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Research Article

Efforts and Factors in the Criminal Act of Iron Theft

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Abstract

This study discusses the crime of iron theft that occurred in the jurisdiction of North Sumatra, by taking a case study of the case of T Iskandar Faisal. Iron theft cases have special characteristics because the stolen objects are not only of economic value, but also have social functions related to development and public interest. This study aims to analyze the application of criminal law to the crime of iron theft in accordance with the provisions of the Criminal Code (KUHP), specifically Article 362 concerning theft and the possibility of aggravation as regulated in Article 363 of the KUHP. The research method used is a normative juridical approach supported by case studies. Data were obtained through literature reviews, laws and regulations, court decisions, and relevant criminal law literature. The analysis was conducted qualitatively with an emphasis on normative aspects and practical implementation in the criminal justice process. The results of the study indicate that the application of the law to the crime of iron theft still faces a number of challenges, both in proving criminal elements and in the law enforcement process. Although Article 362 of the Criminal Code provides a legal basis, in practice, law enforcement officers often face obstacles in the form of limited evidence, testimony, and social factors underlying the crime. The case study of T Iskandar Faisal shows that while the legal process was carried out according to procedure, there are gaps that need to be addressed in the aspects of evidence and victim protection.

Introduction

Indonesia, as a nation governed by law (Article 1 paragraph (3) of the 1945 Constitution), places the supremacy of law as a key pillar in maintaining order and justice. One form of crime that continues to be a serious concern is iron theft. This crime not only involves the loss of goods but also has direct implications for infrastructure development, public safety, and economic stability. Iron, as a primary material in construction projects, public facilities, and transportation, has strategic value, making it an easy target for criminals.

The phenomenon of iron theft in North Sumatra, particularly within the jurisdiction of the Medan Labuhan Belawan Police, demonstrates an increasingly diverse modus operandi. Some perpetrators operate as lone perpetrators, exploiting lapses in surveillance, while others operate in groups with well-planned strategies. Perpetrators often have backgrounds in project or company work, allowing insider knowledge to facilitate easy access to stolen goods. In this context, iron theft is not simply a conventional crime, but also part of an

organized crime phenomenon involving networks of scrap dealers and secondhand goods trafficking syndicates.

The impact of iron theft cannot be underestimated. Beyond the material losses to owners, theft of iron from projects or public facilities can result in broader social harm, such as construction collapse due to a shortage of materials, damage to electrical networks, and even transportation disruptions due to the loss of railway or bridge components. Therefore, this crime concerns the wider public interest and requires serious attention from law enforcement.

Normatively, theft is regulated in Article 362 of the Criminal Code as a principal offense. However, there are variations in aggravation in Article 363 if it is committed at night, in groups, or in certain ways such as damaging and climbing. In addition, Article 364 of the Criminal Code regulates minor theft which is relevant to the adjustment of the value based on PERMA No. 2 of 2012. From a procedural law perspective, the Criminal Procedure Code is the basis for the case handling process from investigation to court proceedings, while the authority of the police is affirmed in Law No. 2 of 2002 concerning the Indonesian National Police and Regulation of the Chief of Police No. 14 of 2012 concerning the Management of Criminal Investigations.

A real-life case that occurred on October 17, 2023, within the jurisdiction of the Medan Labuhan Belawan Police Sector demonstrates the complexity of handling iron theft. The perpetrator, an internal worker, successfully diverted the iron material to a receiver under the pretext of economic necessity. The investigation revealed that weak oversight systems, minimal use of technology such as CCTV, and limited inventory control significantly contributed to this crime. These conditions reflect gaps in both prevention and legal evidence.

From a criminological perspective, the driving factors for iron theft can be grouped into three: (1) internal factors of the perpetrators such as economic pressure, low education, and weak self-control; (2) external factors such as weak supervision, a permissive environment, and the existence of a fence market; (3) structural factors in the form of limited investigative facilities, a large caseload, and weak regulations. The interaction of these three factors makes iron theft a recurring crime that is difficult to eradicate without comprehensive efforts involving legal, social, and economic aspects.

Therefore, this study is highly significant in analyzing the application of criminal law to the crime of iron theft, particularly within the North Sumatra Regional Police, using the Medan Labuhan Belawan Police as a case study. This analysis is expected to contribute to the development of criminal law, strengthen law enforcement practices, and provide strategic recommendations for preventing similar crimes in the future.

