

# A Criminological Review of Online Fraud Crimes

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*This research aims to find out and analyze the factors that cause online fraud crimes and to find out and analyze the efforts made by the authorities in dealing with online fraud crimes. This research uses empirical research methods, the types of data used are primary and secondary data, primary data is obtained directly at the research location by means of direct interviews related to the problem being researched with parties who are directly involved with the problem being discussed to obtain research data. Meanwhile, secondary data is obtained from literature such as documents, written sources such as journals, books, legislation and so on which are related to the problem being studied. The results of this research show that the factors that cause online-based fraud crimes are economic factors, environmental factors, socio-cultural factors and intellectual factors. Efforts made by the authorities in overcoming online-based fraud crimes include preventive efforts, repressive efforts, and implementation of the Information and Electronic Transactions Law against cyber crimes. The preventive efforts carried out include providing advice to the public through electronic media and related cyber crimes to be forwarded to the wider community. Repressive efforts include processing every cyber crime case that is handled in accordance with applicable regulations. The research recommends to the police as law enforcement officers that they should not only carry out outreach, but also block sites that are suspected to contain elements of crime and it is hoped that in the future the police will increase supervision over the use of social media by optimizing POLRI PRECISION.*

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## INTRODUCTION

Development sophistication technology make it easier everyone for communicate even interact One with others , helping public For look for information and do various activity transaction business or transaction sell buy via online. The Internet has give contribution thus big For society , company or industry and also government . Impact internet development towards row online business in Indonesia is : [1]

Media that can save cost

Communication media

Media for look for information or data

Educational media or Study

Media for trade

Internet usage is not only limited to use accessible information through this media , but also can used as means For do transaction trade that is now in Indonesia has start introduced through several seminars and have start its use by some company namely Electronic Commerce or more known with E- Commerce , which is form trading in a way electronic via internet media Electronic

commerce (E-commerce) is a form of trading that is more general than trade in general. [2]

Trading distance far away using internet media where a trading No Again need meeting between the actors business. In doing E-commerce activities, of course just own regulation especially in Indonesia, namely Constitution Number 19 of 2016 concerning Electronic Information and Transactions.

Law no. 11 of 2008 above change Law no. 19 of 2016 concerning Information and Electronic Transactions Law ITE regulations This is rule about the first internet in Indonesia. In the rules existing law as mentioned trading regulated in it. Regarding ecommerce, it is already Enough clear listed in rule the from understanding, comprehension, basics law, organizer, relationship law perpetrator transaction electronics and information accurate, and consumer protection. [3]

There are some form crimes that can arise from internet games, for example fraud, insults, pornography, up to crime about state security, for example leak state secrets. Money laundering and terrorism can also conducted via the internet, especially in terms of participation and agreement evil. Crime through this internet Can differentiated become three parts consisting of on breaches, access and data theft, as well as distribution information for the purpose crime for example do fraud via the internet. [4]

Fraud via the internet or fraud online based is ongoing crime rampant happen moment This. Increasing internet users increase it turns out open more opportunities big for online scammers to get money or profit from the internet. There are many internet users search opportunity through online business, this give ideas to scammers (perpetrators) fraud online based) for gather profit.

Several modes of fraud in cyberspace, starting from from online store up to offer online business. Fraud under the guise of online business can covered very well, even people who have often playing internet no aware that he currently deceived. Fraud online business can done with many modes, some common modes used by the perpetrator For to ensnare the victim like commit fraud online business in the form of piracy account. Usually perpetrator This will hijack account that is considered profitable, such as social media accounts figure famous. [5]

If it is already Can hijacked so action fraud Can launched with utilise account from someone famous so that easy trusted moment offered product, or what is more fatal is ordered transfer some money. Fraud mode most frequent online business found at the time transact like items that are not Sent or No until to recipient, or item arrived to consumer No The same with goods that are traded. [6]

The end- the end This Lots very cases fraud online who were arrested by the police. Business online indeed make it easier for the perpetrators fraud in carry out his actions, because they No meet in a way direct. Evil brought about by development and progress technology information and telecommunications is related crimes with internet applications, or in term foreign often called cyber crime. Current cases noisy moment This is online fraud.

