

Law Protection of Mobile Phone Fraud Victims

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Abstract--- *The development of technology and communication has a positive impact on society, especially in promoting growth in the economic field. However, advances in information and communication technology also have negative excesses, namely the occurrence of abuse by a group of people to be used as a means of committing crime fraud. Fraud by using electronic media that often occurs today is fraud by using a mobile phone with the mode and under the reason of a family member arrested or child caught in a drug case on behalf of a police officer. The rose of fraud in this mode was significantly necessary to conduct further and deeper analysis under the control of depth study as efforts to protect the victims of fraud. This research method was an empirical juridical research, which is looking at efforts to protect victims of fraud through electronic media conducted by law enforcement officials. The results showed that the modus operandi of fraud through electronic media was quite diverse. From the research finding showed that fraud through electronic media using mobile phones which used the cases of family member arrested or child caught in a drug case on behalf of a police officer, then the perpetrators ask for ransom from the family or parents. Protection against victims of fraud by using mobile phones with the mode of arrest of a family member or child ensnared by drug cases in the name of a police officer, is still very weak, due to the lack of prevention efforts and weak law enforcement.*

Keywords--- Protection, Fraud Victim, Electronic Media.

INTRODUCTION

The rapid development of information technology globalization has made an interesting phenomenon of life, where the information technology user community in communication is no longer limited by time and place (borderless). Whenever and wherever the technology user community can establish communication in any kind of place and time which means that all of the user able to obtain and spread the information to others without having limitation or barrier like a conventional way of communication. The globalization of technology showed that the Indonesian people are part of the world community of users of communication and information technology.¹

The development of information and communication technology has caused the world to be borderless and bring the social life change so rapidly. The analogy of Information and technology nowadays like a double-edged sword, which means that technology and information is not only contributing to the improvement of human welfare, progress and civilization, but also as an effective arena of acts against the law.²

In the midst of the development of modern civilization, it can be seen that the use of information and communication technology among the society and community has become part of the basic needs in carrying out daily life activities. The current situation showed that the most common of electronic media that are commonly used

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¹see konsiderans Undang-Undang Negara Republik Indonesia Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik jo Undang-Undang Negara Republik Indonesia Nomor 19 Tahun 2016 tentang Perubahan Atas Undang-Undang Negara Republik Indonesia Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik.

² Ika Pomounda, *Perlindungan Hukum Bagi Korban Penipuan Melalui Media Elektronik (suatu pendekatan viktimologi)*, (Jurnal Ilmu Hukum Legal Opinion, Edisi 5, Volume 3, Tahun 2015, p : 1-9.

by public are mobile phones, internet and another electronic media. Besides having a large positive impact, information and communication technology having two effects of life condition, namely the positive effect and negative effect. Besides, bring some benefits such as much ease given to the way of communication among social life, the modernity and technology itself has some harms. It was proven by various crimes that can be committed using information technology such as prostitution, gambling in cyberspace (internet), burglary Automated Teller Machine (ATM), theft of company data via the internet and fraud through electronic media. From these evidence of real condition which showed that many cases caused by the modernity and technology especially in the communication way, it was as a strong reason that the society really need law to solve the problem and regulate it.³

The misuse of information and communication technology development by a group of people has led to a new mode of fraud crime, namely the emergence of fraud committed by certain parties through the use of electronic media as a means to commit acts of crime. Electronic media consists of two words namely "media" and "electronics" which in the Indonesian Dictionary, media means as tools in the form of means of communication for the public in the form of newspapers, magazines, television, radio broadcasts, telephone, internet and so on which are located between the two party as an intermediary or liaison.⁴

Acts of fraud through electronic media that are developing at this time the mode of operation is quite varied. But in this research, the focus is on fraud committed through electronic media, namely mobile phones with the fraud mode "Family or Children Arrested by Police for Drugs". This mode of crime often occurs, even has claimed many victims.

There are some criminal cases were found in the city of Medan, North Sumatera Indonesia namely fraud by arresting a family member or child caught in a drug case on behalf of a police officer. This can be known after the arrest of one of the perpetrators of fraud by East Medan Police. The perpetrator named Andi (33 year) resident of Jl. Kapten Rahmah Budin, Kelurahan Paya Pasir, Marelau Sub-District, North Sumatera province, Indonesia on June 10th, 2019, was arrested by the East Medan of Criminal Investigation Unit after a report from one of society community member who was victimized and claimed to have suffered a loss of Rp. 80 million, due to fraud committed by Andi together with his friend.