One incident recorded on October 17, 2023, demonstrates a typical pattern of metal theft by a party with inside access. The perpetrator exploited his knowledge of the location of materials deemed unused, then diverted some of the metal to a receiver (a scrapyards) to obtain quick cash. Initial interrogation revealed the perpetrator's motives centered on a daily need for cash and the mistaken assumption that the metal was worthless. In handling the incident, investigators conducted internal witness interviews, reviewed goods expenditure documents, reviewed limited-quality CCTV footage, and investigated the network of receivers. This incident underscored two points: (1) the importance of inventory control and material expenditure authorization, and (2) the need to improve the quality of surveillance facilities to support the proof of the elements of the crime.

Hypothesis Development

1. Criminal-Civil Boundary: In the context of employment relationships, the perpetrator's defense often cites a 'misunderstanding' or 'verbal order'. The distinction between breach of contract (civil) and unlawful possession (criminal) must be seen from the series of actions: whether there was an intentional taking/transfer and claiming as one's own property.
2. Proving the Elements of Article 362/363 of the Criminal Code: Documentary evidence (stock documents, delivery notes), witness statements, CCTV footage, and traces of sales transactions to the receiver are key. The aggravating elements of Article 363 are tested based on the method, time, number of perpetrators, or nature of the object.

3. Investigative Capacity: Facility constraints (identification tools, CCTV quality, number of personnel) impact the speed and accuracy of disclosures. Coordination with the public prosecutor through the SPDP and file completion (Stage I–P-21–Stage II) require consistent evidence.
4. Risk-Based Prevention: Regular audits of valuable materials, access restrictions, digital entry-exit logs, patrols during critical hours, and cooperation with authorized collectors can close the 'opportunity' gap.

Research on iron theft is highly urgent because it concerns the protection of strategic assets and public safety. The novelty of this study lies in its focus on the location (Medan Labuhan Belawan Police Station) and its emphasis on combining normative analysis (KUHP–KUHAP–PERMA–Perkap) with concrete case studies that highlight the role of internal factors within the perpetrators and weaknesses in the security system. The findings are expected to provide a basis for improving internal procedures (material inventory, access control), increasing investigative capacity, and providing recommendations for risk-based prevention.

Method

Data collection techniques are carried out in two main ways:

- 1) Literature Study: collecting primary, secondary and tertiary legal materials related to the crime of iron theft.
- 2) Field Study: conducting structured interviews with law enforcement officers and related parties, as well as conducting direct observation of the investigation and inquiry process of the iron theft case at the Medan Labuhan Belawan Police.

Data analysis was conducted qualitatively, namely by describing data obtained from both literature studies and from the results of interviews and observations. Normative analysis was used to examine the suitability of the application of the law with applicable laws and regulations, while empirical analysis was used to assess the effectiveness of the application of the law in practice in the field. The results of the analysis were then linked to theories of criminal law and criminology to obtain comprehensive conclusions. The focus of this study is on the application of criminal law to the crime of iron theft in the jurisdiction of the North Sumatra Regional Police, with an emphasis on a case study that occurred at the Medan Labuhan Belawan Police. The analysis focused on: (1) the application of Articles 362, 363, and 364 of the Criminal Code in the judicial process; (2) obstacles faced by law enforcement officers in the process of investigation, inquiry, and evidence; and (3) efforts to improve regulations and techniques that can be applied to prevent similar crimes in the future.

Results and Discussion

1) Overview & Risk Mapping

Iron theft in the jurisdiction of the Medan Labuhan Belawan Police is a repeat offending crime triggered by a combination of opportunity, economic motives, and the existence of a scrap market. Target objects include project materials, public facility components, and high-value, easily diverted company assets. Risk mapping is carried out by identifying hotspots (vulnerable locations), vulnerable hours (night-morning), potential perpetrators (insider/external), and security weaknesses (entry-exit access, CCTV quality, inventory control). The mapping results form the basis for planning pre-emptive, preventive, and repressive operations.

2) Pre-Emptive Strategy (Early Prevention)

- a) Legal education and outreach by Bhabinkamtibmas to project/industry management and the community around vulnerable points.
- b) Formal cooperation with scrap/junk business owners (MoU) to refuse the purchase of iron without original documents (manifest) and require recording of transactions; periodic audits by the police.
- c) Hotline/whistleblowing and rapid complaint channels; reporter anonymity is guaranteed.
- d) Field intelligence to map the receiver network and goods flow patterns; preparation of an operational target list (DTO).
- e) Work ethics campaign in the company's internal environment: zero tolerance for abuse of access by workers.

