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Criminological Review of Juvenile Perpetrators of Motor Vehicle Theft (Case Study of Palu Police Headquarters)

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ABSTRACT

This study aims to analyze the criminological factors underlying juvenile involvement in motorcycle theft crimes within the jurisdiction of the Palu City Police. The increasing participation of minors in criminal activities has become a serious concern as it contradicts the mandate of the Child Protection Law and the principles of restorative justice in the juvenile criminal justice system. This research employs an empirical legal method with a qualitative approach, conducted through interviews with law enforcement officers as well as document and literature studies. The findings reveal that the main factors driving juveniles to commit motorcycle theft include low family economic conditions, lack of parental supervision, unfavorable social environments, and peer influence. In addition, educational background and limited understanding of legal consequences further increase the likelihood of juvenile delinquency. Based on data from the Palu City Police during the 2023–2025 period, there were 1,680 reported motorcycle theft cases, with only one case resolved, one of which involved a minor perpetrator. These findings indicate the low effectiveness of law enforcement and child protection efforts at the local level. This study recommends strengthening the roles of families, schools, and communities in juvenile guidance and reinforcing the implementation of restorative justice to ensure fair legal protection for children in conflict with the law.

KEYWORDS

Criminology;
Motorcycle Theft;
Juvenile; Restorative
Justice



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INTRODUCTION

People around the world recognize that children also have human rights. Children play an important role in the survival of humanity and the continuity of a nation or country. Young people generally have a keen interest in social issues because idealism begins to grow at that age. As they grow and develop, children undergo major changes from birth to puberty, which is marked by a search for and exploration of their identity. During puberty, children often engage in various actions without fully understanding the consequences. Although such behavior is considered inappropriate by society, children can still be considered to have broken the law if the prevailing moral standards are used as social rules that must be obeyed. Deviations from prevailing norms or customs can hurt society and the legal system. This causes some children to commit crimes just like adults. Children's involvement in illegal activities is generally influenced by promiscuity, low education, and a lack of attention and supervision from parents and the environment.¹

Data from the Directorate General of Corrections of the Ministry of Law and Human Rights shows an increasing trend in the number of minors involved in legal problems during the period 2020–2023. As of August 26, 2023, there were approximately 2,000 children facing legal proceedings, 526 of whom had already served prison sentences, while 1,467 others were still in detention awaiting trial. However, most children who committed crimes without the intention of causing harm have not received adequate and comprehensive legal protection. This situation prompted the author to research Legal Protection for Children Who Commit Crimes in Indonesia.

Several studies show that children's involvement in crime is generally influenced by unsupportive family and socioeconomic factors. Children who grow up in families with high levels of conflict, overly permissive or overly strict parenting styles, and minimal parental involvement in providing education and moral guidance are more prone to deviant behavior from an early age.² In addition, difficult family economic conditions, such as structural poverty, unemployed parents, low levels of education, and limited access to necessities, can increase children's vulnerability to engaging in criminal behavior, either as perpetrators or victims.

From a legal perspective, the definition of delinquent children or juvenile delinquency is clearly regulated in Article 1, paragraph 2 of Law Number 3 of 1997 concerning juvenile courts. This article states that a delinquent child is a child who commits a criminal act or an act that is prohibited for children, both according to legislation and according to other legal norms that are alive and applicable in society. Adolescence is a critical phase in human life, during which a person undergoes significant biological, psychological, and social changes. At this stage, children tend to explore their surroundings, try new things, and try to find their

¹ Efren Nova & Riki Afrizal, "Perlindungan Hukum terhadap Anak (Suatu Kajian Yuridis Normatif terhadap Implementasi Undang-Undang No. 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak di Sumatera Barat)" (2023) 6:4 UNES J Swara Justisia 480–493, daring: <<https://swarajustisia.unespadang.ac.id/index.php/UJSJ/article/view/298>>.

² Uut Rahayuningsih et al, "Analisis Faktor Sosial-Ekonomi dalam Mendorong Anak Melakukan Tindak Pidana" (2025) 3:2 Eksekusi J Ilmu Huk Dan Adm Negara 181–188, daring: <<https://journal-stiayappimakassar.ac.id/index.php/Eksekusi/article/view/1863>>.



identity. Often, this process of self-discovery encourages children to engage in acts that deviate from the rules, whether due to curiosity, peer pressure, or pressure from their family and community.

Law No. 35 of 2014 on Child Protection emphasizes that parental responsibility is very important and must be fulfilled. This is clearly stated in Article 26, paragraph (1), namely: Parents have the obligation and responsibility to:

- a. Nurturing, caring for, educating, and protecting children;
- b. Nurturing children according to their abilities, talents, and interests; and
- c. Preventing child marriage.