Muhammad Arifin, as East Medan Police Chief, revealed that the mode of fraud perpetrated against the victim was by calling the victim and saying his family members were arrested by the police for a drug case, which the perpetrator offer a guarantee that they could be able to bring the family free and release with the consequence and requirement if the victims' family will provide a lot of money.⁵

The study of the protection of victims of fraud through electronic media, in this case using mobile phones, cannot be separated from the science of victimization. Because, through the study of victimology, various aspects related to the victim can be known, such as: factors that cause the emergence of crime, how a person can become a victim, efforts to reduce the occurrence of crime victims, and what are the rights and obligations of crime victims.⁶

³ O.C. Kaligis, *Penerapan Undang-undang Nomor 11 Tahun 2008 Tentang Informasi dan Transaksi Elektronik Dalam Prakteknya*, Jakarta: Yarsif Watampone, 2012, p. 1-3.

⁴ Tanti Yuniar, *Kamus Lengkap Bahasa Indonesia*, Jakarta: Agung Mulia, 2009, p.400.

Fraud by mobile phone with the mode of arrest of one family member or by a police officer for a drug case, in the perspective of victimization is a comprehensive study to provide protection against victims of crime. The study of this crime problem can be seen from various aspects, namely from the aspect of the perpetrators, aspect of victims and the causes of fraud aspects, so that these several aspect could give some consideration and base strong reason in creating effective solutions of preventing and overcoming fraud through mobile phones with the mode of arrest of a family member or child in a drug case on behalf of the police officers, which is currently rife in the social community.

Based on the background of study, formulations of problem were formulated as the object of study discussion, namely:

1. What are the factors causing the rise of mobile phone fraud by the mode of arrest of a family member or child caught in a drug case on behalf of a police officer?
2. How is the law protection for victims of telephone fraud by the mode of arrest of a family member or child caught in a drug case on behalf of a police officer?
3. What are the obstacles in providing legal protection for victims of mobile phone fraud by arresting a family member or child caught in a drug case on behalf of a police officer?

I. METHODOLOGY

Based on the research types, it is categorized as normative legal or doctrinal legal research that is complemented or supported by empirical (sociological) research. Normative legal research is research conducted by examining library materials (secondary data) or library law research. While empirical research is research obtained directly from the community or researching primary data.⁷ Normative research includes research on legal principles, legal systematics, positive legal inventory, philosophical basis (dogma or dotrin) of positive law⁸, relating to the protection of victims of fraud by arresting a family member or child caught in a drug case on behalf of a police officer.

The types of data used in this study are primary data and secondary data. Primary data, namely data obtained directly from the results of field research through interviews with several respondents. While secondary data, namely data obtained from legal materials, in the form of primary legal materials, secondary legal materials and tertiary legal materials. Analysis of the data used in research is qualitative data analysis, by describing the discussion of research through a series of sentences that are dense and clear.

II. RESULTS

The problem solving of crimes that occur in the social community is necessary to learn about the modes of occurrence of crimes that the cases found among the social community immediately. This becomes important,

especially for law enforcement officials, because by learning new modes of perpetration by fraud and embezzlement, it can be useful to resolve the case disclosure or it is possible to be used as basic consideration in preparing the creation of policy for overcoming crime, so that the development of the crime can be minimized.

By learning the ways or modus operandi of crime by law enforcement officials, especially the Police, at least the ideal patterns that will be effective and efficient in preventing and overcoming the crime will be known. So, the crime is not repeated or at least can be minimized, by providing various counseling to the general public about how the perpetrators committed the crime.

In terms of quality, the method or mode of occurrence of criminal acts of fraud via mobile phone by means of fraud is the arrest of a family member or child caught in a drug case in the name of a police officer, carried out in traditional or simple ways, but in certain cases, perpetrators in launching acts of fraud with a very well planned and well organize.

The modus operandi is carried out by the perpetrators of mobile phone fraud by using the fraud mode of one family member or child is caught for carrying drugs, first the perpetrator seeks the victim's data through social media by searching the family tree. Then the perpetrators contact the parents or family of the target (victim), and state that one or the child of the victim was caught or caught in a drug raid. Then the perpetrators undertake to release the victim's child, with the condition that the victim undertakes payment of bail or peace which has been determined by the perpetrator by transferring the money to the perpetrator's account.⁹

However, the perpetrators also determine the victim's target randomly and this action will be done by contacting someone's mobile phone randomly, and commonly the perpetrator is rarely successful due to the lack of conformity of the data submitted. For example, the perpetrator said that the victim's child was a male sex (son) and he was being held by police officers for carrying drugs, in fact the family contacted has no son.

