criminal acts of theft accompanied by violence committed by children in the North Sumatra Regional Police area. To answer the problem formulation in this study, primary data was used obtained through interviews with law enforcement officers at the North Sumatra Regional Police, namely IPTU Mahrizal Nasution as Head of the Crime and Violence Unit (JATANRAS) of the North Sumatra Regional Police. In addition, this study was also accompanied by secondary data sourced from various laws and regulations, including Law No. 11 of 2012 concerning the Juvenile Criminal Justice System, Law No. 20 of 2025 concerning the Criminal Procedure Code, and Law No. 12 of 1995 concerning Corrections.

Data analysis in this study was carried out using a descriptive method, namely a research technique that aims to produce a description or picture of the legal conditions or phenomena that are the object of study (Wiwik Sri Widiarty, 2024). The data obtained, both verbally and in written form, is then processed, analyzed, and interpreted based on applicable laws and regulations. The results of this analysis are then used to draw inductive conclusions in accordance with the research objectives and the formulated problem.

3. Results and Discussion

3.1. Forms of Law Enforcement Against Perpetrators of Criminal Acts of Theft Accompanied by Violence Perpetrated by Children in the North Sumatra Regional Police Area

When children are involved in aggravated theft involving violence, the police employ special handling methods. The case was handled by the North Sumatra Regional Police's Violent Crimes Investigation Unit 3 (Jatanras), a specialized team that operates under specific regulations to handle similar cases in the city.

If someone is suspected of theft or assault, the police are required to first examine the evidence to ensure its sufficiency. If sufficient evidence is found, an arrest or detention may be carried out for further investigation. The law stipulates that this action is only permitted if sufficient evidence is available. This temporary detention aims to uncover the true facts behind the incident.

In its implementation, the North Sumatra Regional Police adhere to applicable laws. If a theft with violence occurs or a related report is received, especially one involving a child, an investigation can be initiated. The report can be made in writing and signed by the reporter, or the police can read it and the reporter signs it. Once the report is received, the police will issue a receipt as proof that the report has been registered.

According to an interview with the Head of Unit 3 of the North Sumatra Regional Police's Violent Crimes Investigation Unit (Jatanras), the police employ special procedures to handle criminal cases involving children, such as theft accompanied by violence. The process begins when the public reports the incident to the authorities. The police are always ready to receive reports and provide assistance. Because such actions are dangerous and the perpetrators have the potential to flee, a swift response is essential. Once the report is verified as valid, the police will immediately proceed to the scene.

When a child is suspected of theft or violence, they are handled differently than adults because they require greater attention and protection. Therefore, during the investigation, the police are required to involve a parent or guardian. Once the necessary evidence is gathered, the police have the authority to request a judge's order to detain the child, who will then be placed in a special temporary facility.

The next step, according to Inspector Mahrizal Nasution, is to uncover the facts by speaking with the perpetrator and witnesses. The North Sumatra Regional Police will ask questions to gain further understanding. Statements from both the perpetrator and witnesses are crucial in explaining the sequence of events and the parties involved. Therefore, investigators are obligated to respect the perpetrator's rights during the investigation, as stipulated in Articles 51, 53, 114,

115, and 133 of the Criminal Procedure Code.

In accordance with the provisions of Article 7 paragraph (1) of Law no. 11 of 2012, the resolution of children's cases in the District Court must prioritize diversion efforts. The application of diversion is only possible if the criminal act committed by the child meets the following requirements:

- a. Sentenced to a prison sentence of less than 7 (seven) years; and
- b. Does not include repetition of crimes committed previously.

Diversion in children has several goals, including (H. Nafi, 2022):

- a. Realizing a peaceful agreement between children as perpetrators of crimes and victims;
- b. Resolving cases involving children outside the judicial process;
- c. Prevent children from actions that restrict their freedom;
- d. Increasing community involvement in the case resolution process; And
- e. Instilling awareness and responsibility for actions that have been carried out by children.

If the diversion process results in an agreement between the parties, the Public Prosecutor is obliged to submit the diversion report and the agreement reached to the Chief Justice of the District Court for issuance of a ruling. Conversely, if the diversion process is unsuccessful, the Public Prosecutor is then required to forward the case to the court, including the diversion report and a community research report as supporting case files.

Law No. 11 of 2012 stipulates that the examination of children's cases in court is carried out by judges appointed based on the Decree of the Chief Justice of the Supreme Court or officials who have received delegation of authority from the Chief Justice of the Supreme Court, with the determination being made upon the recommendation of the Chief Justice of the District Court through the Chief Justice of the High Court who has the authority.

The examination and adjudication of juvenile cases at first instance is principally conducted by a single judge. However, in cases punishable by imprisonment of at least seven years or involving difficulties in proving the case, the Chief Justice of the District Court may order a panel of judges to examine the case. During the trial, the judge receives assistance from a court clerk or a substitute court clerk in carrying out his judicial duties. At the cassation stage, juvenile delinquency cases are examined by a cassation judge appointed by a decree of the Chief Justice of the Supreme Court.

