

PHENOMENON OF LOVE SCAM CASES IN LEGAL PRACTICE: EXPLORING CASE CONSTRUCTION AND VICTIM RESPONSES

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Abstract

A new mode of online fraud is loving scamming, namely using social media or dating applications to commit fraud by building interpersonal relationships between the perpetrator and the victim. Love scammers will target victims and communicate continuously so that they have a love relationship. After an emotional bond, the perpetrator will ask for money with the mode of needing money for urgent needs. Three problems will be discussed: the analysis of love scams in the vortex of cybercrime, the construction of love scam cases in the Law of the Republic of Indonesia Number 1 of 2024, and the victims' response and when they can report it. Love scam is a crime committed in cyberspace; therefore, electronic evidence is essential for uncovering cases when they reach the police. Not all gifts based on a love relationship can be reported. Several criminal provisions in Law Number 1 of 2024 can be used to ensnare perpetrators. In legal practice, not all victims want to report love scams that have happened to them. Some victims do not realize they are victims; some victims deliberately do not report because they are embarrassed and to avoid social judgment; some do not have evidence.

Keyword: Love Scam; Fraud; Case Construction; Victims; Perpetrator; Cyber Crime.

A. INTRODUCTION

Love is a basic human need that can also be studied in the context of dating relationships in Maslow's hierarchy of needs. Dating relationships can be explained as a need for love, namely feelings of affection, joy, and longing to interact with others, especially loved ones. Fulfilling the need for love can also make a person selfless, pleasant, honest, and willing to reveal one's weaknesses and strengths by respecting the needs and individuality of the loved one. Love refers to an individual's ability to build healthy and loving

relationships with each other, including mutual trust. The need for love is emphasized over the desire to be understood by others.¹ According to Sternberg, ideation, commitment, and intimacy are the three elements of love. Warmth, intimacy, and sharing are emotional states associated with intimacy; physical and sexual attraction to a partner is associated with desire; and a person's desire to keep a relationship going is associated with commitment.² Love is vital for the growth and development of a person's abilities. If a person's need for love is unmet or hampered, this can lead to maladjustment.³

The need for love causes people to try to find a partner, one of which is through social media or dating applications. Over the past two decades, dating applications have become central to discussions about dating, relationships, and intimacy.⁴ social media is a forum that covers human needs in seeking entertainment, communicating, and doing other things. For some people, communicating via the Internet seems more interesting than communicating face to face. This phenomenon is known as hyperpersonal communication, explained as Computer-Mediated Communication or communication via computers/internet, which has greater social appeal than direct communication. It is not uncommon for people to hope to find a soul mate on social media; with this hope, many dating platforms have emerged. The small quantity of information that users disclose about their interests on dating applications is what builds interpersonal trust.⁵

Such applications are very easy to use; just fill in the personal data page, which includes name, place of residence, hobbies and other personal information. Online dating sites users are frequently requested to fill out personality tests, hobby surveys, and questions about the traits they seek in a spouse. They are allowed to look for their own partners on other websites; however, to do so, they must scroll through many profiles.⁶ After filling out the

¹ Ni Komang Karmini Dwijayani, "Bucin itu Bukan Cinta: Mindful Dating for Flourishing Relationship," *Widya Cakra: Journal of Psychology and Humanities* 1, no. 1 (October 5, 2020): 1–11, doi:10.24843/widyacakra.2020.v1.i1.p69189.

² Debora Kesia Sanu and Joris Taneo, "Analisis Teori Cinta Sternberg Dalam Keharmonisan Rumah Tangga," *JKKP (Jurnal Kesejahteraan Keluarga Dan Pendidikan)* 7, no. 02 (October 30, 2020): 191–207, doi:10.21009/JKKP.072.07.

³ Muhammad Insan Jauhari and Karyono Karyono, "Teori Humanistik Maslow Dan Kompetensi Pedagogik," *Sustainable Jurnal Kajian Mutu Pendidikan* 5, no. 2 (November 20, 2022): 250–65, doi:10.32923/kjmp.v5i2.2585.

⁴ Lisa Portolan and Jodi McAlister, "Jagged Love: Narratives of Romance on Dating Apps during COVID-19," *Sexuality & Culture* 26, no. 1 (February 1, 2022): 354–72, doi:10.1007/s12119-021-09896-9.

⁵ Carolina Bandinelli and Alessandro Gandini, "Dating Apps: The Uncertainty of Marketised Love," *Cultural Sociology* 16, no. 3 (September 2022): 423–41, doi:10.1177/17499755211051559.

⁶ Dini Anggraheni, Stefani Dewi Rosaria, and Anandha Anandha, "In Puppet Master's Hand: Discursive Manipulation Strategies in Socio-Semiotic Perspective," *Jurnal Lingua Idea* 13, no. 2 (December 31, 2022): 244–56, doi:10.20884/1.jli.2022.13.2.6735.

page, we can use it very easily. Usually, people we don't know will appear on the homepage, and then we can press the like or skip button; if we press the like button and the person likes it again, we will "match" or match that person on the dating platform we use. After that, we can greet the person and then the conversation will continue, making it possible for a virtual relationship.⁷

Dating apps are still regarded as a potentially dangerous pastime.⁸ The phenomenon of looking for a partner through online media provides space for criminals to look for victims using interpersonal relationships or what is known as a love scam, love fraud or romance scam. Love scams are social engineering that originated in the early 2000s.⁹ In these scams, criminals fabricate false identities on dating websites and build romantic connections with their intended targets. Ultimately defrauding someone out of money. The impact on individuals who fall victim to romance scams can be profoundly destructive. Aside from the monetary detriment, there is a significant emotional toll on individuals who are longing for company.¹⁰ This criminal act inflicts both tangible and psychological suffering upon the victims. The material impact refers to the financial loss and harm to social connections, while the psychological impact is characterised by the development of dread, leading to a decrease in the individual's social and occupational abilities. Individuals who fall victim to online dating scams may undergo a variety of emotional responses, including melancholy, embarrassment, shock, wrath, worry, and fear. These emotional reactions can subsequently contribute to the development of depression, suicidal thoughts, and post-traumatic stress disorder.¹¹