Based on the above article, it is very clear that parental responsibility is essential for a child's growth and development. Recently, violations of the law have become increasingly prevalent. Almost every day, newspapers carry news about various forms of violations, including crimes, unlawful acts, breach of contract, and abuse of rights. Cases such as fraud, mugging, theft, embezzlement, and so on are rarely absent from daily news reports. What is even more concerning is that some of the perpetrators are people who understand the law, both from among law enforcement officials and the general public.³

In the context of the Fourth Industrial Revolution, the National Criminal Information Center (Pusiknas) plays a strategic role in accordance with Law No. 2 of 2002 on the Indonesian National Police, specifically Article 15 Paragraph (1) letter J, which states that the Indonesian National Police is responsible for managing Pusiknas. This primary function is aimed at supporting efforts to maintain public security and order, increase transparency in law enforcement, and reduce crime rates in Indonesia. Thus, the Indonesian National Police is expected to be able to create a sense of security for the community and foreign nationals, while fostering a healthy investment climate to encourage an increase in national income.

Motor vehicle theft is regulated in Article 362 of the Criminal Code, which states that "any person who takes part or all of another person's property with the intention of unlawfully possessing it shall be punished with a maximum imprisonment of five years or a maximum fine of sixty rupiah. According to the Child Protection Law Number 23 of 2002 Article (1), a child is a person under the age of 18, including unborn children. Children are very vulnerable to becoming victims of crime.

Many parents still allow their children to ride motorcycles to school without realizing the high risks involved, both in terms of traffic accidents and becoming targets for motorcycle theft.⁴ Motor vehicle theft generally occurs when there is opportunity and intent on the part of the perpetrator, with motorcycles being the most frequently targeted object. This act is essentially motivated by the perpetrator's economic desire to gain profit. In many cases, criminal acts cannot be separated from the involvement of the victim. In cases of motor vehicle theft,

³ Pusiknas Polri, "Jurnal Data Pusiknas Bareskrim Polri Tahun 2023 Edisi 2024," (2024), daring: <https://pusiknas.polri.go.id/jurnal_detail/jurnal_data_pusiknas_bareskrim_polri_tahun_2023_edisi_2024>.

⁴ Dannisa Feza Ananda, Hidayat & Yusrizal, "Analisis Kriminologi Tindak Pidana Kekerasan terhadap Anak yang Dilakukan oleh Anak Hingga Menyebabkan Kematian Berdasarkan Hukum Positif Indonesia" (2025) 8:2 J Ilm Mhs Fak Huk Univ Malikussaleh 582-599, daring: <<https://ojs.unimal.ac.id/jimfh/article/view/21293>>.



negligence and lack of vigilance on the part of the vehicle owner often provide opportunities for perpetrators to carry out their actions.

This phenomenon reflects various social issues, such as poverty, low levels of education, and the influence of the surrounding environment, including the media. Crimes involving children are a serious concern for both the community and the government due to their complex nature and potential for long-term impact.⁵ As a reform measure, the Supreme Court issued Regulation No. 1 of 2024 on Guidelines for Adjudicating Criminal Cases Based on Restorative Justice. This regulation serves as an important basis for judges in handling criminal cases, including those involving children and the elderly, using a restorative justice approach.

Theft is defined in Article 362 of the Criminal Code (KUHP) as follows: "Any person who takes any item, wholly or partly belonging to another person, with the intention of unlawfully possessing it, shall be punished for theft with a maximum imprisonment of five years or a maximum fine of nine hundred rupiah."

According to Wiyono, there are seven backgrounds and personal characteristics that can be used to predict the behavior of children at high risk of committing crimes, namely:

- a. Age: Younger children entering a particular system will have a higher risk.
- b. Psychological variables, namely, the nature of being difficult to manage and feeling unappreciated.
- c. School performance, namely, children who have problems at school due to their truancy behavior.
- d. Home adjustment, namely, lack of interaction with parents and siblings, lack of discipline, and supervision away from home.
- e. Drugs and alcohol use, namely the use of alcohol and drugs; children who already use alcohol if their parents have a history of alcohol use.

Neighborhoods, where the environment can easily influence children, such as poverty, social problems, and behavior.⁶ According to Law No. 11 of 2012 on the Criminal Justice System for Children, every child who commits a criminal offense must receive special treatment and cannot be treated the same as adults. If the criminal offense was committed before the child reached the age of 18, but the trial process was only carried out after the child had passed that age and had not yet reached 21 years of age, then the child would still be tried through a juvenile court. Based on Law No. 35 of 2014 concerning Child Protection and Law No. 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA). This research is descriptive in nature, using primary legal materials (laws and regulations) and secondary materials (legal literature, journals, scientific articles).

