

EFFECTIVENESS OF LAW ENFORCEMENT AGAINST MOTOR VEHICLE THEFT (CURANMOR) IN THE JURISDICTION OF THE BADUNG RESORT POLICE

I Kadek Jaya Sadhu¹
Universitas Mahendradatta

Erikson Sihotang²
Universitas Mahendradatta

Kadek Dedy Suryana³
Universitas Mahendradatta

Correspondence : I Kadek Jaya Sadhu (sadhu.jaya11@gmail.com)

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Abstract

The crime of theft arises from disparities in the ownership of essential goods; a lack of necessities and a lack of ownership tend to drive individuals toward deviant behavior (theft). Theft can be committed in various ways, ranging from traditional methods to modern techniques involving sophisticated tools and cunning tactics. Such incidents are widespread and often evade legal prosecution. Theft often hinges on timing, with perpetrators carefully selecting the opportune moment to carry out their actions; notably, incidents of theft are particularly frequent during the night. Regarding the facts of theft, there has been a year-on-year decline in motor vehicle theft cases in Badung Regency. This decrease indicates the effectiveness of police law enforcement efforts, achieved through both restorative justice mechanisms and the court system. There are two categories of obstacles: a. Internal obstacles, and b. External obstacles.

Keywords: Law Enforcement, Theft, and Badung Police

INTRODUCTION

The crime of motor vehicle theft or curanmor is one of the common crimes that occurs in various places with different times of occurrence. The crime of motor vehicle theft is quite disturbing to the community, because it causes material and non-material losses which are sometimes accompanied by acts of violence resulting in the loss of vehicles and a sense of security. Based on data obtained from the Badung Police, it is known that the number of motor vehicle theft crimes during the period 2023-2025 in the jurisdiction of the Badung Police was 75 cases with the following details: In 2023 there were 34 cases with 34 court settlements, in 2024 there were 22 with 19 court settlements, and in 2025 there were 19 With 14 court settlements. Facts regarding theft show a decrease in cases of motor vehicle theft crimes from year to year in Badung Regency.

By looking at the background above, the problem formulation can be taken, including: first, the effectiveness of law enforcement against the crime of motor vehicle theft (curanmor)

in the jurisdiction of the Badung Police Resort, obstacles to law enforcement against the crime of motor vehicle theft (curanmor) in the jurisdiction of the Badung Police Resort.

Purpose of Writing

This study aims to determine the effectiveness of law enforcement against motor vehicle theft (curanmor) in the jurisdiction of the Badung Police Resort, and the obstacles to law enforcement.

METHOD

The research method used in this study is a normative research method supported by empirical research that uses various types of primary legal materials in the form of statutory regulations and secondary legal materials in the form of library materials related to law enforcement as sources of research material. Johnny Ibrahim argues that normative legal research is a form of scientific research aimed at finding the truth based on the logic of legal science reviewed from the normative part, or which is in the form of an effort to discover law that is adapted to a particular case.

RESULTS AND DISCUSSION

Effectiveness of Law Enforcement Against Motor Vehicle Theft (Curanmor) in the Badung Police Jurisdiction

According to Moeljatno, a criminal act is an act that is threatened with punishment, whoever violates the prohibition, then for the occurrence of a criminal act or act must be fulfilled the following elements: a) The existence of a human act. b) Which fulfills the formulation in the law (this is a formal requirement, related to the application of article 1 (1) of the Criminal Code). c) Is against the law (this is a material requirement and its negative function). From the definition or understanding of a criminal act given by Moeljatno above, it is concluded that in the understanding of a criminal act, criminal responsibility is not included. However, Mulyatno emphasized that for the existence of a crime it is not enough just that a criminal act has occurred, without questioning whether the people who committed the act are capable of being responsible or not. So the event is a criminal act, but whether the people who committed the act are truly punished or not, will be seen how the person's mental state is and how the relationship between the act that occurred with that person and how the mental relationship between the act that occurred with that person. If the act is blameworthy, meaning there is a fault on the part of the individual, then the individual can be punished, and vice versa.