The occurrence of crime is certainly motivated by several factors. In general, some cases of fraud are motivated by economic factors, namely to obtain profits by using methods that are contrary to the law namely fraud. However, this factor is only one of the contributing factors that drive the occurrence of criminal acts of fraud that occur in the community. Based on the modus operandi carried out by mobile phone fraud perpetrators with the arrest mode of family members or children related to drug cases, in the name of police officers, can be identified from several aspects, namely:

1. Perpetrators Aspect

Crime is neither an event of heredity (inherited from birth, inheritance), nor a biological inheritance. Crimes can be committed by anyone, both women and men, with different levels of education. Crimes can be committed consciously that is thought, planned and directed at a specific purpose consciously correct. Crime is an abstract conception, where crime cannot be touched and seen except the consequences.

Based on the aspect of the offender, fraud by phone with the mode "family or child arrested by the police for drugs" is a form of crime that has previously been studied by the offender. This is in accordance with the theory of differentiation of association, which confirms that criminal behavior is behavior that has been learned in the social environment which is can be meant that all behavior can be learned in various ways.

The perpetrators of crime found the opportunity and possibility for getting much advantages from the social community behavior and habit. During this chance was much opened then the perpetrators taking a part of this condition by making them as victims of fraud with the mode of arrest of drug abusers. This mode immediately does not appear by itself, the perpetrators see the reality that occurs among the community, that in some cases of arrests of drugs (narcotics) then they will be sent to the jail, and the process to send them be free from the punishment and consequence of breaking the law abusers there is a negotiation as guarantee to the criminal actor who was arrested cause by drugs case peace process between law enforcement (the police) and the family by giving a sum of money to police officers, known as " 86 "or peaceful place. The reality is then studied and used by the perpetrators of crime as a mode to commit fraud.

2. Victims Aspect

Victims have a functional role in the occurrence of a crime. The criminal action such fraud that has been done by perpetrator could impact others as victims, as stated by Samuel Walker that the correlation between the victim and the perpetrator, is a causal relationship. As an impact of the victim's actions, namely a crime and the victim being the object of the perpetrator's actions and this kind of actions would causes the victim to suffer because of the crime.⁵

Based on criminological studies, some of the cases showed that victims have a role for inviting the possibility or the occurrence of crime. The role of victims here is commonly called a criminogen factor, a factor that drives the occurrence of crime originating from the victim itself. Victims of crime in a conscious or unconscious condition, directly or indirectly, have encouraged the perpetrators to commit crimes against themselves (victims).

Victims in certain situations and conditions can also invite the perpetrators to commit crimes against themselves due to their attitudes and actions. In this case, there is no prior relationship between the victim and the perpetrator. For example, the victim behaves and acts negligently towards her possessions, thereby giving others the opportunity to take her property.

Relate to the deception (fraud) by mobile phone with the arrest mode of family members or children related to drug cases in the name of police officers. it can be said that these crimes occur because Indonesian people tend to have a culture or character of an attitude that is easy to believe (a priori) with the information obtained, without wanting think realistically in receiving that information. In addition, the lack of information received by the public regarding the mode of crime is the development of various modes of fraud, making it easy for people to become victims of fraud.

3. Law enforcement Aspect

Law enforcement behavior in Indonesia which tends to be corrupt is no longer a public secret. So that law enforcers, especially the police who are the spearhead in law enforcement and in providing protection to the community, no longer gain trust from the community. As a result, most of the victims of crime do not report

⁵ Samuel Walker, *Sense and Nonsense about Crime, A Policy Guide*, Monterey-California: Brooks/Cole Publishing Company, 1985, p. 145.

fraud incidents they experience. This is based on the consideration that the reporting process in the Police will actually add to the difficulties for victims because they have to pay for reporting. The worse thing is the process of investigation which has a complicated condition, something like having a very long process and there is no clear procedure or mechanism to solve the problem. Then the time of the examination and investigation process for victims who are convoluted spend so long, and it caused most of the victims really mind to report this case to the police. Those two main reasons bring the cases of mobile phone fraud can be increase because the spread of information will not happen. The information to the society will be receive so late. The society will get the information from mouth to mouth or only from their nearest scope of society.

