

The Role of Bandung Police Criminal Investigators in Revealing Criminal Cases of Online Fraud Transaction

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Abstrack

This study aimed to determine the role played by the Criminal Investigation Investigators of the National Police in uncovering cases of criminal acts of fraud through online transactions, especially in the Bandung Police Legal Area. The research method used is descriptive analysis method, namely collecting actual data. The data is compiled, processed and analyzed to get the real picture. The implementation of this research was carried out by observation, interviews, literature study, documentation and researching data on activity reports carried out by the Bandung Police Criminal Investigation Unit. The results of the study show that the handling of cases of criminal acts of fraud through online transactions must be with complaints or reports from someone about the existence of a criminal act of fraud and also those who have been deceived or who have been harmed, only then do investigators know that an action that is suspected of being a criminal act of online fraud has taken place. The supporting and inhibiting factors in uncovering cases of fraud through online transactions, the lack of investigators who have the ability and experience in the field of ITE and limitations ITE tools owned by the Bandung Police. Efforts were made to uncover cases of criminal acts of fraud through online transactions to arrest the perpetrators, make appeals to the public and cooperate with state and private agencies.

Abstrak

Penelitian ini bertujuan untuk mengetahui peran yang dilakukan Penyidik Reserse Kriminal Polri dalam mengungkapkasus tindak pidana penipuan melalui Transaksi Online khususnya di Wilayah Hukum Polresta Bandung, Metode penelitian yang digunakan yaitu metode deskriptif analisis yaitu pengumpulan data-data yang sebenarnya. Data-data disusun, diolah dan analisis untuk mendapatkan gambaran sesungguhnya. Pelaksanaan peneliti ini dilakukan dengan observasi, wawancara, studi pustaka, dokumentasi serta meneliti data laporan kegiatan yang dilakukan oleh Satuan Reskrim Polresta Bandung. Hasil penelitian menunjukkan bahwa penanganan kasus tindak pidana penipuan melalui transaksi online harus dengan adanya pengaduan atau laporan dari seseorang tentang adanya suatu tindak pidana penipuan dan juga yang terkena tipu atau yang dirugikan, barulah penyidik mengetahui terjadinya suatu tindakan yang diduga sebagai tindak pidana penipuan online. Adapun faktor pendukung dan penghambat dalam mengungkap kasus tindak pidana penipuan melalui transaksi online, yaitu dalam faktor pendukungnya adanya kerjasama dengan pihak Bank dan penyedia layanan operator selular dan faktor penghambat sulitnya melacak pelaku kejahatan penipuan online, minimnya penyidik yang memiliki kemampuan dan pengalaman dibidang ITE dan keterbatasan alat-alat ITE yang dimiliki oleh Polresta Bandung. Upaya yang dilakukan untuk mengungkap kasus tindak pidana penipuan melalui transaksi online melakukan penangkapan kepada para pelaku, melakukan himbauan terhadap masyarakat dan bekerjasama dengan instansi negeri maupun swasta.

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1. INTRODUCTION

Advances in information technology have changed people's views on various activities which until now were only monopolized by purely physical activities. The birth of the internet changed the paradigm of human communication in socializing, doing business and also romance. The internet changes the concept of distance and time so drastically that it seems as if the world

has become small and limitless (Soekanto, 2012). Everyone can connect, talk and do business with other people who are thousands of kilometers from where they are just by pressing the computer keyboard and mouse in front of them. In connection with the increasingly rapid development of science and information technology (IPTEK) at this time, it has a major influence on changes in behavior and law in society. Advancing modern society's life towards technology is one of the keys to success and progress in development. Advances in information technology, including telecommunications, are not only occurring in developed countries, but also in developing countries. Indonesia is one of the countries whose technological development is currently developing rapidly. This technological development can have both positive and negative impacts (Takanjian, 2021). According to affirmation Ramli (2006) One of the negative impacts caused by technological developments is the emergence of the threat of modern crimes. Crime continues to grow along with the development of human civilization, with complex quality and quantity and variations in modus operandi. One of the results of technological advances is the use of the internet. The role of the internet is very important for society. Through the internet we can find out about various things, starting from social media, applications, news, lifestyle, we can even carry out shopping activities which in internet terms are often called online shops.