Agent Harding said that in 2021, data on losses due to internet fraud will reach USD 7 billion or approximately IDR 106 trillion (with an exchange rate of USD 1 equals IDR 15,200 on Friday 17 February 2023) worldwide. Losses due to love scams reached USD 956 million or approximately IDR 14 trillion. This means that losses due to love scamming reached 13 percent of the total online losses. Fraud with romantic nuances also occurs in Indonesia. Head of the Financial Transaction Reports and Analysis Center (PPATK) Ivan

⁷ Dewa Ayu Raka Agil Safitri and I Gusti Ayu Stefani Ratna Maharani, "Penipuan Bermoduskan Cinta Atau Love Scam Dalam Tinjauan Hukum Pidana Di Indonesia," *Jurnal Kertha Desa* 11, no. 10 (2023): 3474–89.

⁸ Sindy R. Sumter and Laura Vandenbosch, "Dating Gone Mobile: Demographic and Personality-Based Correlates of Using Smartphone-Based Dating Applications among Emerging Adults," *New Media & Society* 21, no. 3 (2018): 655–73, doi:10.1177/1461444818804773.

⁹ Jasmine E. McNealy, "Platforms as Phish Farms: Deceptive Social Engineering at Scale," *New Media & Society* 24, no. 7 (July 1, 2022): 1677–94, doi:10.1177/14614448221099228.

¹⁰ Alexander Bilz, Lynsay A. Shepherd, and Graham I. Johnson, "Tainted Love: A Systematic Review of Online Romance Fraud" (arXiv, 2023), doi:10.48550/ARXIV.2303.00070.

¹¹ Susanti Niman, Tina Shinta Parulian, and Timothy Rothhaar, "Online Love Fraud and the Experiences of Indonesian Women: A Qualitative Study," *International Journal of Public Health Science (IJPHS)* 12, no. 3 (September 1, 2023): 1200, doi:10.11591/ijphs.v12i3.22617.

Yustiavandana detected transactions reaching billions of rupiah from love scamming cases. In fact, most of these cases are reported to PPATK. Lulling words of love are the perpetrator's way of luring the victim. After the victim was lured, the perpetrator said he needed money for various reasons, for example, buying tickets for a vehicle, school, business, and so on. The victim was trapped and complied with the request. As soon as he got the money, the perpetrator disappeared. The police targeted this love scam after receiving several reports. Polda Metro Jaya arrested two perpetrators of fraud using love scamming mode. The victims reported experiencing financial losses amounting to IDR 2.4 billion.¹²

Love scamming is the act of tricking someone by pretending to seek love using online platforms. This behaviour is not specifically regulated by Indonesian laws and regulations. Law enforcement can nonetheless take action against actions of love scamming if they violate statutory regulations. In these cases, there may be circumstances where emotional elements are used to manipulate and gain advantage. If this happens, it is challenging to determine whether the victim's giving was entirely voluntary or the result of the perpetrator's manipulative techniques.¹³ This condition certainly has different legal consequences and requires a casuistic study.

Several studies regarding love scams have been written before. Fangzhou Wang and Volkan Topalli wrote research on "Understanding Romance Scammers Through the Lens of Their Victims: Qualitative Modeling of Risk and Protective Factors in the Online Context." The objective of this research was to uncover the risk and protective characteristics that make individuals vulnerable to romance fraud perpetrators and to develop a model that may predict victim vulnerability and resilience.¹⁴ The aim of Fangzhou Wang and Volkan Topalli's research is to identify risks and protections for dating app users, while the author's research places more emphasis on case construction and victim responses.

Richard Abayomi Aborisade, Akoji Ocheja, and Babatunde Adekunle Okuneye wrote research on "Emotional and Financial Costs of Online Dating Scam: A Phenomenological Narrative of The Experiences of Victims of Nigerian Romance Fraudsters." This study investigates the encounters between victims

¹² Pusiknas Bareskrim Polri, "Fenomena Love Scamming: Jangan Gampang Percaya Kata-Kata Cinta | Pusiknas Bareskrim Polri," March 31, 2023, https://pusiknas.polri.go.id/detail_artikel/fenomena_love_scamming:_jangan_gampang_percaya_kata-kata_cinta.

¹³ Marthin Simbolon, "Love Scam Dalam Tinjauan Hukum Pidana Indonesia," *Indonesia Criminal Law Review* 2, no. 1 (November 14, 2022), <https://scholarhub.ui.ac.id/iclr/vol2/iss1/1>.

¹⁴ Fangzhou Wang and Volkan Topalli, "Understanding Romance Scammers Through the Lens of Their Victims: Qualitative Modeling of Risk and Protective Factors in the Online Context," *American Journal of Criminal Justice* 49, no. 1 (February 2024): 145–81, doi:10.1007/s12103-022-09706-4.

and perpetrators, focusing on their experiences from the initial interaction to the growth of a romantic relationship, patterns of exploitation, eventual disclosure, and financial and emotional losses resulting from dating fraud.¹⁵ Aborisade, Ocheja, and Okuneye's research analyzes the losses of victims, both financial and emotional, caused by dating fraud. The author analyzes the victims' responses and the legal conditions in Indonesia by constructing models of possible cases.