METHOD

This research was conducted at the Palu Police Headquarters, with the research center or sample research area set in the capital city of Central Sulawesi, considering that the city of Palu is the center of community activities, where many motorcycle

⁵ Fathul Hamdani et al, "Media Vs. Law: Which Acts as a Tool of Social Engineering?" (2023) 2:2 *Indones Media Law Rev.*

⁶ Afifah Fauzziyyah & Syahril, "Pertanggungjawaban Hukum terhadap Tindak Pidana Pencurian yang Dilakukan oleh Anak di Bawah Umur" (2025) 3:2 *Sumbang12 Law J* 222–235.



thefts occur both during the day, when the owners are busy with their activities, and at night. The research method used in compiling this paper is the empirical research method, which means that it prioritizes primary data supported by secondary data from literature research. The research was conducted at the Palu Police Headquarters.

Data collection techniques were carried out using the following methods:⁷

- a. Literature research on materials related to the research subject.
- b. Field research, which is research conducted by observing and surveying research objects, in addition to conducting in-depth and structured interviews with selected informants and respondents.

The types and sources of data are as follows:

- a. Primary data, which is data sourced or obtained directly in the field (empirical data) through structured interviews with respondents and selected information.
- b. Secondary data, which is data obtained from reference materials/literature, documents/archives available at the police headquarters office.

This study uses empirical legal methods with data collection through interviews, document studies, and observations.⁸ Primary data was obtained from law enforcement officials, while secondary data was obtained from literature, official documents, and legislation. Data analysis was conducted qualitatively by describing the causes, *modus operandi*, and efforts to combat motorcycle theft by children.

RESULT & DISCUSSION

I. Factors Influencing Children to Steal Motor Vehicles

Based on research conducted in the jurisdiction of the Palu Police, it was found that there are a number of factors that influence minors to commit motor vehicle theft. These factors include:

a. Economic Factors

Poor family economic conditions are one of the main drivers of children committing theft. The inability to meet basic needs or desires for luxury items owned by peers encourages children to look for shortcuts, one of which is stealing motor vehicles.

b. Environmental Factors

An unfavorable social environment, such as slums, dysfunctional families, and environments that are permissive of crime, plays a major role in shaping deviant behavior in children. Environments that do not provide positive examples cause children to become accustomed to deviant behavior.

c. Peer Influence

Associating with peers who have a tendency to engage in deviant behavior is also a contributing factor. Children are easily influenced by their peer groups, often committing crimes as a group to prove themselves among their friends.

⁷ Mukti Fajar ND & Yulianto Achmad, *Dualisme Penelitian Hukum Normatif Dan Empiris* (Yogyakarta: Pustaka Pelajar., 2010).

⁸ Amiruddin & H Zainal Asikin, *Pengantar Metode Penelitian Hukum* (Jakarta: PT. Raja Grafindo Persada, 2006).



d. Lack of Parental Supervision

The lack of attention and supervision from parents is an important factor that triggers children to engage in crime. Children who feel neglected tend to seek escape outside the home and are easily influenced by bad environments.

e. The Effects of Drugs and Alcohol

Some children who commit motor vehicle theft are known to be under the influence of or addicted to drugs and alcohol. In such circumstances, children often commit crimes to obtain money to buy these illegal substances.

f. Factors of Sexual Turmoil and Puberty

Puberty is marked by drastic physical and psychological changes. Children tend to search for their identity and often act without careful consideration. In this condition, the desire to stand out or be recognized by their peers can trigger delinquency.

g. Educational Factors

Low levels of education among children result in a lack of understanding of legal and social norms, meaning that children do not understand the consequences of their actions. This makes children more susceptible to engaging in criminal behavior.⁹

II. Modus Operandi of Motor Vehicle Theft by Children, Prevention Efforts, and Countermeasures

From the results of field research, the modus operandi used by children in stealing motor vehicles tends to be simple but well-planned. Some of the common methods used include:

- a. Performing the act in a quiet place with minimal lighting;
- b. Committing theft as a group;
- c. Involved in a brawl that resulted in the theft of the victim's vehicle;
- d. Using social media to plan and schedule the timing of crimes.

Efforts to prevent and combat motor vehicle theft committed by children can be divided into two main approaches, namely:

a. Preventive Measures

This is achieved through educating children and families, improving parental supervision, optimizing the role of schools, providing sports facilities and positive activities, and creating a safe social environment that supports child development.

b. Repressive Measures

This includes strict and proportional law enforcement against child offenders, while still paying attention to child protection principles. The implementation of the juvenile justice system based on Law Number 11 of 2012 is aimed at guiding, protecting, and returning children to normal social life, not merely punishing them.