The word "theft" in Indonesian comes from the root word "curi" with the prefix "pe" and the suffix "an" to form the word "pencuri." The word "theft" means the process, the act, and the manner in which theft is carried out. Theft is an act that is very detrimental to others and to many people, especially the community around us. Therefore, we must prevent theft,

which often occurs in everyday life, because it sometimes occurs due to many opportunities. The Indonesian Dictionary defines theft as the act of taking another person's property illegally. Kelsen, in his book "Pure Theory of Law," states that certain human actions are crimes because the legal system places a condition on these actions, and sanctions are their consequences. Traditional criminal law theory distinguishes between *mala in se* and *mala prohibita*, namely acts that are considered evil in themselves, and acts that are considered evil only because they are prohibited by a positive social order.

Indonesia has established criminal penalties in its legislation as a means to address crime. This is part of its criminal policy or criminal politics. However, crimes that occur in society seem difficult to eliminate. For example, motor vehicle theft is a crime that is rampant in society. The crime of theft, regulated in Articles 363 and 365 of the old Criminal Code (Articles 476, 477, and 479 of the New Criminal Code), is called theft with qualifications, "special theft" because the theft is committed by certain methods. The term that is considered appropriate in the Criminal Code is: "aggravated theft," because from this term it can be seen that due to its nature, the theft carries a heavier penalty.

Law enforcement of motorcycle theft crimes is a step to maintain and realize the ideas and legal concepts expected by the community to achieve a sense of justice, security and order in society by using state power both in terms of law enforcement in the effort to make laws, to law enforcement carried out by the police, prosecutors and judges. One of the law enforcement agencies that often gets the spotlight is the police institution, because the police are law enforcement officers who are at the forefront in enforcing criminal law, so it is not an exaggeration if the police are said to be living criminal law, which translates and interprets the law in the book into law in action. Although the police are said to be the front line, it can happen that in the initial stages of handling a criminal case it can end, because the police have the authority called discretion.

Motor vehicle theft is an anti-social crime. The crime of motor vehicle theft is highly disturbing in the community. Article 362 of the Old Criminal Code (Article 476 of the New Criminal Code) defines theft as anyone who takes all or part of another person's property with the intention of unlawfully possessing it, and is subject to a maximum prison sentence of five years or a maximum fine of sixty rupiah.

It is the duty and authority of the Badung Regency Police to maintain security and order in the Kuningan Regency area, as stated in Article 2 of Law Number 2 of 2002 concerning the Indonesian National Police, which stipulates: "The function of the police is one of the functions

of state government in the field of maintaining public security and order, law enforcement, protection, patronage, and service to the community."

The following table shows the number of police reports of two-wheeled and four-wheeled motor vehicle theft received by the Kuningan Regency Police from 2023 to 2025, obtained directly from the Administrative and Administrative Affairs (Urmintu) Division of the Criminal Investigation Agency (Reskrim) of the Badung Regency Police.

Based on interviews with members of the General Crimes Unit of the Badung Regency Police, law enforcement can be carried out through preventive and repressive efforts. Law enforcement in motor vehicle theft cases is carried out through preventive efforts carried out by the Badung Regency Police. Based on the results of interviews with members of the General Crimes Unit of the Badung Regency Police Resort, the Badung Regency Police Research Unit carries out preventive efforts (Preventive) in the community to suppress cases of motor vehicle theft by routinely conducting community development activities in accordance with police regulation number 1 of 2021 concerning Community Policing, the Badung Regency Police Research Unit assigns RW police personnel to the Badung Regency area, RW police are tasked with fostering security and order at the RW level, as stated in Article 1 paragraph (7) of police regulation number 1 of 2021 concerning Community Policing, the Community Policing Strategy is a way or strategy to involve the community, government, and other stakeholders in carrying out efforts to prevent, prevent, and overcome threats, disturbances to public security and order in an equal partnership with the Police, starting from policy determination to its implementation. with the formation of community policing or RW police to collaborate between the Badung Regency Police Resort and the community. Based on the results of interviews with members of the General Crimes Unit (PIDUM) of the Criminal Investigation Unit (SATRESKRIM) of the Badung Regency Police Resort, the formation of community policing or RW police is very effective in enforcing the law on motor vehicle theft crimes, because if a crime occurs, the community can easily report it to the community police or RW police so that the police can quickly and responsively handle reports related to the occurrence of criminal acts. Based on the results of interviews with members of the General Crimes Unit of the Badung Regency Police Resort, the Badung Regency Police Detectives routinely conduct patrols in areas prone to crime and hours prone to motor vehicle theft crimes. Patrols carried out by the Badung Regency Police Resort are open patrols and closed patrols, open patrols are patrols carried out by police with complete attributes, security patrols are usually carried out by the Bhayangkara Samapta Corps of the Indonesian National Police Security Maintenance