In Indonesia, many online shop applications are used to promote sales, such as the Shopee, Tokopedia, Olx, Bukalapak applications, and so on. Even though there are many online shop applications, this business is not easy to run, because there are various problems. One of them is the lack of trust of buyers towards online shop applications because of the rampant fraud on certain online shop sites. Through the internet media, several types of criminal acts are increasingly easier to commit, such as criminal acts of defamation, pornography, gambling, account burglary, cyber network destruction (hacking), attacks via viruses (virus attack) and so on. Crimes caused by the development and progress of information and telecommunications technology are crimes related to internet applications (Wulandari, 2021). The case that is currently making a splash is fraud via online shops. Initially, an online shop was a buying and selling activity via an electronic system, transactions were carried out using a predetermined payment system and goods were sent via a goods delivery service.

According to Muis (2021) Online fraud is in principle the same as conventional fraud, the only difference is in the means of action, namely using electronic systems (computers, internet, telecommunications equipment). So legally, online fraud can be treated the same as conventional offenses regulated in the Criminal Code (KUHP) (Abdussalam, 2007). Enter the fields of science, social, economics and culture. Currently, a new law has been born, known as Cyber Law. The term "Cyber Law" is defined as the equivalent of Cyber Law, currently used internationally for legal terms related to the use of information technology (Utomo, 2009).

Online fraud crimes are indeed widespread in the jurisdiction of the Bandung Police. Researcher obtained data on online fraud cases handled by the Bandung Police from 2020 to 2022, that in 2020 there were 11 cases recorded, in 2021 there were 17 cases and in 2022 there were 5 cases. In 2020, there were 6 cases of online shopping fraud, 1 case of e-mail/text message fraud, 1 case of funds transfer with the completion of 5 cases of online shopping fraud. In 2021, there were 14 cases of online shopping fraud, 2 cases of e-mail/text message fraud, 1 case of data network fraud, 1 case of fund transfer fraud with the resolution of 6 cases of online shopping fraud and 1 case of data network fraud. Then in 2022 there will be, 4 cases of online shopping fraud and 1 case of e-mail/text message fraud, with the resolution of 1 case of online shopping fraud. Based on this data, it can be concluded that online shopping fraud always occurs every year and is always the largest number of online fraud cases. The average age of the victims of this crime is between 19 and 25 years, where the majority of them are students and young people who are still unfamiliar with it. financial knowledge.

Examining further the explanation that has been presented previously, research has identified problems in several parts, including: 1) what is the role of National Police Criminal Investigation Investigators in uncovering criminal cases of fraud through Online Transactions in the Bandung Police Legal Area; 2) what are the supporting and inhibiting factors in the process of investigating

criminal acts of fraud through online transactions in the jurisdiction of the Bandung Police; and 3) What efforts are being made to increase the role of National Police Criminal Investigation Investigators in uncovering criminal acts of fraud through online transactions in the jurisdiction of the Bandung Police.

2. RESEARCH METHOD

The research method referred to in this research was a series of scientific procedures with the aim of obtaining data with the aim of getting results and having certain uses (Silalahi, 2012). Also explained in Sugiyono (2018) that research design is a research plan and structure that has been prepared in such a way that researcher can obtain answers to questions that have been created based on problems found in the field. So the general goal made in research is to solve problems using steps that are relevant to the problem so as to find the best solution to a problem that occurs. Still obeying Sugiyono (2018) that in research the data source is the subject from which data can be obtained, in qualitative research the data collected is related to the research focus. Data sources were obtained in two ways, namely:

- a. Primary Data Sources were data created by researcher for the specific purpose of solving the problem they are dealing with. The data was collected by the researcher himself directly from the first source or place where the research object was carried out. The data in question came from members of the Bandung Police.
- b. Secondary Data Sources, namely data that has been collected for purposes other than solving the problem being faced. This data can be found quickly. In this research, the sources of secondary data are literature, articles, journals and sites on the internet relating to the research conducted. Apart from primary data, the data sources used by researcher are secondary data sources. Secondary data was obtained through various sources, namely literature articles, as well as sites on the internet related to the research carried out.

The data collection technique used was the participant observation technique, where in participatory observation, the researcher observes the activities carried out by the object of research, listens to conversations and what is stated by the object of research, and participates in the activity directly to find out more deeply. (Singarimbun & Effendi, 2011). This research will focus on research design with an observational dimension and literature review which is supported by the latest data from relevant sources, so that this research can still be fully accounted for. The location of this final assignment research was carried out at the Bandung Police Station which is located on Jl. Bhayangkara No.1, Soreang District, Ko Bandung, West Java Province. The researcher chose this location because it is closely related to writing the final assignment, especially in collecting data related to uncovering criminal acts of fraud through online transactions in the jurisdiction of the Bandung Police.

The method used in this research was a method that considered to be in accordance with the objectives to be achieved in the research, where this research observed the role of police criminal investigators with the aim of uncovering cases of criminal acts committed using digital media which currently often becomes a new problem, because it is difficult to access these fraudulent acts. So the method used in this research was a qualitative descriptive method, namely providing an accurate, factual and systematic description of the role and function of Bandung police criminal investigators in their aim of uncovering online fraud crimes. Explained by Yusi & Idris (2016) that the method used in this research specifically by researcher can be used to describe observations into a narrative or a picture so as to get results to try to find answers to the problems being faced.

Based on the targeted use of the model and approach used in this research method, it hoped that this research can provide insights and improvements to the role of police criminal investigators in their aim of uncovering criminal cases of online transaction fraud. It is hoped that the findings obtained in this research can become a medium of knowledge that can provide broad education and a basis for action to get stakeholders to protect society at large.

3. DISCUSSION

A glance at the history of the Bandung City Police, established in 2003 on Jl. Bhayangkara No.1 Soreang Pamekaran Village District, Soreang District, Bandung postal code 40911 which is a separation from the Cimahi Police with 22 police sectors (polsek). Currently, in 2019 it has increased to Bandung Police with a total of 26 police units with 1,765 personnel and a population of 3,374,316 people. So now the Bandung Police have officially upgraded to City Resort Police (Polresta). The inauguration and inauguration of the Bandung Police was carried out by the West Java Regional Police Chief Inspector General Pol Rudy Sufahriadi. The increase in the type of Polres to Polresta Bandung is based on the Letter of the Ministry of State Apparatus Empowerment and Bureaucratic Reform of the Republic of Indonesia Number: B/849/M.KT.01/2019 dated 18 September 2019 concerning Increasing the Type and Formation of Police. This increase in status is motivated by security dynamics, area size and the population in Bandung Regency which continues to increase. Due to this type of increase, the leadership of the Chief of Police changed from Adjunct Senior Commissioner of Police (AKBP) to Senior Commissioner of Police (Kombes). The legal area of the Bandung Police is the same as the Bandung Regency Area Map with an area of 174,404.18 Hadan with the northern legal area boundaries being the municipality of Bandung, Subang Regency and Sumedang Regency. The eastern part borders Garut Regency, and the western part borders Cianjur Regency and Cimahi City, while the southern part borders Cianjur Regency. Due to this type of increase, the leadership of the Chief of Police changed from Adjunct Senior Commissioner of Police (AKBP) to Senior Commissioner of Police (Kombes). The legal area of the Bandung Police is the same as the Bandung Regency Area Map with an area of 174,404.18 Hadan with the northern legal area boundaries being the municipality of Bandung, Subang Regency and Sumedang Regency. The eastern part borders Garut Regency, and the western part borders Cianjur Regency and Cimahi City, while the southern part borders Cianjur Regency. Due to this type of increase, the leadership of the Chief of Police changed from Adjunct Senior Commissioner of Police (AKBP) to Senior Commissioner of Police (Kombes). The legal area of the Bandung Police is the same as the Bandung Regency Area Map with an area of 174,404.18 Hadan with the northern legal area boundaries being the municipality of Bandung, Subang Regency and Sumedang Regency. The eastern part borders Garut Regency, and the western part borders Cianjur Regency and Cimahi City, while the southern part borders Cianjur Regency.