In Indonesian law enforcement, an anecdote develops in the community "missing a goat, if it reports to the police it can lose an ox". The anecdote illustrates how victims of society can become victims of extortion from law enforcement officials. Instead of getting justice, people can become victims of extortion from law enforcement officials.

The low morality and professionalism of law enforcement officers has become one of the triggers for increased crime, including increased crime fraud, especially fraud by mobile phone over the arrest mode of family members or children related to drug cases, on behalf of police officers.

The importance of adequate legal protection for victims of crime is not only a national issue, but also an international issue. Therefore, this problem must receive serious attention. Protection of victims of crime can be done through two efforts, namely prevention and efforts of repressive.

In Indonesia, the issue of protection for victims of crime by regulation has received serious attention from the government. Normatively, legal protection for victims of telephone fraud with family or child mode is arrested by the police for drugs, which has been regulated in Law Number 31 of 2014 which is an Amendment to Law No. 13 of 2006 concerning Protection of Witnesses and Victims which was approved by the Government and enacted to correct weaknesses in Law No. 13 of 2006 concerning Protection of Witnesses and Victims.

Judging from the various regulations relating to the protection of consumers of mobile phone providers, there are several laws that have accommodated the protection of consumers of mobile phone providers. In Article 40 of Law No. 36 of 1999 concerning Telecommunications, states that: everyone is prohibited from tapping information that is distributed through the telecommunications network in any form.

Furthermore, Article 42 paragraph (1) of the Telecommunications Law mandates that telecommunications service providers must keep information sent and / or received by telecommunications service customers through telecommunications networks and / or telecommunications services they provide ". However, the Protection provided by the Telecommunications Law is limited to information and electronic personal data.

Law No. 19 of 2016 concerning Amendments to Law No. 11 of 2008 concerning Information and Electronic Transactions (hereinafter referred to as the ITE Law). Article 1 number 2 of this Law states: "Legal actions carried out using Computers, Computer networks, and / or other electronic media". However, there is no further explanation about what is included in other electronic media, whether including mobile phones.

If it turns out that mobile phones are included in another electronic media, then the actions carried out by the perpetrators are included in the actions stipulated in the provisions of Article 28 paragraph (1) of the ITE Law, which states: "Everyone intentionally, and without the right to spread the news lies and misleading resulting in consumer losses in Electronic Transactions." Violation of the provisions of Article 28 paragraph (1) of the ITE Law carries a maximum imprisonment of six years and / or a maximum fine of Rp1 billion, in accordance with Article 45 paragraph (2) of the ITE Law.

Noting the provisions of Article 26 paragraph (1), it is known that: "Unless otherwise stipulated by statutory regulations, the use of any information through electronic media concerning a person's personal data must be carried out with the consent of the person concerned". Personal information and data in the ITE Law also provides limits on personal information and data that are electronic in nature. In the use of information technology, protection of personal data is part of personal rights (privacy rights). Personal rights contain the following meanings:¹²

1. Personal rights are the rights to enjoy private life and are free from all kinds of disturbances;
2. Personal rights are the right to be able to communicate with others without spying; and
3. Personal rights are the right to supervise access to information about one's personal life and data.

Furthermore, in Article 20 paragraph (1) of the Regulation of the Minister of Communication and Information of the Republic of Indonesia No. 13 of 2019 concerning Telecommunications Providers (Permenkoinfo No. 13/2019), states that: "Telecommunications Service Providers must keep the Customer data at least in the form of the Customer name and Customer identification number". However, the fact is that telecommunications operators have not been able to provide security guarantees and protect the confidentiality of data from customers. This is marked by the amount of personal data in the form of customer numbers that can be used by criminals.

In accordance with Article 8 Permenkoinfo No. 13/2019, the Telecommunications Operator must make efforts to safeguard and protect the services it provides as well as telecommunications facilities and infrastructure in accordance with statutory provisions.

Based on the provisions of the article above, each data has value, either in the form of personal value, strategic value or economic value that can be calculated or measured in money for a person or organization. In addition, data are sensitive, changes, additions, or reductions of data can have a major impact on data integrity. The greater or higher the value of the data, the more important the protection of the data is. This means that the existing regulation has determined the mechanism for preventing the emergence of victims of fraud via mobile phones in the community. It's just that prevention efforts have not been optimally carried out by telecommunications providers and the government.

According to Joshua Sitompul, consumer data protection for cellular phone providers aims to maintain and protect confidentiality, integrity, and accessibility because in principle only people who have the right can access information including changing, adding, reducing, or eliminate data.⁶

⁶Josua Sitompul, *Cyberspace, Cybercrimes, Cyberlaw: Tinjauan Aspek Hukum Pidana*, Cetakan Pertama, Jakarta: Tatanusa, 2012, p. 232.