Agency (KORPS SABHARA), closed patrols or Dialogic Patrols are usually carried out by the Community Policing Development Unit (Binmas) by going down to the community face to face with the village government, religious leaders, the community and local youth to implement a mobile security system (siskamling), Installing Surveillance Cameras or CCTV and installing street lighting on each side of the road to minimize motor vehicle theft crimes.

Law enforcement of motor vehicle theft cases through repressive measures undertaken by the Badung Regency Police. Based on interviews with members of the General Crimes Unit of the Badung Regency Police, the repressive measures undertaken by the Badung Regency Police in enforcing the law on motor vehicle theft within their jurisdiction include conducting investigations and inquiries when indications of motor vehicle theft occur or are discovered. According to Criminal Procedure Law, this is done by first conducting an inquiry, then conducting an investigation, namely by receiving reports, making arrests, detaining and confiscating cases, questioning witnesses and suspects, and submitting investigative reports to the public prosecutor.

Regarding the application of restorative justice by investigators in handling motor vehicle theft within the jurisdiction of the Badung Regency Police, according to a source, motor vehicle theft cases can be resolved restoratively, as long as they do not conflict with the material and formal requirements stipulated in the Police Regulation. The resource person further explained the method or mechanism for implementing restorative justice at the police level. This involves bringing together both parties—the victim, the victim's family, the perpetrator, or the perpetrator's family—to find a solution to the motorcycle theft. The purpose of this meeting is to find a middle ground or win-win solution, ensuring that no party is harmed and prioritizing the restoration of the rights of both the victim and the perpetrator.

Based on the results of the mediation, if an agreement to reconcile is reached, a report of the settlement agreement will be prepared, signed by the perpetrator and the victim, and approved by the investigator. The investigator can then issue a Letter of Order to Terminate the Investigation (SP3) based on the fulfillment of restorative justice requirements. This settlement includes not only an apology but also compensation for losses or other agreed-upon remedies, such as the return of goods or payment of damages. In the author's opinion, in principle, Police Regulation 8 of 2021 concerning Handling of Criminal Acts Based on Restorative Justice is intended for minor crimes or complaint offenses, but investigators still apply restorative justice in motor vehicle theft cases on the grounds that the material and formal requirements in this police regulation are met, and the reason for the investigator's discretion or open policy regarding the appropriateness of the application of restorative justice.

Obstacles to Law Enforcement Against Motor Vehicle Theft (Curanmor) in the Badung Police Jurisdiction

The public's perceived low level of trust in law enforcement officers regarding criminal law enforcement in Indonesia must be immediately restored and rehabilitated through improvements in the structure and substance of the law, along with the establishment of a legal culture. This legal culture plays a crucial role in criminal law enforcement in Indonesia. According to Lawrence M. Friedman, the concept of legal culture refers to people's attitudes toward the law and the legal system—their beliefs, values, thoughts, and expectations. In other words, legal culture is the social climate and social forces that determine how the law is used, avoided, or abused. Without a legal culture, the legal system itself is powerless.