The Bandung Police carries out a noble vision and mission, where the Vision of the Bandung Police is "The realization of security and order in the entire legal area of the Bandung Police". Accompanied by the mission of the Bandung Police, namely:

- 1) Organizing excellent public security services to the community through police administration, pre-emptive, preventive and repressive (law enforcement) activities by utilizing the ability to apply science and technology to create conducive security in the jurisdiction of the Bandung Police;
- 2) Providing protection, sheltering services and guidance to the community in an easy, fast, precise, responsive, transparent, accountable and non-discriminatory manner in order to maintain security, order and increase public confidence in the Bandung Police institution;
- 3) Carry out partnership and cooperation activities with the community and increase police synergy between agencies/institutions and other elements in order to create a conducive situation and maintain public order and security;
- 4) Increasing the role of Bhabinkamtibmas in implementing community policing strategies in villages/sub-districts;
- 5) Carry out law enforcement by increasing disclosure and resolution of criminal cases that are transparent, accountable, objective, non-discriminatory, uphold human rights, anti-KKN, anti-violence and fulfill the rights of suspects and reporting witnesses;

- 6) Carry out early detection and early warning quickly, precisely and accurately on all aspects of life that could disrupt security and social order through investigation, security and mobilization activities;
- 7) Maintain security, safety, order and smooth traffic to ensure the safety and smooth flow of people and goods and;
- 8) Maintain and maintain a conducive situation and conditions in the jurisdiction of the Bandung Police, including water areas (sea and river coastlines) by optimizing the role of pre-emptive, preventive and repressive functions.

The general description of the Bandung police criminal investigation is that it provides protection, guidance and service easily, responsively and non-discriminatorily so that the community is free from all forms of physical and psychological disorders. Apart from that, creating Human Resources (HR) that are professional, proportional, objective, transparent and accountable so that they have productive performance in carrying out investigative tasks. By making protection, protection and services easy, accessible, responsive and non-discriminatory in carrying out investigation tasks. Diman has the aim of enforcing the law in a professional, objective, proportional, transparent and accountable manner to ensure legal certainty and a sense of justice. As well as realizing the empowerment of facilities and infrastructure in a professional, proportional and modern manner, provide support for the efficiency and effectiveness of investigative services. So as to provide support for the realization of the Bandung Police's vision and mission.

a. The Role of the Bandung Police Criminal Investigation Unit in Revealing Online Fraud

Criminal acts of online fraud are indeed widespread in the jurisdiction of the Bandung Police, according to developments in data on cases of fraud through online transactions. In 2020 there were 11 cases recorded, in 2021 there were 17 cases and in 2022 there were only 5 cases handled by the Tipidter Unit, Therefore, investigators from the Tipidter Unit as law enforcers are expected to be able to resolve criminal cases of fraud through online transactions via the internet, because his actions are against the law or contrary to the law because he intentionally and without right spreads false and misleading news which results in consumer losses in electronic transactions as regulated in Article 378 of the Criminal Code concerning fraud, but can also be charged under Article 28 paragraph (1) of Law Number 11 of 2008 concerning Information and Electronic Transactions as amended by Law Number 19 of 2016 (Aly, 2018).