⁹ Soerjono Soekanto, *Faktor-faktor yang Mempengaruhi Penegakan Hukum* (Jakarta: Rajawali Pers, 2011).



III. Law Enforcement against Children Who Commit Theft, and the Relationship between Criminology, Society, and Law Enforcement

Law enforcement against children who commit motor vehicle theft is regulated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. In legal proceedings, children are not treated the same as adult offenders. The main considerations in imposing penalties are the age and psychological condition of the child. The main objective of the juvenile justice system is rehabilitation, not punishment. Children are guided to improve themselves through guidance in appropriate institutions so that their future remains secure.

The phenomenon of motor vehicle theft by children is the result of an interaction between individual factors and structural social factors.¹⁰ Economic pressures, social changes, weak family roles, and environmental influences are the dominant factors that shape this deviant behavior. The criminological approach views children's behavior as the result of complex social processes, not merely as a violation of the law. Therefore, the handling of juvenile crime must be done holistically by combining educational, preventive, and repressive aspects.

The involvement of various stakeholders, such as families, schools, law enforcement agencies, and the community, is key to reducing child crime rates. Effective law enforcement must be accompanied by strengthening the social functions of families and providing facilities for healthy and positive child development.

Based on the results of field research at the Palu Police Headquarters, the following data on motor vehicle theft cases involving children were found:

No	Year of Occurrence	Report	Finished	Age	%
1	2023	514	0	0	30,6%
2	2024	674	1	16	40,1%
3	2025	492	0	0	29,3%
Amount	1.680	1	16	100%	

Data source: Polresta Palu, 2025

The table above shows that over the past three years, there have been 1,680 reported cases of motor vehicle theft, but only one case involving a minor has been successfully resolved. The high number of unsolved cases indicates weak social supervision and the need to improve the effectiveness of law enforcement agencies in handling such cases.

This phenomenon is a serious concern, as it involves children who should be protected as the future generation of the nation. Theft committed by children clearly contradicts the spirit of the Child Protection Law, which emphasizes protection and guidance rather than criminalization.

Based on findings from the field at the Palu Police Headquarters, cases of motor vehicle theft committed by children cannot be separated from modern criminological theories, such as Differential Association Theory (*Sutherland*), which

¹⁰ Ayunadia Hidayah Nabilla, *Tindak Pidana Pencurian Dalam Pasal 362 Kitab Undang-Undang Hukum Pidana Perspektif Hukum Pidana Islam* UIN Sunan Gunung Djati Bandung, 2023) [unpublished].



explains that criminal behavior is learned through interaction with the social environment, and Social Control Theory (*Hirschi*), which emphasizes the weak social bonds of children to their families and communities.

This phenomenon shows the importance of the role of family, school, and community in shaping children's behavior. If these social institutions fail to perform their functions, children will seek identity and recognition outside of a healthy social system, one of which is through criminal acts such as motor vehicle theft.

CONCLUSION

Based on the results of the study, the following conclusions can be drawn:

1. Main Causes: Motor vehicle theft committed by minors in the Palu Police District is influenced by various factors, including:
 - a. Economic factors, such as poverty and unmet basic needs.
 - b. Social environmental factors, especially environments that are permissive of deviant behavior.
 - c. The influence of peers, where children learn criminal behavior from their social groups.
 - d. Lack of parental supervision and weak social control from family and community.
 - e. Low educational attainment, resulting in children lacking an understanding of the legal and moral consequences of their actions.
2. Modus Operandi: Children who steal motorcycles generally carry out their actions in quiet places, at night, in groups, and often target automatic motorcycles that are easy to carry without a key.
3. Law Enforcement: Based on Law No. 11 of 2012 on the Criminal Justice System for Children, the legal approach to child offenders should emphasize guidance and rehabilitation rather than criminal punishment. However, practice in the field shows that there is still a lack of thorough case resolution at the Palu Police Headquarters—out of 1,680 reports in three years, only one case has been resolved. The criminological approach suggests that this phenomenon can be explained through the theories of differential association, social control, and labeling, whereby juvenile criminal behavior is formed through social learning processes, weak supervision, and negative labeling from the environment, which actually reinforces deviance. In addition, prevention and mitigation efforts must be carried out comprehensively, including:
 - a. Preventive measures, such as legal education, strengthening the role of families, and positive activities for adolescents.
 - b. Repressive measures, through humane law enforcement based on restorative justice.

Therefore, motor vehicle theft by children in Palu Police Headquarters is not merely a legal issue, but a reflection of a social and moral crisis within families and the community. Synergy between law enforcement agencies, families, schools, and the community is needed to create a social environment that supports the development of positive behavior in children.

DECLARATION OF CONFLICTING INTERESTS

The authors state that there is no conflict of interest in the publication of this article.



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