Helena Refa Nugraha, Annisa Rahma Anggraieda, Salsabila, and Asmak UI Hosnah researched aims to seek knowledge about how to use online dating programs, and it can be concluded that online dating programs are a media innovation that utilizes the internet, which positively impacts getting friends or relations to become more widespread. Acts of online violence usually target women and children because they are considered weak and easy to manipulate.¹⁶ These studies do not significantly examine the construction of love scam cases in legal practice or explore the victim's response to the decision to report to the police. Thus, the author's research has never been written before by other researchers.

B. RESEARCH METHODS

This research is normative legal research that examines the legal construction of various possible love scam cases in Law of the Republic of Indonesia Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions. The legal materials used are primary legal materials, namely relevant laws and regulations in this study and secondary legal materials, namely references from various scientific journals. Legal materials are collected through literature studies. The research approach is carried out with a statutory regulatory and a legal concept approach. The analysis is carried out qualitatively.

C. RESULTS AND DISCUSSION

1. Love Scam in the Vortex of Cyber Crime

Growing worldwide, cybercrime is a problem driven by various personal motivations, including retaliation, recreational use, political ideology support, state actors motivated by geopolitical views, and financial gain for

¹⁵ Richard Abayomi Aborisade, Akoji Ocheja, and Babatunde Adekunle Okuneye, "Emotional and Financial Costs of Online Dating Scam: A Phenomenological Narrative of the Experiences of Victims of Nigerian Romance Fraudsters," *Journal of Economic Criminology* 3 (March 2024): 1–10, doi:10.1016/j.jeconc.2023.100044.

¹⁶ Helena Refa Nugraha et al., "Perlindungan Hukum Terhadap Korban Kejahatan Di Dunia Maya Pada Aplikasi Kencan Online," *Jurnal Pendidikan Tambusai* 8, no. 1 (January 20, 2024): 3983–89, doi:10.31004/jptam.v8i1.13006.

cybercriminals. Cybercrime is one of the bad aspects of the internet. These crimes are not new behavior; they have just been transformed in the digital space. The population affected by cybercrime is not only children but also adults. Currently, exploitation through cyberspace is easy for attackers and is the most common way to exploit someone because, nowadays, everyone uses the internet. Attackers use many tricks to exploit. They not only use social media but can exploit victims even through web browsing or watching video content on the internet.¹⁷ Exploitation will be easier if the perpetrator knows the victim in an interpersonal relationship, even if it is only done in cyberspace. The perpetrator manipulates the victim by trying to get to know the victim in depth, getting to know and building communication with the potential victim. The perpetrator can be male or female, as can the victim; it can be done alone or with a criminal network that looks explicitly for victims using love scamming. Love scammers plan their tactics to increase the chances of success in committing crimes. The schemes used by these perpetrators to trap their victims in this love scam are providing a fake identity, avoiding direct communication, doing love bombing, and finally, asking for money from the victim.¹⁸

Digital communication technology can overcome physical, social, and psychological barriers in forming romantic ties. Love scams, a contemporary type of deception, have increased in Western society due to the rise of social media and dating applications. The fraudster establishes a romantic relationship with the victim over 6-8 months using a fake online identity. During this time, the fraudster forms a strong emotional connection with the victim to manipulate them into providing financial resources.¹⁹ Love scams frequently

¹⁷ Yogesh Meena et al., "Cyber Exploitation through Cybercrimes & Challenges" (2021 3rd International Conference on Advances in Computing, Communication Control and Networking (ICAC3N), IEEE, 2021), 1467–72.

¹⁸ Syakira Yuniar Yosiandra and Dewi Saraswati Sakariah, "Unveiling the Romance Scam Scheme: Psychological Manipulation and Its Impact on Victims," *HUMANIKA* 31, no. 2 (December 10, 2024): 185–99, doi:10.14710/humanika.v31i2.67604.

¹⁹ Anna Coluccia et al., "Online Romance Scams: Relational Dynamics and Psychological Characteristics of the Victims and Scammers. A Scoping Review," *Clinical Practice & Epidemiology in Mental Health* 16, no. 1 (April 20, 2020): 24–35, doi:10.2174/1745017902016010024.

originate from hackers who target individuals on online dating platforms and other social networking sites. Their objective is to establish a deceptive connection to rob significant amounts of money from their victims.²⁰ Perpetrators using social media will attempt to victimize others by sending them friend requests. The next activity is to send a message to invite the victim to get acquainted. This is not much different when the perpetrator uses a dating application. The perpetrator will express interest by selecting the right swap; if he is connected to the victim, the perpetrator will send a message to the victim.

The perpetrator will begin to analyze the type of victim, in which most victims are women, although it does not rule out the possibility that there are also male victims. The typology of love scam victims ranges from the age group of around 25 to 40 years. Adults who have a steady job have a higher chance of becoming victims of love scams than housewives and teenagers. The first characteristic of love scam victims is that they are usually kind and gullible. Research also shows that victims are usually lonely and feel comfortable expressing themselves online. Moreover, they have some romantic beliefs making them more vulnerable to being victims.²¹ The perpetrator used a fake profile with a very attractive job description and a graduate of the best university to depict the perpetrator as an established man and ready to marry. The self-concept determined from the start before meeting the victim is a strategy to show one's character as a man who can be a responsible, caring, family man and a future husband. Before entering the intimate stage since being involved in interpersonal communication between the love scammer and the victim, the self-concept strategy shown at this stage is to form the victim's thinking that the love scammer is in line with the expectations of a man who can be a partner or life partner. This can be seen from the love scammer's verbal and nonverbal behavior towards the victims before entering a more

²⁰ Divya Buttan, "Hacking the Human Brain: Impact of Cybercriminals Evoking Emotion for Financial Profit" (Dissertation, Utica College, 2020).