Found the case that occurred on May 11, 2023 by the Makassar Police Cyber Crime Opsnal Team, where reported (US) is do offer sell buy HP through account Facebook social media with price cheap However if the victim has transfer money, reported Then block victim's cell phone number without send HP that has been paid by the victim, after that's what the victim feels been cheated and reported incident the to Makassar Police Headquarters.

Fraud online based said as enough crime Serious Because That need proper handling remember potential the occurrence crime this is very big. In the Koran with firm has forbid all transaction business that contains element fraud and fraud (gharar) committed in all form whatever to other parties. This is Possible done in form fraud or crime, or to obtain the benefits that are not should, or the risk that leads to uncertainty in a business or and the like. Then problem furthermore about

lack of readiness of the apparatus in implementation Constitution Number 19 of 2016 concerning Electronic Information and Transactions and the Criminal Code. Due to so importance Topic problem the so that press act criminal fraud committed by the party No responsible answer , and the existence of gap between what to expect from selected problem with fact or condition real thing that happened moment this . So I interested For researching problem the with title research “ Review Criminology To Crime Online Based ”. Formulation the problem is as the following : (1) Is factors that cause the occurrence Crime fraud online based ? (2) How effort prevention crime fraud online based carried out by the authorities .

## METHOD

Research methods This is type study empirical that is method study field , which is done with method direct through the interview process ask answer with the parties considered know research problem . [8 ] Research location implemented at the Makassar Police Headquarters . The types and sources of data used during study that is including primary data and secondary data ; Primary Data, namely the main source of data obtained in a way directly on site study with method interview direct related the problem being studied with related parties direct with issues discussed For obtain research data . Secondary data , namely additional data originating from from studies literature like documents , sources written like journals , books , legislation and so on related matters with problems studied . Data analysis , Data obtained through activity study Both primary and secondary data are analyzed in a way qualitative Then in a way descriptive that is with method explain and describe in accordance related problems .

## DISCUSSION

### Cause The occurrence Crime Fraud Online Based

Crime fraud based on is ongoing crime rampant happen moment This . Increasing internet users increase it turns out to open more opportunities big for online scammers to get money or profit from the internet. Terms criminal to crime fraud online based regulated in Constitution Number 11 of 2008 above change Constitution Number 19 of 2016 concerning Electronic Information and Transactions .

Here is the case data fraud online based on the table below :

#### Cyber crime cases handled by the South Sulawesi Regional Police

##### 2021-2023

No.	YEAR	Number of Cases
1.	2021	7
2.	2022	20
3.	2023	14
4.	2024	105
Total		146

Based on table above , case fraud online based handled Makassar Police Headquarters is recorded from 2021 as many as 7 cases fraud online based then in 2022 experienced improvement amount case fraud online based as many as 20 cases while in 2023 it will experience decline case with 14 cases and in 2024 it will happen surge with 105 cases fraud online based .

See results from case on fraud online based for 4 years final so in a way overall recorded sufficient amount tall as many as 146 cases fraud online based handled Makassar Police . Head of the Makassar Police TIPIDTER Unit related crime disclose that crime This rampant happen because the victim tends to young cheated or fooled by the perpetrator Based on statement by AKP Hamka SH, MH , Head of the Makassar Police TIPIDTER Unit regarding crime fraud online based

"We are here in accordance procedure accept report proof Then check the victim perpetrator track existence do and do deployment continue to be considered act criminal or No "

The factors that cause the occurrence crime deception online based as following : [9]

#### 1. Education Factor

One of the things that drives the occurrence crime fraud online based is lack of level education from the person who did crime this , until cause market power Work No can absorb his expertise with reason lack of level education . This is result in perpetrator crime become unemployment . Because become unemployment and hardship in fulfil need daily until perpetrator crime the moved For look for road shortcut use accept income to meet his needs . Instead of look for halal work but precisely more tempted For do crime for money . One of them crimes that tend to easy done namely for example do fraud cyber -based . In addition the perpetrator also did extortion , even at the level of burglary aka theft considering the media used Enough easy For accessible and difficult tracked . [10]

In other words, development cyber crime in Indonesia is fact social must prevented , acted upon and addressed . Due to the increasing internet users then opportunity the occurrence cyber crime will the more open even driven by demands urgent economic situation .