In addition to prevention efforts, in the context of providing protection against victims of fraudulent crimes via cellular phones, repressive measures are also carried out. Repressive efforts are efforts to tackle crime through criminal justice processes, namely through law enforcement by law enforcement officers.

Criminal law enforcement is an effort to uphold material and formal criminal law provisions. Material criminal provisions, namely various laws governing fraud, in this case the provisions of the laws that are relevant to fraud via mobile phone. The formal criminal law enforcement is procedural law enforcement, which regulates the criminal justice process in the context of enforcing material criminal law.

Relate to fraudulent crimes via cellular telephones, the general material criminal provisions are regulated in Article 378 of the Criminal Code, which regulates fraud. Whereas, the specific provisions for fraud via cellular telephone are regulated in Article 28 paragraph (1) of the ITE Law.

In general, the provisions of criminal acts that are regulated in the application of material criminal provisions in cases of fraud by mobile phone is very dependent on the judgment of law enforcement officials. However, in practice, the police investigators can impose layered articles on a criminal act that fulfills the elements of fraud as stipulated in Article 378 of the Criminal Code and meets the elements of criminal acts Article 28 paragraph (1) of the ITE Law. That is, if indeed the elements of criminal acts are met, the investigator can use both articles.

Obstacles in providing legal protection for victims of fraud through mobile phones. According to Soerjono Soekanto, law enforcement is strongly influenced by factors that influence it. These factors can have a positive impact, but can also have a negative excess on the law enforcement process. Some factors that affect law enforcement, according to Soerjono Soekanto, are:⁷

- 1) The legal factor itself, which in this paper will be limited to the law only.
- 2) Law enforcement factors, namely those who form and apply the law.
- 3) Factors of facilities or facilities that support law enforcement.
- 4) Community factors, namely the environment in which the law applies or is applied.
- 5) Cultural factors, namely as a result of works, inventions, and tastes based on human initiative in the association of life.

Efforts to protect victims of fraud via cell phones are part of law enforcement. So that in order to provide protection for victims, it is inseparable from the factors that influence the enforcement of the law itself. In other words, efforts to protect victims are also influenced by factors that influence law enforcement, as stated by Soerjono Soekanto. Barda Nawawi Arief, said that the protection of victims can be seen from two meanings, i.e.:⁸

1. It can be interpreted as legal protection for not being a victim of a criminal offense "(meaning protection of human rights or for the benefit of someone's law);
2. it can be interpreted as "protection to obtain guarantees / legal compensation for the suffering / loss of people who have become non-criminal victims" (Identical to the victim's assistance). The form of

⁷*Ibid.*, p. 8-10.

⁸Barda Nawawi Arief, *Masalah Penegakan Hukum dan Kebijakan Hukum Pidana dalam Penanggulangan Kejahatan*, Jakarta: Prenada Kencana Media Group, 2007, p. 6

compensation can be in the form of restoration of good name (rehabilitation), restoration of equanimity (by giving forgiveness), compensation (restitution, compensation, guarantee / social welfare compensation), and so on.

Of the five factors that influence law enforcement, the factors that influence the protection of victims of penance through cellular phones can be identified into three factors, namely law enforcement factors, community factors, and legal cultural factors.

The law enforcement factor here is related to institutions or legal structures, namely institutions / agencies involved in the framework of legal protection for victims of fraud through mobile phones. Soerjono Soekanto argued that the Structure includes the container or form of the system which, for example covers the structure of formal legal institutions, the relationship between these institutions, their rights and obligations, and so on.⁹

In terms of institutional aspects, there are three institutions / agencies involved in efforts to protect the law against victims of fraud through cell phones, namely the telecommunications operator, the ministry of communication and information, and the law enforcement apparatus as a whole are incorporated in the criminal justice system that conducts law enforcement processes. .

From the institutional aspect, the telecommunications operator has not been able to provide security guarantees for the confidentiality of personal data from customers. Thus, many customers' personal data are leaked and easily accessed by criminals, which are then used to commit crimes, especially fraud crimes.

The same thing also happens to the ministry of communication and information technology, the ministry of communication and information technology has the responsibility and obligation to prevent the emergence of victims of crime through electronic media, in the community. However, with the proliferation of victims of fraud via mobile phones, it can be said that the ministry of telecommunication and information (Kemenkoinfo) has not been able to establish and create policies that have a preventive effect.