²¹ Saslina Kamaruddin et al., "When Love Is Jeopardized: Governing Online Love Scams in Malaysia," *International Journal of Advanced Science and Technology* 29, no. 6 (2020): 391–97.

intimate stage of life development. In this context, the self-concept that the love scammer continues to carry out is in accordance with the public image.²²

In the case of a love scam, interpersonal patterns also apply. In a scenario of ongoing communication, the recipient of a love scam gradually becomes influenced by the manipulative statements made by the perpetrator. The perpetrator can recognize potential victims based on their attitudes, emotions, and personalities. Over time, these potential victims tend to adapt to the desires of the perpetrator.²³ Victims are unaware of the manipulative use of persuasive and affectionate language in the messages designed to capture their interest. This is a problem for social media users. Individuals can interact with online admirers by accessing their profile information on dating or social networking platforms. Scammers generally target people who are mentally weak, lonely, and eagerly looking for friends or relationships as potential victims. Fraudsters employ many counterfeit accounts on social networking platforms to conceal their true identities. Typically, they initiate contact with potential victims and use various approaches and tactics to establish a solid bond to convince them to form an emotional connection. The key to this scam's success is tricking the victim into thinking the relationship is genuine. An idealized framework of interpersonal interactions is evoked by the scammer's words and phrases used to establish rapport.²⁴

The offender achieves their objectives by soliciting the victim to transfer funds, engaging in intimate conversations, interacting through various means such as phone or video calls, and exploiting emotional dynamics commonly found in relationships. The perpetrator's desire was planned from the start, in which the perpetrator would look for mature and established women as reflected in the profile photo, self-description, photos, and the victim's circle of friends. The perpetrator also researches the victim's activities to make the

²² Kristin E J Nomleni, "Analisis Fenomena Romance Scam Dalam Komunikasi Interpersonal Love Scammer & Korban," *Jurnal Communio: Jurnal Jurusan Ilmu Komunikasi* 12, no. 2 (July 17, 2023): 202–21, doi:10.35508/jikom.v12i2.9179.

²³ Aji Rahma Wijayanto, "Love Scams and Its Legal Protection for Victims," *Law Research Review Quarterly* 7, no. 2 (May 31, 2021): 211–24, doi:10.15294/lrrq.v7i1.43187.

²⁴ Pamela Faber, "The Personal_relationship Frame in Love Fraud," *Applied Corpus Linguistics* 5, no. 1 (April 2025): 100119, doi:10.1016/j.acorp.2025.100119.

conversation more comfortable, in which the perpetrator will try to find topics related to the victim's activities. Apart from that, the perpetrator also found out where the victim was continuing his education, where the victim worked, and who his family and friends were. This data can be used to control victims in the future. Many dating apps lack robust internal control systems when it comes to registration. Consequently, scammers can monitor and approach their potential targets with little difficulty. To discourage fraudulent activity by users, it is necessary to enhance the identification process by implementing stringent identity criteria.²⁵

Once scammers have developed a strong emotional connection and earned confidence, they will ask for money for different reasons, such as crises, medical issues, or financial difficulties.²⁶ Scammers often use various tactics to deceive people. These include offering to send gifts but not providing enough money for immigration taxes, pretending to be stranded at airports or immigration offices, creating fake financial emergencies that require immediate cash, falsely claiming to have been in an accident and demanding compensation, and asserting that a family member has been diagnosed with a serious illness.²⁷ In a legal context, not all acts committed in a love relationship can be punished.

2. Construction of the Love Scam Case in the Law of the Republic of Indonesia Number 1 of 2024

The perpetrator builds an emotional connection to the victim with a pre-planned goal. The scam usually begins with a phase where the criminals aim to build a relationship with their target victim. Scammers take advantage of social media's built-in features, like anonymity, communication ease, and the capacity to create false identities, to influence and fool gullible people and

²⁵ Norazida Mohamed et al., "Cybercrime in Malaysia - Prevention of Honey Trap on Social Media and Online Dating Applications. | EBSCOhost," *Pakistan Journal of Criminology* 15, no. 4 (December 1, 2023): 667.

²⁶ Ameera Ismail et al., "Love Scams Issues in Malaysia: How to Overcome It from an Islamic Perspective," *International Journal of Law, Government and Communication* 8, no. 32 (June 1, 2023): 10–23, doi:10.35631/IJLGC.832002.

²⁷ Farah Safura Muhammad and Hamizah Muhammad, "Cybercrime through Love Scams: What Women Should Know?," *Journal of Contemporary Islamic Studies* 8, no. 2 (November 1, 2022): 41–54, doi:10.24191/jcis.v8i2.3.

inspire confidence through false personalities and made-up stories.²⁸ Once trust has been established, the demand for money begins. In addition to acquiring money or gifts, other frauds can occur, such as identity theft or access to bank accounts. Furthermore, victims may be inadvertently involved in crimes such as money laundering, credit card fraud, illegal shipments, etc., and thus unknowingly become involved in serious illegal acts.²⁹

There are conditions where the perpetrator wants the victim to send personal photos or videos in vulgar form. After the victim sends the photo or video, the perpetrator can use the photo or video to obtain his sexual pleasure. The perpetrator's actions cannot be punished unless the photo or video has been published to make it known to the public. Article 27 paragraph (1) of Law of the Republic of Indonesia Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions (hereinafter referred to as Law Number 1 of 2024), which states, "Every person intentionally and without the right to broadcast, perform, distribute, transmit and /or make accessible Electronic Information and/or Electronic Documents that have content that violates decency to be known to the public."

The element of intentionality in Article 27, paragraph (1) of Law Number 1 of 2024 means that the perpetrator knows and is aware of what he has done. Deliberation is a form of error in the sense of intentionality in the gradations of intentionality as intent, as awareness of possibility, or as awareness of certainty. In Article 27, paragraph (1) of Law Number 1 of 2024, the intention referred to is deliberate with the intention of "for public knowledge." An unlawful element is any act against the law without permission and/or approval from the party authorized to do so or the competent authority. The act is exempt from criminalization if performed in public interest, in self-defense, or if Electronic Information and/or Electronic Documents are considered works of

²⁸ Sharen Thumboo and Sudeshna Mukherjee, "Digital Romance Fraud Targeting Unmarried Women," *Discover Global Society* 2, no. 1 (December 10, 2024): 105, doi:10.1007/s44282-024-00132-x.