In relation to the most frequent cases of online transaction fraud, there are cases of fraud through online shopping. One of the statements made by AIPDA Hardiansyah, SH as the Head of Sub-unit Tipidter Satreskrim Polresta Bandung is that online transaction fraud is in the form of one unit of Xiaomi brand cellphone which was not delivered according to proof of delivery. only one t-shirt, which occurred in Bandung Regency, a young man from Banjaran was arrested by the police because he was suspected of having defrauded residents of 1.3 million Rupiah. As stated by the police, the person concerned was arrested as a suspect in a case of alleged criminal acts of fraud and embezzlement by providing inappropriate goods with a loss to the victim of up to 1.3 million Rupiah.

The role of National Police Criminal Investigation Investigators in uncovering criminal cases of fraud through online transactions is to find bright spots in a case, so that the case can be resolved properly. This fraud case can be processed through a complaint offense, but of the many criminal incidents there are several types, almost all of which are crimes, which are only prosecuted based on complaints from people affected by the criminal incident. As explained by Zabidin (2021) This kind of criminal incident is also usually called a complaint offense. Only when there is a complaint or report from someone about a criminal act of fraud and who has been tricked or who has been harmed, will investigators become aware of the occurrence of an action that is suspected of being a criminal act of online fraud. (Priyana et al., 2021). Based on this complaint, Bandung Police Investigators immediately made efforts very quickly and precisely to find the crime scene (TKP) or the type of transaction carried out, whether through an application to search for and collect evidence and also useful clues for investigators to identify suspects in fraud cases. that occurred in the Bandung Police jurisdiction can be found.

b. Supporting and Inhibiting Factors for the Bandung Police Criminal Investigation Unit in Revealing Online Fraud

Supporting factors for the process of investigating criminal acts of fraud through online transactions in the jurisdiction of the Bandung Police include cooperation between the Bandung Police and the bank. This is very important because perpetrators often use banking facilities for transactions such as carrying out transactions between bank accounts. So it can make it easier to find information about the whereabouts of the perpetrator. Apart from that, the Bandung Police collaborates with cellular operator service providers or internet service providers, where cyber crimes use internet media which definitely has an IP address (Internet Protocol Address), stored on the web site/homepage management server which is used as a means for perpetrators to commit fraud so that The National Police can easily track the perpetrator's internet history (Puspitasari, 2018).

Apart from that, there are also factors inhibiting the process of investigating criminal acts of fraud through online transactions in the jurisdiction of the Bandung Police, namely the difficulty of tracking down the perpetrators of online fraud crimes because the perpetrators are in cyberspace, in this online fraud crime the perpetrator and victim do not meet each other directly. Because the perpetrator will persuade the victim to pay a down payment first and then the goods will be sent after the down payment is received via bank transfer. However, after the down payment was sent, the victim did not receive the agreed goods. This is of course very difficult for the police to track or further develop criminal cases of online fraud. Apart from that, another problem is the difficulty of opening an account for the perpetrator due to bank bureaucratic permits, where customers as bank account owners have the right to have their identity protected, which means that not just anyone can know the identity of each bank account owner. The process of disclosing bank secrets is not easy. In the procedure alone, Bandung City Resort Police investigators must obtain permission first through licensing procedures, namely from West Java Regional Police (West Java Regional Police), West Java Regional Police to POLRI Headquarters (Republic of Indonesia Police Headquarters), then proceed to the Governor of Bank Indonesia (BI) to order obtain permission to open an account for criminals. However, the procedure for requesting permission certainly takes quite a long time, around two weeks, to request permission from BI to reveal the bank's secrets. Two weeks is quite a long time for investigators to obtain permission to reveal the perpetrator's identity at the bank. Then the obstacles experienced by the police did not stop at that stage. Explained in Bethari (2021) Even though investigators succeeded in obtaining the identity of the account owner (perpetrator), the police encountered another obstacle in the form of a fake account owner's identity. Internally, there is a lack of Bandung Police investigators who have the skills and experience in the field of cyber crime, this is due to the limited number of Bandung Police investigators in uncovering cyber crime cases so that investigators are not optimal in uncovering this crime. The Bandung Police also collaborate directly with the West Java Regional Police to help resolve cyber crime cases that have not yet been discovered. Every month, the Bandung Police recap any cases that have not been resolved and then provide the entire Bandung Police report to the West Java Police for follow-up.