#### 2. Environmental Factors

Influence factor very strong environment , where the perpetrators who were initially No have work Finally start Study from people who have or Once do cyber crime , which is still own connection family or friendship , because originate from environment or same area.Environment socializing participate determine mental and character formation someone . Someone who at first No is offender law , consequences socialize in an environment that is often do violation law then that person tend driven by its environment and will become offender law . [11]

This fact strengthen theory association differentials delivered by Sutherland. Everyone who does crime tend due to circumstances environment where is the social perpetrator Already Study or to obtain lesson from the environment that behavior criminal aka act violate law more good and profitable compared to non- criminal behavior or do action obey the law .

#### 3. Economic Factors

Economic factors are the most vulnerable factor trigger the emergence activities that violate applicable provisions . Needs the economy is growing increase , make somebody For do action all way to fulfill needs . This is conform with teachings socialist in criminology based on the writings of Marx and Engels in the 1850s, the conditions crime and conditions economy own connection because consequences . [12]

#### 4. Social Factors Culture

One of trigger the occurrence cyber crime based on factor social culture seen from a number of aspects , are : [13]

a. Progress technology information .

The rapid development technology information in this world Already clear No can obstructed by anyone . Everyone needs technology information , in fact majority international community has look at him become a primary needs . Moreover Now This technology information lift role important to well-being humans , including development economic , political , cultural and other aspects life other .

#### b. Human Resources ( HR)

Source Power man own role important as a controlling operator A tools , because the operator has role important as controller or controller tools . Next depends from the operator is it tool That will used as means For do useful things For continuity life human , or on the contrary , it is used as means action deviant that can bring loss on continuity life other human beings . In Indonesia, resources manager technology information has Lots but Still limited to user just Not yet Can For produce Alone because Still restricted with cost research and lack of appreciation to researchers related in the field technology and information .

#### c. The emergence of Phenomenon New Community .

With existence technology as a means electronic For reach a objectives , including the internet as a medium for communicate , in a sociological formed community new on the internet or virtual world that is mutually connecting users in communicate . Obtained two sides that are mutually background , namely side community among the actors cyber crime Where they each other communicate For the need for a modus operandi to use social media such as Facebook or Blackberry Messenger to get victims.

#### 5. Intellectual Factors

Intellectual factors own close relationship with factors that have been writer mentioned above . Intellectual factors This based on ability someone who previously become perpetrator cyber crime , then teach or transmit his ability towards other people present around him or have same condition with him . Sometimes even perpetrator cyber crime Still classified as a newbie, aka a beginner who is new just start do actions crime from levels the smallest until the biggest consequence pushed with factor intellectuals who sometimes misused . [14]

### **Prevention Efforts Crime Fraud Online Based Conducted By Authorized Parties**

Increasing internet users increase open more opportunities big for online scammers to get money or profit from the internet. Some of the fraud modes in cyberspace, starting from from online store up to offer online business . Fraud under the guise of business online can covered very well , even people who have often playing internet no aware that he currently deceived . [15]

Police (POLRI) as one of the tool completeness of the state in to uphold law No can Again stay silent after birth Law no. 19 of 2016 concerning Change on Law no. 11 of 2008 concerning Information and Transactions electronics . Apparatus enforcer law in matter This investigator police must move in a way active For take action cybercrime . The authorities police must Can handle cases crimes that occur in cyberspace. In overcoming the occurrence case fraud online based doing various effort countermeasures that is preventive and repressive efforts . Based on narrative Brigadier Reza Yentissa zalsabila PA investigator TIPIDTER unit assistant Satreskrim Makassar Police Headquarters related effort countermeasures crime fraud online based which is done authorized party in do effort preventive :