²⁹ Patrizia Anesa, "Lovextortion: Persuasion Strategies in Romance Cybercrime," *Discourse, Context & Media* 35 (June 2020): 100398, doi:10.1016/j.dcm.2020.100398.

art, culture, sports, health, and/or science.

The act carried out by the perpetrator, as stated in Article 27 paragraph (1), is "broadcasting, showing, distributing, transmitting and/or making it accessible." The act of "broadcasting" includes the act of transmitting, distributing, and making electronic information and/or electronic documents accessible in electronic systems. The act of "distributing" is sending and/or distributing Electronic Information and/or Electronic Documents to many people or various parties via an Electronic System. The act of transmitting is sending Electronic Information and/or Electronic Documents to another party via an Electronic System. The act of "making accessible" is any act other than distributing and transmitting via an Electronic System that causes Electronic Information and/or Electronic Documents to become known to other parties or the public.

Electronic Information and/or Electronic Documents, as intended in Article 27 paragraph (1) of Law Number 1 of 2024, contain content that violates decency for public knowledge. Violating decency is committing acts of displaying nudity, genitals, and sexual activities that are contrary to the values that exist in society in the place and time the act is committed. The interpretation of the meaning of decency is adjusted to the standards that apply to society in a specific time and place (contemporary community standards). The phrase to be publicly known is to be so that it can be accessed by a large group of people, most of whom do not know each other. Criminal threats against the provisions in Article 27 Paragraph (1) of Law Number 1 of 2024 are regulated in Article 45 Paragraph (1), namely being punished by imprisonment for a maximum of 6 (six) years and/or a fine of a maximum of Rp. 1,000,000,000.00 (one billion rupiah). The provision of a maximum prison sentence of 6 (six) years has implications for the investigator's authority to detain for fulfilling objective requirements.

Another condition of love scammers is that they can be punished if the perpetrator's actions force the victim to give money, gifts, or other valuables unlawfully. Article 27B paragraph (1) of Law Number 1 of 2024 states, "Every person intentionally and without right distributes and/or transmits Electronic

Information and/or Electronic Documents, to unlawfully benefit himself or another person, forcing people by threat of violence to: a. giving an item, which partly or wholly belongs to that person or another person; or b. giving debt, acknowledging debt, or writing off a receivable. The phrase to benefit oneself or others unlawfully indicates the perpetrator aims to benefit oneself or others, which is illegally done. This benefit encompasses not only tangible advantages but also intangible advantages. However, legislators have limited the methods and objects desired by perpetrators, namely by forcing people with threats of violence to a. give an item that partly or wholly belongs to that person or another person or b. giving debt, acknowledging debt, or writing off a receivable.

The method used by the perpetrator was force with threats of violence. Elucidation of Article 27B Paragraph (1) states that what is meant by "threat of violence" is Electronic Information and/or Electronic Documents that contain content intended to cause fear, anxiety, or concern that violence will occur. The legislator restricts the desired object of the perpetrator, which includes delivering an item that belongs to either the perpetrator or someone else, awarding debt, acknowledging debt, or writing off receivables that can be used as an alternative. This means this offense has occurred if only one is fulfilled. Love scammers can be punished if they have threatened violence to get the victim to do what they want. In some cases, the perpetrator has received information about where the victim lives, where the victim usually carries out activities and places the victim often visits. Through this data, the perpetrator can make threats of violence; for example, they will torture the victim if they don't give them money.

The love scammer's control over photos and/or videos of the victim, everyday stories told by the victim like interactions in personal relationships can become a tool for the perpetrator to blackmail the victim. Article 27B Paragraph (2) of Law Number 1 of 2024 states "Every person intentionally and without right distributes and/or transmits Electronic Information and/or Electronic Documents, with the intention of unlawfully benefiting himself or another person, with the threat of contamination or with the threat of revealing

secrets, forcing people to: a. giving an item which partly or wholly belongs to that person or to another person; or b. giving debt, acknowledging the debt, or writing off a receivable". The factor that characterises the execution of the act described in paragraph (2) is the use of intimidation through the threat of contamination or the exposure of secrets. Elucidation of Article 27B Paragraph (2) states that "threat of defamation" is a threat to attack another person's honor or good name by accusing someone of something to make it known to the public.

Love scam perpetrators can also be subject to Article 29 of Law Number 1 of 2024, which states that every person intentionally and without right sends electronic information and/or electronic documents directly to the victim that contains threats of violence and/or intimidation. An essential element in this provision is the threat of violence and/or intimidation. Article 29 adds the phrase "and" to threats of violence and/or intimidation so that threats of violence can be accompanied by acts of intimidation or if only one of the acts is carried out then this offense has been proven. Article 29 also removes the object of the action, namely being directed personally, from the previous provisions. According to Article 29, a "victim" refers to an individual who undergoes physical or mental distress and/or financial detriment because of a criminal act. The actions referred to in this provision include bullying in the digital space (cyberbullying).

Threats can be messages, electronic letters, images, sounds, videos, writings, and/or other forms of Electronic Information and/or Electronic Documents. The Electronic Information and/or Electronic Documents delivered take the form of explicit threats of violence, explicitly expressing a purpose to cause harm to the victim by physical or psychological assault. This threat has the potential to materialize, although being sent only once. The impact of fear must be proven in real terms, including a behavior change, and there must be witnesses to show that there is a victim.