c. Bandung Police Criminal Investigation Efforts to Reveal Online Fraud

In the fairly fast development of the internet, criminal cases of fraud through online transactions in the jurisdiction of the Bandung Police, initially the National Police rarely had cases of fraud through online transactions like this, but since the Covid-19 pandemic at that time, many people were laid off by their companies, resulting in an increase. crimes both in person and digitally or online (Takanjian, 2021). In overcoming conditions like this, the police as officers have the main task of maintaining security and order in the country and providing protection to the community. The Bandung Police Criminal Investigation Unit, assisted by the Tipidter Unit (Certain Crimes), carries out the task of uncovering cases of criminal acts of fraud through online transactions.

In tackling the crime of online transaction fraud, the efforts that must be made by the Police include pre-emptive, preventive and repressive efforts, namely as follows:

- a) Pre-emptive efforts are initial actions taken by the police by prioritizing appeals and approaches to the public with the aim of avoiding the emergence of potential online fraud crimes and the large number of victims.
- b) Preventive Efforts, efforts carried out before a crime occurs or more precisely as an effort to prevent a crime. Preventive efforts are carried out through means outside criminal law. This countermeasure aims to educate the public in order to create a conducive atmosphere to prevent crime from occurring.
- c) Repressive Efforts: Efforts made by the police are to carry out an in-depth investigation of the case, such as carefully examining evidence so that they can determine and identify the main perpetrators in cases of fraud through online transactions.

It is hoped that the efforts that have been carried out by the Bandung Police will be effective, providing understanding to the public to be more alert because everyone has the potential to be a target of crime. This research confirms the findings of Solim et al. (2019) that the public is still very unfamiliar with crimes like this, therefore the authorities explain to the public to be more careful in their actions because crime is now growing.

4. CONCLUSION

Based on the results of the analysis and discussion presented in the previous section, the conclusions that can be obtained in this research were as follows:

- a. The role of National Police Criminal Investigation Investigators in uncovering criminal cases of fraud through online transactions is to find bright spots in a case through witnesses and evidence, so that the case can be resolved in accordance with applicable law. This fraud case can be processed through a complaint offense, but of the many criminal incidents there are several types, almost all of which are crimes, which are only prosecuted based on complaints from people affected by the criminal incident.
- b. Supporting factors for investigators in uncovering cases of online fraud at the Bandung Police include cooperation between the Bandung Police and banks and collaboration between the Bandung Police and cellular operator service providers or internet service providers. Apart from that, factors inhibiting investigators from uncovering cases of online fraud at the Bandung Police include the difficulty of tracking down the perpetrators of online fraud because the perpetrators are in cyberspace, the lack of Bandung Police investigators who have the skills and experience in the field of ITE or cyber crime and the limited number of special tools. cyber crime owned by the Bandung Police.
- c. The role of the Criminal Investigation Investigator is to arrest the perpetrator by following the trail of evidence and witnesses so that they can find the whereabouts of the perpetrator even in cyberspace and the police to carry out outreach or counseling to the local community to collaborate with the National Police Agency so that the public knows the importance of reporting the crime. criminal fraud that occurs online, and collaborating with other agencies such as private and state agencies, for example banks and cell phone card networks. Then carry out pre-emptive, preventive and repressive efforts, pre-emptive efforts.

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