“In doing effort preventive This party police especially the Tipidter unit has do various effort like give appeal to public via electronic media and social media with distribute broadcasts in the form of

appeals related cyber crime to be forwarded to public wide . Next also provided information to public wide via mail news and radio also dletika fill the talk show party police No never-ending convey appeal public "

In doing effort repressive This party police has take action to process every case cyber crime handled in accordance with applicable rules . Based on AKP Hamka's statement , Head of the Makassar Police TIPIDTER Unit , related to effort countermeasures crime fraud online - based carried out by authorized parties in do effort repressive :

"We are here in accordance procedure accept reports and evidence Then check the victim and the perpetrator track existence do and do deployment continue to be considered whether This act criminal or no , after That We always put forward Our Restorative Justice try finish problems outside law and beyond the trial and we offer Restorative Justice for victims and perpetrators if No achieved Restorative Justice then We carry on to trial "

In an attempt countermeasures cyber crime by authorities police found There is a number of obstacles that hinder effort countermeasures cyber crime , next writer share it into 5 aspects based on results interview and search references , namely :

1. Aspects Investigator
2. Evidence Aspects
3. Aspects Facility
4. Aspects Public Awareness and Attention
5. Aspects Jurisdiction

## **Fraud Cases 2024**

In July 2024 to July 25, 2024 or at least in July 2024 until September 2024. It has happened case with suspicion act criminal Everyone with intentionally and without right spread news lies and misleading which results in loss consumer in transaction electronics , as meant in Article 45A paragraph (1) Jo Article 28 paragraph (1) of the Republic of Indonesia Law No. 19 of 2016 concerning change on Republic of Indonesia Law No. 11 of 2008 concerning Information and Electronic Transactions , carried out by the Perpetrator with method perpetrator bid goods to seller with the usual price more tall from what is posted on the sales media buy then the victim found advertisement sell buy car by suspect the perpetrator . after to communicate via WhatsApp and agree price,victim given location For check the car that was said be at home you unexpected perpetrator, victim Then going to the location mentioned perpetrator For check the vehicle that will purchased.at that, the victim Not yet put suspect because meet with owner recognized car perpetrator as his brother, after check condition car,victim Then do transaction with send money to account perpetrator, victim send money totaling Rp. 102,000,000 million rupiah after check,suspect perpetrator send number account to the victim and the victim transfers the money in three times transaction and owner car withhold his car with the reason the money from the victim has not been received accepted.the victim is new realize that perpetrator and owner car No brothers .

## **CONCLUSION**

Terms Criminal to Perpetrator Fraud set up in Article 45A Paragraph (1) Jo. Article 28 Paragraph (1) No. 19 of 2016 concerning change on Law No. 11 of 2008 concerning Information and Electronic Transactions , and set up in Book II Chapter XXV Article 378 of the Criminal Code concerning Action Criminal Fraud . The growth of Cyber Crime is like that rapidly , caused by

several factor . From the results study writer obtained factors as the following : Economic Factors, Environmental Factors , Social Factors Culture and Intellectual Factors . 2. Mitigation Efforts Cyber Crime by the police as law enforcement officers law is effort preventive namely in matter This party police especially the cyber crime unit Regional Police South Sulawesi has do various effort like give appeal to public via electronic media and social media with distribute broadcasts in the form of appeals - appeals related cyber crime to be forwarded to public wide , lighting is also provided to public via mail news and radio, as well as do regular cyber patrols in cyberspace such as social media . Next effort repressive in matter This party police has take action with processing every case cyber crime handled in accordance with applicable rules. Based on from results the author 's conclusion get during do research . It is expected that time upcoming special unit formed by the Police so that it is better No only carry out socialization , blocking against the suspected site load element crime or follow up when There is report . Participation government and society are also needed For prevent and expose act criminal with various modes like This For avoid there are victims. Everyone , both information and transaction media users electronic For more be alert and careful to all modes of action criminal online fraud is increasing sophisticated 2. It is expected in time upcoming police more increase supervision to use of social media with optimizing POLRI PRECISION as identity police so that more make it easier in get information and enforcement law to perpetrator crime fraud online based . In addition , it is necessary existence adequate means and facilities use maximize performance police in do investigation and creating a sense of security to public .

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