Children who have been processed through prosecution can be placed separately based on the provisions of the laws and regulations in force in Indonesia. These provisions are stated in Law No. 12 of 1995 concerning Corrections, specifically Article 4 which stipulates that Correctional Institutions, including Juvenile

Correctional Institutions, are established in every district or city capital. With the enactment of Law No. 11 of 2012 concerning the Juvenile Criminal Justice System, the nomenclature of Juvenile Correctional Institutions changed to Special Child Development Institutions (LPKA). The separation of detention and development facilities for children from adults is carried out as a protective effort, considering that the presence of children with adult detainees or prisoners can increase their vulnerability to various acts of violence and detrimental treatment (Nashriana, 2011).

The situation and conditions in correctional institutions can affect the effectiveness of the implementation of guidance for children, thus potentially hindering the realization of the objectives of the correctional system. This is as reflected in the provisions of Article 2 of Law No. 12 of 1995 concerning Corrections which states that: "The correctional system is organized in order to shape Correctional Inmates to become complete human beings, realize their mistakes, improve themselves, and not repeat criminal acts so that they can be accepted back into the community, can actively play a role in development, and can live normally as good and responsible citizens."

3.2. Obstacles and Efforts Made by Law Enforcement Against Children Who Commit the Crime of Theft Accompanied by Violence in the North Sumatra Regional Police Area

In Indonesia, there are regulations that protect children in conflict with the law, for example in cases of theft or abuse. The primary applicable regulation is Law No. 11 of 2012, which specifically addresses juveniles involved in legal violations. However, despite these regulations being in place, those responsible for guiding and preventing such negative behavior still face challenges in implementing these rules and ensuring fair treatment for children.

IPTU Mahrizal Nasution, SH, revealed that several obstacles arise in the process of enforcing the law for children in conflict with the law. One significant obstacle in North Sumatra is the low understanding and support for restorative justice and diversion. Although this approach aims to resolve problems without severe punishment for children, many parties, especially victims' families, still prioritize harsh sanctions. As a result, implementing this method is difficult. The situation is further complicated by the lack of public knowledge about how diversion works and its benefits, which should help children and improve the situation for everyone.

Another operational obstacle is the difficulty in implementing development programs to prevent children from repeating violent theft. This is due to complex driving factors, encompassing both external and internal aspects, which hinder the effectiveness of prevention and behavioral remediation efforts.

Despite facing various obstacles, ensuring the legal certainty of the law

enforcement against violent theft involving minors in North Sumatra must not rely solely on regulations. This effort also involves other aspects such as community mindset, support from various organizations, officer competency through training, and budget availability.

In line with the description of IPTU Mahrizal Nasution, SH, the North Sumatra Regional Police (Polda) implemented a series of strategic steps to overcome obstacles to law enforcement. These steps include implementing preventive patrols in areas identified as prone to robbery, such as Helvetia, Jamin Ginting, Brayan, and other strategic areas. In addition to the repressive aspect through patrols, the North Sumatra Police also optimizes its preventive function through legal socialization and education distributed to educational institutions, to increase legal awareness among the public and reduce the possibility of future crimes.

Theft committed through harm or coercion can be likened to a chronic disease that threatens social stability. This act causes physical and psychological harm and reduces the sense of security in society. Consequently, efforts to address the crime of theft accompanied by violence are urgently needed to ensure public order and community well-being.

According to Law No. 11 of 2012 concerning the Juvenile Criminal Justice System, the resolution process for cases involving children must prioritize the principle of restorative justice through the application of diversion. Diversion is the process of resolving children's cases from formal criminal justice channels to non-litigation solutions to achieve recovery for the child.

This step is designed to safeguard the future and well-being of children in conflict with the law, rather than destroying them through punishment. The primary focus is on providing guidance through education and support to help them change. Handling these cases involves collaboration between police, judges, and child care centers to ensure proper enforcement. Throughout the process, children must be accompanied by a trusted adult, such as a parent or lawyer, in a safe and non-intimidating environment. Specialized institutions and child development centers provide counseling for positive development. Furthermore, support from their immediate environment, such as family and community, is vital for children to successfully reintegrate into society (V. Azhawa, B. Bahreisy, 2025).

IPTU Mahrizal Nasution, SH, emphasized the importance of collaboration between all elements. We must improve the quality of the juvenile justice system, increase public legal literacy, and facilitate synergy between groups to achieve justice. This will provide optimal protection for children and create opportunities for them to achieve a bright future.

4. Conclusion

Efforts to handle cases of theft with elements of violence committed by children within the North Sumatra Regional Police are carried out through a diversion mechanism in accordance with applicable regulations. If the diversion ends in an agreement, the Public Prosecutor is obliged to submit the diversion report along with the results of the agreement to the Chief Justice of the District Court for issuance of a decision. However, if the diversion process fails to reach an agreement, the Public Prosecutor is required to proceed with the case to court, including the diversion report and a report on the results of the community investigation as supporting documents. The North Sumatra Regional Police face significant challenges, such as low public understanding of diversion and the preference of victims' families for harsh sanctions. The North Sumatra Regional Police have responded with strategic measures, including preventive patrols in vulnerable areas and legal outreach to educational institutions. However, successful law enforcement relies not only on regulations but also requires collaboration from all elements of society, increased legal literacy, and synergy between institutions to ensure child protection, behavioral rehabilitation, and the establishment of justice that prioritizes the prospects for a better life in the future.

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