This theoretical explanation confirms that criminal law enforcement by the police is ideally expected to guarantee legal certainty and justice within a framework of ensuring a sense of security and order for the community. However, this is not easy to achieve, as every law enforcement officer, especially criminal law enforcers like the police, will encounter several obstacles in carrying out their duties. Indonesia is a country governed by law, with criminal law governing crimes and violations, as well as their punishments, as outlined in the Criminal Code (KUHP). Furthermore, crime is a complex phenomenon that can be understood from various perspectives. This is why we often hear about theft in our daily lives. Theft in society is usually committed by individuals within the community, driven by numerous factors, such as economic pressures, environmental factors, and low levels of education, which can lead to the intention to commit a crime.

Obstacles are factors that can hinder the achievement of the National Police's goals in carrying out its duties and obligations as a state instrument for law enforcement and public order. Obstacles can be divided into two groups: internal and external. Internal obstacles stem from within the National Police itself, including an overly complex and bureaucratic organizational structure, a lack of human resources, limited personnel, inadequate facilities and infrastructure, a very limited budget, and the persistence of a military culture within the police force. External inhibiting factors are factors that hinder the achievement of the objectives of the Indonesian National Police which originate from outside the Indonesian National Police itself, which consist of global issues regarding human rights, the geographical location of Indonesia, the economic and monetary crisis that has hit Indonesia, domestic political instability, intervention by parties in the implementation of the duties of the Indonesian

National Police, the characteristics of different regional vulnerabilities, and laws and regulations concerning the Indonesian National Police which are not yet optimal.

Indonesia's economic downturn, followed by the monetary crisis, has made it extremely difficult to meet the budget needed to support police duties, particularly for the program to increase police personnel to meet standard ratios (UN or ASEAN), as well as for the provision of essential supporting facilities and infrastructure for carrying out police duties. The economic crisis, which began with the monetary crisis, has led to an increase in public order disturbances and a sharp increase in criminal activity.

Several obstacles have been encountered in law enforcement of motor vehicle theft within the Badung Regency Police Department. These obstacles can be grouped into two categories: internal and external. Internal obstacles are obstacles to solving a criminal case that originate within the investigators themselves. These obstacles stem from sophisticated technology, the diverse motives of perpetrators, and the shortcomings experienced by police investigators, including those within the Badung Regency Police Department. Although many changes and updates have been made, obstacles remain in law enforcement of motor vehicle theft within the Badung Regency Police Department.

Based on the research findings, internal obstacles to law enforcement against motor vehicle theft in the Badung Regency Police Resort Area include:

1. Inadequate Facilities and Infrastructure
2. Disrupted Information Networks
3. Inadequate Police Personnel Quantity
4. Lack of Budgetary Support

These inhibiting factors can be outlined as follows: Facilities and infrastructure are crucial in supporting law enforcement. Law enforcement cannot proceed smoothly without adequate facilities. These facilities include educated and skilled personnel, good organization, adequate equipment, sufficient finances, and so on. If these conditions are not met, law enforcement will struggle to achieve its objectives. Law enforcement will certainly not be effective if law enforcement officers have inadequate education, poor organizational governance, and limited financial resources. However, these are not everything if the officers themselves are poor. No matter how good the facilities are, without good law enforcement officers, they will be in vain.

The findings revealed that one of the factors hindering law enforcement of motor vehicle theft crimes in the Badung Regency Police Resort area is inadequate facilities and

infrastructure, which can hinder investigators' investigations. For example, conventional fingerprint scanners make it difficult to identify perpetrators.

An information network is essential for the police to provide various information related to motor vehicle theft crimes. This information network is managed by the Mobile Detective Unit (Resmob), which consists of elements from the sub-district and precinct police, informants, and the public. However, this information network is often disconnected, creating difficulties in handling motor vehicle theft crimes. The reason for this disconnection is that motor vehicle theft perpetrators are becoming more organized and sophisticated in their criminal activities. The stolen goods, in this case, motor vehicles, are dismantled into various parts, which the perpetrators sell to various locations.