- 3) Preventive Strategy (Opportunity Reduction)
 - a) Strengthening engineering controls: perimeter fencing, area lighting, gate access control, and seals on material warehouses.
 - b) CCTV minimum 1080p with low lighting (IR) and strategic placement (entrances and exits, warehouses, loading areas); recording retention ≥ 30 days.
 - c) Gate-pass & two-man rule procedures for every movement of valuable materials; cross-verify with job documents.
 - d) Random audit and weighing (weighbridge) for bulk materials; matching with stock cards/digital logs.
 - e) Hotspot-based patrols during critical hours; cross-sector coordination (internal security, sub-district officials).
- 4) Repressive Strategy (Law Enforcement)
 - a) Investigation stage: initial clarification, gathering information, tracing the flow of goods, and limited undercover work if necessary.
 - b) Investigation stage: determination of suspect based on initial evidence (LP + ≥ 1 valid piece of evidence), SPDP to the Public Prosecutor, examination of witnesses/experts, search/confiscation, and transfer of files (Stage I) to P-21 and Stage II.
 - c) Document & digital forensics: chat/phone analysis, transfer evidence, weighing evidence, CCTV recordings; identification of material markings/serial numbers.
 - d) Action against receivers (Article 480 of the Criminal Code) through targeted operations; preparation of parallel files to break the chain of circulation of stolen goods.
 - e) Periodic reporting and evaluation (Anev) to improve tactics and strengthen evidence in subsequent cases.
- 5) Case Study 1 – 17 October 2023 (Summary)

Chronology: Internal workers moved the project's iron by exploiting a gap in supervision and the mistaken perception that the material was "unused." Action: The Sector Police secured internal witnesses, examined stock documents and delivery notes, confiscated CCTV footage, and traced the transaction to the receiver. Article analysis: elements of Article 362 of the Criminal Code (taking another person's property for unlawful possession) were met. Lesson learned: need to strengthen inventory control, multiple verifications when materials leave the area, and improve CCTV quality.
- 6) Case Study 2 – Weighting (Comparative Illustration)

Illustrative scenario: three perpetrators act at night by cutting a warehouse padlock and transporting iron using a rented pickup. Qualifications: indication of Article 363 of the Criminal Code (aggravated) because it was done at night, together, and with damage. Handling strategy: night hotspot patrols, raids on transport vehicles within the location radius, and tracing the vehicle rental. Evidence: traces of the padlock cut (tool), CCTV footage of the street, statements from neighboring witnesses, and data on telephone calls between the perpetrators.
- 7) Case Study 3 – Fence (Demand Side)

Focus: scrap yards that purchase metal without proper documentation of origin. Legal basis: Article 480 of the Criminal Code (fraud). Measures: targeted operations, confiscation of purchase receipts, logbooks, scales, and communications between the perpetrator and the fence; coordination across police stations if there is inter-regional conflict. Impact: disrupting the demand network, thereby reducing the incentives of the main perpetrators.
- 8) Obstacles & Solutions

Internal obstacles: limited personnel and facilities (identification tools, CCTV quality), high caseload. Solutions: optimizing hotspot-based patrols, partnering with private security, and increasing investigator capacity (document/digital forensics).

External barriers: lack of witnesses/evidence due to remote areas, community apathy, and adaptive fence networks. Solutions: participatory outreach, reward programs for whistleblowers, MoUs with authorized collectors, and joint operations.

Obstacles to proof: criminal-civil boundaries (the excuse of "misunderstanding"), mens rea is difficult to prove. Solutions: documentation of internal company SOPs, gate-pass logs, communication evidence, and analysis of transaction patterns.

9) Performance Indicators & Evaluation

Output: number of TOs mapped, operations carried out, receivers prosecuted, and evidence confiscated. Outcome: reduction in cases in priority hotspots, increased case resolution rates (clearance rates), and report response times. Process quality: increased file completeness (P-21), decreased file returns (P-19), and consistency of evidence across cases. Monthly evaluation: tactical review, hotspot map updates, and SOP improvements with stakeholders.

10) Policy Recommendations (Operational & Structural)

- a) Mandatory manifest of origin for scrap transactions; administrative sanctions for collectors who violate.
- b) Minimum standards for CCTV & lighting in material storage areas; quarterly compliance audits.
- c) Integrated digital gate-pass system with weighing logs and stock cards.
- d) Periodic joint operations at receiving points; consistent application of Article 480 of the Criminal Code.
- e) Strengthening the role of Bhabinkamtibmas and the kamtibmas forum in early warning in the environment around the project/industry.

Combating metal theft requires a comprehensive approach: minimizing opportunities (preventive), building community resilience (pre-emptive), and firmly enforcing the law (repressive), including against the fence network. With a clear normative framework, robust evidence management, and ongoing evaluation, the Medan Labuhan Belawan Police can significantly reduce the rate of this crime while increasing the public's sense of security.