In legal practice, there are often obstacles to whether a voluntary gift of goods can be reported to the police. In this condition, investigators will sort out whether the perpetrator's actions are a criminal act or not. The boundary

line that needs to be considered is whether the gift of the item is given voluntarily or not. If given voluntarily, is it based on a correct narrative by the recipient so that the giver wants to give the item to the recipient? The act is not criminal if there is no lie, and the gift is done voluntarily. If the perpetrator uses a false name, false dignity, or a series of lies or deception so that the person wants to give goods, such as sending money, gifts, and so on, then this act is a criminal offense that can be punished. The main driving force behind all offenders' engagement in cybercrime, including love scams, is now financial need.³⁰

3. Victims' Response and When They Can Report

Online dating sites have several advantages for their users: they are easy to use because they do not need to meet face to face, they only have an internet quota, and they save time, so they are in great demand among their users. However, apart from the benefits obtained by its users, online dating sites have disadvantages, such as being vulnerable to fraud. The number of victims and the value of losses recorded by love scam victims in various case records reported to the police are not comparable to the actual conditions. In online fraud crimes under the guise of romance, the victims are very disadvantaged because they are unaware that they are being tricked through a variety of tactics involving fake profiles and fictitious personal information of individuals. The perpetrator's primary goal is to make the victim interested, trusting, and falling in love. Ultimately, the victim is willing to give whatever they have without realizing they are being deceived and harmed in various ways.³¹

An online scammer is a person or group who uses the internet to carry out fraudulent or online fraudulent activities. The scammers employ various tactics to deceive and manipulate people to obtain financial resources or

³⁰ Majeed Khader and Poh Shu Yun, "A Multidisciplinary Approach to Understanding Internet Love Scams," in *The Psychology of Criminal and Antisocial Behavior* (Elsevier, 2017), 523–48, doi:10.1016/B978-0-12-809287-3.00018-3.

³¹ Rusdinah Rusdinah et al., "Pembuktian Terhadap Penipuan Online Berkedok Asmara Menurut UU ITE," *Cerdika: Jurnal Ilmiah Indonesia* 3, no. 11 (November 30, 2023): 1135–43, doi:10.59141/cerdika.v3i11.723.

personal information.³² The victims' belief that they will remain faithful to the relationship is crucial to the online romance scam's success. This is particularly crucial when the con artist repeatedly demands money during the engagement.³³ The victims were motivated by love and voluntarily complied with the offenders' requests without being forced to do so. The user's emotional investment is significant if they want to ponder the vast and complicated world of love and dating.³⁴ This causes the victims to decide not to report the facts of the harassment. On the one hand, this is due to embarrassment, but on the other hand, it is due to the hidden and often unspoken hope that perhaps their "lover" will contact them again and explain the whole situation. The victims' emotional suffering is even more significant because they did not receive proper support from their loved ones, both during the beginning of the relationship, its development, and its dramatic end.³⁵

The perpetrators carried out their actions and looked for victims through social media and their relations or friends around them. He can even enter a wider circle of friends and family than the victim; this is allegedly done so that the victim feels that the perpetrator is serious about building relationships and that the victim's friends can trust him. The majority of victims refrain from openly expressing their experiences due to the fear of societal judgment, particularly the perception of women being labeled as foolish. This fear stems from their excessive trust in their partners, making them vulnerable to deception. Additionally, some victims endure significant trauma, including violence and shame, which further silences them.³⁶ Even when victims have

³² Albert Adhisurya and Pan Lindawaty Suherman Sewu, "Local Wisdom as an Effort to Prevent and Restore Victims of Human Trafficking through Online Scammers," *JURNAL HUKUM SEHASEN* 9, no. 2 (October 9, 2023): 255–62, doi:10.37676/jhs.v9i2.4899.

³³ Kam-Fong Lee, Mei Yuit Chan, and Afida Mohamad Ali, "Drawing on Social Approval as a Linguistic Strategy: A Discourse Semantic Analysis of Judgement Evaluation in Suspected Online Romance Scammer Dating Profiles," *Psychology of Language and Communication* 28, no. 1 (May 28, 2024): 169–208, doi:10.58734/plc-2024-0008.

³⁴ Maria Stoicescu, "Social Impact of Online Dating Platforms. A Case Study on Tinder" (19th RoEduNet Conference: Networking in Education and Research (RoEduNet), Bucharest, Romania: IEEE, 2020), doi:10.1109/RoEduNet51892.2020.9324854.

³⁵ Joanna Wnęk-Gozdek, "Prevention Connected with Romantic Relationships in the Internet," *International Journal of Innovation, Creativity and Change* 14, no. 11 (2020): 833–48.

³⁶ Nomleni, "Analisis Fenomena Romance Scam Dalam Komunikasi Interpersonal Love Scammer & Korban." p. 216.

submitted intimate images and/or videos, they may hesitate to disclose threats or blackmail by the perpetrators. Of course, the victims have fear and will worry if they are constructed as the perpetrators, too. The legal process will continue with the summons of witnesses. The victim would undoubtedly be alarmed if individuals in their immediate circle were aware of this incident and if the media potentially publicized it.

Another possibility that the victims do not report is that they do not know who the actual perpetrator is, so they cannot report the perpetrator to the authorities. In law enforcement practices against cybercrime, deleting the perpetrator's account will cause investigators to lose digital traces, especially if the victims did not have time to save the URL address. Screenshot evidence alone cannot be categorized as electronic evidence, while the evidentiary system in criminal cases refers to the legality and validity of electronic evidence. Due to differences in legal systems and respect for sovereignty, the use of dating applications that are not based in Indonesia makes it difficult for Indonesian investigators to carry out investigations. Application providers are also reluctant to provide users' data, except in severe cases such as child trafficking or terrorism.

