ABSTRAK

Pengangkatan topik praktik pencucian uang dalam jaringan siber di jurnal ini dikarenakan kejahatan siber yang mengalami kemajuan namun opsi penyelesaian kian terbatas, yang dimana dalam hal ini tindak pidana pencucian uang berasal dari tindak pidana asal yaitu penipuan. Penelitian ini memilih arah untuk membahas aspek kriminologi pelaku kejahatan dengan fokus mengapa seseorang bisa menjadi pelaku kejahatan, dengan mengkaji aspek pelaku (offender) seperti latar belakang sosial dan ekonomi, kepribadian dan sebagaimana tercantum dalam Putusan Pengadilan Negeri Jakarta Timur Nomor 365/Pid.Sus/2023/PN JKT.Tim.

Kerangka teori yang dipakai meliputi teori pilihan rasional, teori aktivitas rutin, dan teori asosiasi diferensial untuk menjelaskan motif, peluang, serta proses pembelajaran perilaku kriminal. Metode penelitian yang diterapkan adalah penelitian hukum normatif. Penelitian ini dilakukan melalui studi terhadap sumber hukum primer, seperti undang-undang, literatur ilmiah, dan putusan pengadilan, serta analisis dokumen terkait yang relevan.

Hasil penelitian mengungkap bahwa perbuatan pelaku dilakukan secara terencana dan rasional, dengan memanfaatkan peluang serta kelemahan pengawasan, sehingga memenuhi unsur Pasal 378 KUHP dan Pasal 3 UU Nomor 8 Tahun 2010. Putusan hakim dinilai telah mempertimbangkan secara adil aspek hukum maupun kriminologi.

Kata Kunci: Kriminologi, Pencucian Uang, Penipuan, Kejahatan Pokok, Putusan Pengadilan.

ABSTRACT

The selection of the topic of money laundering practices within cyber networks in this study is based on the rapid advancement of cybercrime, while the available solutions are becoming increasingly limited. In this context, money laundering offenses originate from predicate crimes, specifically fraud. This research focuses on examining the criminological aspects of offenders, particularly addressing why individuals engage in criminal behavior, by analyzing offender-related factors such as social and economic background, personality, and other aspects as reflected in the Decision of the East Jakarta District Court Number 365/Pid.Sus/2023/PN JKT.Tim.

The theoretical framework employed includes rational choice theory, routine activity theory, and differential association theory to explain motives, opportunities, and the process of learning criminal behavior. The research method applied is normative legal research. This study is conducted through the examination of primary legal sources, including legislation, scholarly literature, and court decisions, as well as the analysis of relevant supporting documents.

The findings reveal that the offender's actions were carried out in a planned and rational manner, by exploiting opportunities and weaknesses in supervision, thereby fulfilling the elements of Article 378 of the Indonesian Criminal Code and Article 3 of Law Number 8 of 2010. The judge's decision is considered to have fairly taken into account both legal and criminological aspects.

Keywords: Criminology, Money Laundering, Fraud, Predicate Crime, Court Decision.