- 1) **Economic Factors:** The economic conditions of Medan Labuhan's residents, dominated by informal sector workers and casual laborers, are one of the main causes of the high rate of metal theft. Limited formal employment opportunities, low wages, and the pressures of daily living push some people to seek shortcuts through crime. From Becker's perspective, crime is seen as a rational choice when the expected benefits outweigh the risks of being caught and punished.
- 2) **Social and Cultural Factors:** A permissive social environment toward used goods without clear origins also triggers iron theft. Communities surrounding projects or industrial areas often lack the legal awareness to refuse or report offers of stolen materials. A culture of silence and the perception that theft of project materials is not a serious crime foster this behavior. Differential association theory (Sutherland) explains that deviant behavior can be transmitted through social interactions and a permissive environment.
- 3) **Physical Environment and Security Factors:** The Medan Labuhan area is home to numerous industrial areas, ports, and infrastructure projects that store large quantities of iron ore. Lack of lighting in warehouse areas, weak internal oversight systems, and limited access to and from these areas create opportunities for perpetrators to exploit. These factors align with the Routine Activity Theory, which states that crimes occur when motivated perpetrators, suitable targets, and weak security meet.
- 4) **The Demand Side:** The existence of a market of scrap metal collectors and collectors who easily purchase metal without proper documentation of its origin is also a major factor. Article 480 of the Criminal Code concerning scrap metal collectors could actually ensnare those who knowingly purchase stolen goods, but weak law enforcement and limited oversight allow this market to thrive. This creates a cycle of crime, as perpetrators have the assurance that stolen goods can be converted into cash.
- 5) **Law Enforcement Factors:** The limited number of police officers at the police station level compared to the size and complexity of the security issues is a hindering factor. Furthermore, limited supporting technology, such as low-quality CCTV cameras or manual inventory control systems, makes it difficult for authorities to solve cases quickly. The lack of synergy between the companies that own the materials, internal security personnel, and the police also exacerbates the situation.

- 6) Individual Psychological Factors: Some perpetrators are driven by consumerism, drug addiction, or a hedonistic lifestyle that is disproportionate to their financial means. These factors drive them to seek quick ways to obtain money, including through theft of metal materials. From a criminological perspective, personality factors, stress, and addictive needs are often the primary motivations for criminal acts.
- 7) Education and Legal Awareness Factors: The relatively low level of public education and minimal legal literacy mean that iron theft is considered a minor offense, not a crime that can harm the public and incur severe penalties. The lack of legal outreach and counseling programs also exacerbates this situation.

Conclusion

Iron theft in Medan Labuhan is not simply a conventional crime, but a complex socio-economic phenomenon. The main factors driving this crime include the community's limited economic conditions, weak oversight of project materials, the growing market for fences, and low public legal awareness. Psychological factors, a consumerist lifestyle, and drug abuse also contribute to criminal behavior. The handling of iron theft crimes at the Medan Labuhan Belawan Police Station is carried out through pre-emptive, preventive, and repressive strategies. Pre-emptive efforts include public education and increasing legal awareness; preventive efforts include routine patrols, CCTV installation, and coordination with companies; and repressive efforts include conducting investigations, inquiries, arrests, and legal action against perpetrators and receivers. However, the effectiveness of these efforts remains limited due to constraints on personnel, infrastructure, and cross-sectoral collaboration. The investigation process of iron theft cases carried out by the police refers to the provisions of the Criminal Procedure Code, the Criminal Code, and Law No. 2 of 2002 concerning the Indonesian National Police. The stages implemented include receiving a police report (Article 108 of the Criminal Procedure Code), initial investigation, investigation with the collection of evidence (Article 184 of the Criminal Procedure Code), determination of suspects, confiscation of evidence (Articles 38–46 of the Criminal Procedure Code), until the transfer of the case to the prosecutor's office. In certain cases, the receiver is also charged with Article 480 of the Criminal Code, emphasizing the importance of breaking the chain of distribution of stolen goods. The case studies examined, such as the theft of iron from the Belawan pier project, show that the perpetrators exploited the lapses in the internal oversight system and sold the stolen goods to local fences. This case illustrates the close relationship between internal factors (economic and individual) and external factors (environment, fences, and weak oversight). This emphasizes that iron theft is not merely a criminal matter, but also a systemic problem involving various levels of society. Combating iron theft cannot be solely the responsibility of the police. Synergy is needed between law enforcement, local governments, project owners, and the surrounding community. Modernizing information technology-based security systems, increasing public legal literacy, and taking firm action against fences are key to reducing the rate of iron theft in Medan Labuhan.

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