D. CONCLUSION

Love scams are one of the methods criminals use to get victims in cyberspace. Perpetrators can use social media or dating applications to find victims who are usually targeted. To control the victim, the perpetrator builds continuous communication and eventually becomes a lover. When this happened, the perpetrator then asked the victim to send his personal photos and/or videos and threatened and blackmailed her. Law of the Republic of Indonesia Number 1 of 2024 does not specifically regulate this crime. Still, the substance of the articles can reach the perpetrator based on the actions he committed against the victim. The obstacle in law enforcement based on cyberspace is the issue of jurisdiction when the perpetrator and victim are in different countries. Not all victims will report love scammers to the police. This can be caused by factors within the victim himself and weaknesses in the evidence. In constructing a case, investigators must identify public reports and differentiate between gifts during courtship and gifts due to fraud, extortion, or threats. Application providers need to tighten the verification of dating application users to ensure the authenticity of account owners. People should

be careful when communicating in cyberspace. If people feel they have become victims, the first step they can take is to copy the URL and secure their account and other electronic evidence for further legal proceedings.

BIBLIOGRAPHY

Journal:

- Aborisade, Richard Abayomi, Akoji Ocheja, and Babatunde Adekunle Okuneye. "Emotional and Financial Costs of Online Dating Scam: A Phenomenological Narrative of the Experiences of Victims of Nigerian Romance Fraudsters." *Journal of Economic Criminology* 3 (March 2024): 1–10. doi:10.1016/j.jeconc.2023.100044.
- Adhisurya, Albert, and Pan Lindawaty Suherman Sewu. "Local Wisdom as an Effort to Prevent and Restore Victims of Human Trafficking through Online Scammers." *JURNAL HUKUM SEHASSEN* 9, no. 2 (October 9, 2023): 255–62. doi:10.37676/jhs.v9i2.4899.
- Anesa, Patrizia. "Lovextortion: Persuasion Strategies in Romance Cybercrime." *Discourse, Context & Media* 35 (June 2020): 100398. doi:10.1016/j.dcm.2020.100398.
- Anggraheni, Dini, Stefani Dewi Rosaria, and Anandha Anandha. "In Puppet Master's Hand: Discursive Manipulation Strategies in Socio-Semiotic Perspective." *Jurnal Lingua Idea* 13, no. 2 (December 31, 2022): 244–56. doi:10.20884/1.jli.2022.13.2.6735.
- Bandinelli, Carolina, and Alessandro Gandini. "Dating Apps: The Uncertainty of Marketised Love." *Cultural Sociology* 16, no. 3 (September 2022): 423–41. doi:10.1177/17499755211051559.
- Bilz, Alexander, Lynsay A. Shepherd, and Graham I. Johnson. "Tainted Love: A Systematic Review of Online Romance Fraud." arXiv, 2023. doi:10.48550/ARXIV.2303.00070.
- Buttan, Divya. "Hacking the Human Brain: Impact of Cybercriminals Evoking Emotion for Financial Profit." Dissertation, Utica College, 2020.
- Coluccia, Anna, Andrea Pozza, Fabio Ferretti, Fulvio Carabellese, Alessandra Masti, and Giacomo Gualtieri. "Online Romance Scams: Relational Dynamics and Psychological Characteristics of the Victims and Scammers. A Scoping Review." *Clinical Practice & Epidemiology in Mental Health* 16, no. 1 (April 20, 2020): 24–35. doi:10.2174/1745017902016010024.
- Dwijayani, Ni Komang Karmini. "Bucin itu Bukan Cinta: Mindful Dating for Flourishing Relationship." *Widya Cakra: Journal of Psychology and Humanities* 1, no. 1 (October 5, 2020): 1–11. doi:10.24843/widyacakra.2020.v1.i1.p69189.

- Faber, Pamela. "The Personal_relationship Frame in Love Fraud." *Applied Corpus Linguistics* 5, no. 1 (April 2025): 100119. doi:10.1016/j.acorp.2025.100119.
- Ismail, Ameera, Hanin Hazwani Suhardi, Balqis Mohd Ramli, Fatin Nabilah Mohd Yunus, and Wan Noor Hazlina Wan Jusoh. "Love Scams Issues in Malaysia: How to Overcome It from an Islamic Perspective." *International Journal of Law, Government and Communication* 8, no. 32 (June 1, 2023): 10–23. doi:10.35631/IJLGC.832002.
- Jauhari, Muhammad Insan, and Karyono Karyono. "Teori Humanistik Maslow Dan Kompetensi Pedagogik." *Sustainable Jurnal Kajian Mutu Pendidikan* 5, no. 2 (November 20, 2022): 250–65. doi:10.32923/kjmp.v5i2.2585.
- Kamaruddin, Saslina, Wan Rosalili Wan Rosli, Ahmad Ridhwan Abd Rani, Noor Zira AzlinBte Md Zaki, and Mohd Faizal Omar. "When Love Is Jeopardized: Governing Online Love Scams in Malaysia." *International Journal of Advanced Science and Technology* 29, no. 6 (2020): 391–97.
- Khader, Majeed, and Poh Shu Yun. "A Multidisciplinary Approach to Understanding Internet Love Scams." In *The Psychology of Criminal and Antisocial Behavior*, 523–48. Elsevier, 2017. doi:10.1016/B978-0-12-809287-3.00018-3.
- Lee, Kam-Fong, Mei Yuit Chan, and Afida Mohamad Ali. "Drawing on Social Approval as a Linguistic Strategy: A Discourse Semantic Analysis of Judgement Evaluation in Suspected Online Romance Scammer Dating Profiles." *Psychology of Language and Communication* 28, no. 1 (May 28, 2024): 169–208. doi:10.58734/plc-2024-0008.
- McNealy, Jasmine E. "Platforms as Phish Farms: Deceptive Social Engineering at Scale." *New Media & Society* 24, no. 7 (July 1, 2022): 1677–94. doi:10.1177/14614448221099228.
- Mohamed, Norazida, Nasir Sultan, Vivien NG Wai Yan, and Siti Jalilah Mat Husin. "Cybercrime in Malaysia - Prevention of Honey Trap on Social Media and Online Dating Applications. | EBSCOhost." *Pakistan Journal of Criminology* 15, no. 4 (December 1, 2023): 667.
- Muhammad, Farah Safura, and Hamizah Muhammad. "Cybercrime through Love Scams: What Women Should Know?" *Journal of Contemporary Islamic Studies* 8, no. 2 (November 1, 2022): 41–54. doi:10.24191/jcis.v8i2.3.
- Niman, Susanti, Tina Shinta Parulian, and Timothy Rothhaar. "Online Love Fraud and the Experiences of Indonesian Women: A Qualitative Study." *International Journal of Public Health Science (IJPHS)* 12, no. 3 (September 1, 2023): 1200. doi:10.11591/ijphs.v12i3.22617.
- Nomleni, Kristin E J. "Analisis Fenomena Romance Scam Dalam Komunikasi Interpersonal Love Scammer & Korban." *Jurnal Communio : Jurnal Jurusan*