Fraud crime by mobile phone can basically be prevented if the ministry of telecommunication and information (Kemenkoinfo) intensely disseminates or informs the public, for example through short message service (SMS) regarding the modes of fraud that occur through the use of cell phones. For example, by sending a short message that contains: *"Fraud Alert", with the mode of arrest of family members or children related to drug cases, on behalf of Police officers "*.

Meanwhile, the police as the spearhead in law enforcement in Indonesia have not been able to carry out internal reforms in order to foster public confidence. Irregularities committed by individual police officers in law enforcement still occur frequently, which results in the exploitation of bad habits of individual police officers by certain parties as a mode to commit fraud crimes.

Viewed from the aspect of society, the habit of Indonesian people who are easily trustworthy and less careful in receiving information is one of the factors causing the rise of victims of fraud via cell phones. One of the residents, name Ibu Ratna, claimed that she received a telephone call from an unknown party in the name of a police officer, and explained that one of her family members was arrested for a drug case. The perpetrator stated that he was willing to release his family member, provided that the victim immediately sent a ransom of Rp.

⁹Soerjono Soekanto, Op.Cit., p. 10

5,000,000. If the victim does not immediately send a ransom, the family member will immediately be brought to the office and processed legally.¹⁰

Fraud experienced by the victim should not occur if the previous victim did not panic and easily trust the information conveyed by the perpetrator. Victims, before sending money should first contact the family concerned, so that information is obtained about the actual situation.

The rise of fraud through cell phones is also due to the inseparable influence of the legal culture of Indonesian society which is currently experiencing moral degradation with the development of a culture of corruption in every line, including in the process of law enforcement, particularly the process of law enforcement against drug abusers. The reality that occurs in the community shows that in the majority of drug abuse cases bribes are often committed by perpetrators or the perpetrators' families against officers, especially police officers. The bribery is intended so that the legal process against the perpetrators can be manipulated, even in certain cases the perpetrators of drug abusers are not legally processed or released with a peaceful process with officers or terms that develop in the community referred to as eight six (86), as a password used by the community in the peace process that deviates from the legal provisions carried out by law enforcement officers.

III. CONCLUSION

Discussions about the enforcement of law protection of technology fraud under the cases of mobile phone fraud among social community can be gathered with the following conclusions.

1. Factors causing the rise of fraudulent phone calls by arresting a family member or child caught in a drug case on behalf of a police officer can be seen from several aspects, namely: the perpetrator aspect, the crime was previously studied by the perpetrator. The perpetrators of crime see the opportunity to seek benefits from the community by making them victims of fraud with the mode of arrest of drug abusers, because the perpetrators see the reality that occurs in the community of the peace process between law enforcement (the police) and the family by giving a certain amount of money to police officers. The aspect of the victim, an attitude that is easy to believe (a priori) with the information obtained, causes the community to be easily victims of fraud. The aspects of law enforcement, morality and professionalism of law enforcement officers which are still low become one of the triggers for increasing crime, including increasing crime fraud.
2. Protection of victims of fraud through mobile phone calls by fraud is done in a preventive and repressive manner. However, preventive protection in the form of prevention is still very weak, given the lack of information or socialization carried out by telecommunications providers and the ministry of Communication and Information (Kemenkoinfo) about modes of crime through electronic media, especially fraud using mobile phones.
3. Barriers to providing protection against victims of fraud by mobile phone with the mode of fraud of arrest of a family member or child caught in a drug case on behalf of a police officer, is influenced by

¹⁰Interview with Ny. Ratna, salah seorang warga masyarakat yang menjadi korban penipuan, pada tanggal 21 Januari 2020.

two factors, namely law enforcement and the community. Viewed from the aspect of law enforcement, telecommunications providers have not been able to provide security guarantees for the confidentiality of personal data from customers. Thus, many customers' personal data are leaked and easily accessed by criminals, which are then used to commit crimes, especially fraud crimes. Likewise with the Ministry of Communication and Information, policies have not been able to provide a preventive effect. Meanwhile, the police as the spearhead in law enforcement in Indonesia have not been able to carry out internal reforms in order to foster public confidence. Irregularities committed by individual police officers in law enforcement still occur frequently, which results in the exploitation of bad habits of individual police officers by certain parties as a mode to commit fraud crimes. Viewed from the aspect of society, people's trust is one of the causes of the rise of fraud.

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