The limited or inadequate human resources within the Badung Regency Police Resort also poses a barrier, as investigations require a thorough understanding of the crime, particularly motor vehicle theft. The number of investigators is disproportionate to the number of citizens they serve. A lack of government funding also contributes to the challenges faced by the Badung Regency Police in investigating theft cases. This limited budget contributes to the underutilization of police personnel within the Badung Regency Police, as investigators often rely on their own resources to conduct investigations. Handling motor vehicle theft, especially those caught red-handed, requires significant funding. To obtain information, investigators must coordinate with other police stations and even precincts.

Based on this description, it can be seen that internal obstacles to law enforcement against motor vehicle theft within the Badung Regency Police are generally due to inadequate facilities and infrastructure, disrupted information networks, inadequate police personnel, and a lack of budgetary support.

Other obstacles experienced by the Badung Regency Police in enforcing the law against motor vehicle theft can also be seen as external obstacles. External factors are those rooted in the environment, which is dominated by individual actions leading to crime. Based on the research findings, external obstacles to law enforcement regarding motor vehicle theft within the Badung Regency Police Resort area include:

1. Public Lack of Response to Reporting
2. Lack of Evidence and Witnesses
3. Extensive and Organized Theft Network.

These factors can be explained as follows: Public Lack of Response to Reporting is due to the fact that many people are still reluctant to report the theft, as stated by Gede Made Wigayana, S.H., who stated that many people who experience theft do not immediately report

it to the local police, leaving the vehicle far from their reach. Furthermore, reports from the public are not received immediately or immediately after the incident, and after thorough identification, no clear sequence of events is found, making it difficult for the criminal investigation department to identify the perpetrators. Public lack of response to reporting is also evident in the long delay in reporting the incident, for example, a month or two before it is reported to the police.

This situation makes it difficult for the police criminal investigation unit to develop and investigate reports from the public. Although the police are officially responsible for preventing and combating crime, particularly motor vehicle theft, due to limited facilities and infrastructure and the information available to them, public participation in preventing and combating motor vehicle theft is essential.

CONCLUSION

Facts regarding theft indicate a decline in motor vehicle theft cases from year to year in Badung Regency. This decline in motor vehicle theft crime rates demonstrates the effectiveness of the police in enforcing the law, both through restorative justice and through the courts. Obstacles to Law Enforcement Against Motor Vehicle Theft Crimes (Curanmor) in the Badung Police Resort's jurisdiction can be grouped into two obstacles, namely: a. Internal obstacles, and b. External obstacles.

REFERENCES

- Armin Harefa, 2019, *Penegakan Hukum Terhadap Tindak Pidana Di Indonesia Melalui Hukum Pidana Positif Dan Hukum Pidana Islam*, University Of Bengkulu Law Journal.
- Bahtiar Bahtiar et al., 2023, *Kajian Yuridis Tindak Pidana Pencurian Dengan Pemberatan*, Jurnal Litigasi Amsir, vol. 10, no. 4.
- Johnny Ibrahim, 2007, *Teori dan Metodologi Penelitian Hukum Normatif*, Citra Aditya Bakti, Bandung.
- Mahsun Ismail, Nur Hidayat, and Gatot Subroto, 2023, *Problematika Penegakan Hukum Terhadap Pencurian Sepeda Motor Di Kabupaten Pamekasan*, Jurnal Hukum Syariah, vol. 6, no. 2.
- Moeljatno, 2003, *Asas-asas Hukum Pidana*, Bima Aksara, Jakarta.
- Nurhuda Kika, Muhadar Muhadar, and Abd Asis, 2021, *Penegakan Hukum Penanggulangan Tindak Pidana Pencurian Kendaraan Bermotor*, Hermeneutika, Jurnal Ilmu Hukum, vol. 5, no. 2

Ridwan Hasibuan, 2004, *Kriminologi Dalam Arti Sempit dan Ilmu-Ilmu Forensik*, USU Press, Medan.

Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

Kitab Undang-Undang Hukum Pidana.

Undang-Undang No. 2 Tahun 2002 tentang Kepolisian Republik Indonesia, Lembaran Negara Republik Indonesia Tahun 2002 Nomor 2, Tambahan Lembaran Negara Republik Indonesia Nomor 4168.