- Ilmu Komunikasi* 12, no. 2 (July 17, 2023): 202–21. doi:10.35508/jikom.v12i2.9179.
- Nugraha, Helena Refa, Annisa Rahma Anggraieda, Salsabila Salsabila, and Asmak Ul Hosnah. "Perlindungan Hukum Terhadap Korban Kejahatan Di Dunia Maya Pada Aplikasi Kencan Online." *Jurnal Pendidikan Tambusai* 8, no. 1 (January 20, 2024): 3983–89. doi:10.31004/jptam.v8i1.13006.
- Portolan, Lisa, and Jodi McAlister. "Jagged Love: Narratives of Romance on Dating Apps during COVID-19." *Sexuality & Culture* 26, no. 1 (February 1, 2022): 354–72. doi:10.1007/s12119-021-09896-9.
- Rusdinah, Rusdinah, Seselia Ongso, Andy Winardi, and Ricky Banke. "Pembuktian Terhadap Penipuan Online Berkedok Asmara Menurut UU ITE." *Cerdika: Jurnal Ilmiah Indonesia* 3, no. 11 (November 30, 2023): 1135–43. doi:10.59141/cerdika.v3i11.723.
- Safitri, Dewa Ayu Raka Agil, and I Gusti Ayu Stefani Ratna Maharani. "Penipuan Bermoduskan Cinta Atau Love Scam Dalam Tinjauan Hukum Pidana Di Indonesia." *Jurnal Kertha Desa* 11, no. 10 (2023): 3474–89.
- Sanu, Debora Kesia, and Joris Taneo. "Analisis Teori Cinta Sternberg Dalam Keharmonisan Rumah Tangga." *JKKP (Jurnal Kesejahteraan Keluarga Dan Pendidikan)* 7, no. 02 (October 30, 2020): 191–207. doi:10.21009/JKKP.072.07.
- Simbolon, Marthin. "Love Scam Dalam Tinjauan Hukum Pidana Indonesia." *Indonesia Criminal Law Review* 2, no. 1 (November 14, 2022). <https://scholarhub.ui.ac.id/iclr/vol2/iss1/1>.
- Sumter, Sindy R., and Laura Vandenbosch. "Dating Gone Mobile: Demographic and Personality-Based Correlates of Using Smartphone-Based Dating Applications among Emerging Adults." *New Media & Society* 21, no. 3 (2018): 655–73. doi:10.1177/1461444818804773.
- Thumboo, Sharen, and Sudeshna Mukherjee. "Digital Romance Fraud Targeting Unmarried Women." *Discover Global Society* 2, no. 1 (December 10, 2024): 105. doi:10.1007/s44282-024-00132-x.
- Wang, Fangzhou, and Volkan Topalli. "Understanding Romance Scammers Through the Lens of Their Victims: Qualitative Modeling of Risk and Protective Factors in the Online Context." *American Journal of Criminal Justice* 49, no. 1 (February 2024): 145–81. doi:10.1007/s12103-022-09706-4.
- Wijayanto, Aji Rahma. "Love Scams and Its Legal Protection for Victims." *Law Research Review Quarterly* 7, no. 2 (May 31, 2021): 211–24. doi:10.15294/lrrq.v7i1.43187.
- Wnęk-Gozdek, Joanna. "Prevention Connected with Romantic Relationships in the Internet." *International Journal of Innovation, Creativity and Change* 14, no. 11 (2020): 833–48.

Yosiandra, Syakira Yuniar, and Dewi Saraswati Sakariah. "Unveiling the Romance Scam Scheme: Psychological Manipulation and Its Impact on Victims." *HUMANIKA* 31, no. 2 (December 10, 2024): 185–99. doi:10.14710/humanika.v31i2.67604.

Conference Paper:

Meena, Yogesh, Mahipal Singh Sankhla, Swaroop S. Sonone, Aastha Parashar, Kapil Parihar, and Kavita Saini. "Cyber Exploitation through Cybercrimes & Challenges," 1467–72. IEEE, 2021.

Stoicescu, Maria. "Social Impact of Online Dating Platforms. A Case Study on Tinder." Bucharest, Romania: IEEE, 2020. doi:10.1109/RoEduNet51892.2020.9324854.

Website:

Pusiknas Bareskrim Polri. "Fenomena Love Scamming: Jangan Gampang Percaya Kata-Kata Cinta | Pusiknas Bareskrim Polri," March 31, 2023. https://pusiknas.polri.go.id/detail_artikel/fenomena_love_scamming:_jangan_gampang_percaya_kata-kata_cinta.

Regulation:

Law of the Republic of Indonesia Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions