



# Law Enforcement Against Police Officers as Perpetrators of Online Gambling Crimes

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**Abstract:** Law enforcement against police officers involved in online gambling crimes is a serious issue in Indonesia. Several police officers are involved in online gambling practices, damaging the image of the police institution and reducing public trust. This research uses normative juridical methods with a conceptual approach to identify factors that influence the involvement of police officers in online gambling. These factors include financial stress, easy access to online gambling platforms, environmental influences, and lack of internal oversight. Law enforcement efforts are carried out through internal investigations, investigations, and penal action by implementing sanctions such as dishonorable discharge, transfers in the form of demotions, postponement of promotions, and postponement of education. However, law enforcement against online gambling is still difficult due to developments in information technology used by perpetrators. Increased internal monitoring, awareness and education, implementation of strict sanctions, cross-sector collaboration, and use of technology are needed to overcome this problem. Law enforcement against police officers involved in online gambling is important to maintain the integrity of the police institution and build public trust in law enforcement agencies.

**Keywords:** Law Enforcement, Online Gambling, Police

## 1. Introduction

Technological developments are growing rapidly and have a big impact on various aspects of life. Internet access can be used by various groups and levels of society starting from adults to children who have used the internet. Using the internet for all positive things will make life easier, but some people actually use the internet for negative things and abuse it for personal gain. One of the negative impacts of technological advances is the use of online gambling (Hasfiana & Kartini, 2024). In the past, gambling was done directly, but along with technological advances, people now gamble online. Gambling in Indonesia is considered a violation of religious, moral, ethical and legal norms and can have a negative impact on the parties involved and society (Pradika, 2024). Gambling is considered a dangerous social problem that can harm people's lives. This means that in Indonesia the act of gambling is categorized as a criminal act which is regulated in several provisions (Hudjolly et al., 2023).

Online gambling crime has now become a serious problem in Indonesia. The rapid development of information technology has made it easier to access online gambling activities. Based on a report in June 2024 from the Coordinating Minister for Political, Legal and Security Affairs (Menko Polhukam) Hadi Tjahjanto, the number of online gambling players by age group based on demographic data is 2% under 10 years old, which means there are 80 thousand children under 10 years old. who use online gambling, 11% at the age of 10 to 20 years, namely around 440 thousand perpetrators, 13% at the age of 21-30 years estimated at around 520 thousand perpetrators and 40% at the age of 31-50 years estimated at 1.64 million people up to 34 % of people over 50 years of age reach 1.35 million people, the total data on the total number of online gambling users by age group reaches around 4 million people (Adhamianda et al., 2024).

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The widespread use of online gambling in Indonesia apparently does not only occur in lower class society, based on reports by the Financial Transaction Reports and Analysis Center (PPATK) that online gambling users come from various backgrounds starting from law enforcement officers such as the police and army, then civil servants. state (ASN) to members of the People's Representative Council (DPR). The involvement of police officers in this online gambling crime has raised concerns because the role of the police, which should be at the forefront of enforcing the law in eradicating online gambling, has instead become the perpetrator of the crime. The consequences of the involvement of these elements can damage the image and credibility of the police institution and reduce public trust in law enforcement officers (Anam et al., 2016).

One of the cases that has been in the spotlight recently is the incident that befell a policeman who was the victim of arson carried out by his wife who was a policewoman (policewoman). Based on the chronology, previously the two of them were involved in an argument caused by the victim's wife's annoyance because The victim often spent the money he needed to use to play online gambling. Because of his frustration, the victim's wife poured gasoline on the victim's face and body, but because there was a fire source nearby, the victim was burned and lost his life while in hospital. This incident is clear evidence that several police officers are perpetrators of online gambling crimes (Saputra Hasibuan, 2023).

The actions of police officers involved in online gambling are contrary to various regulations, including Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions, as well as Law Number 2 of 2002 concerning the National Police Re -Indonesian public, online gambling is also regulated in the latest criminal code (KUHP). Apart from that, this behavior also violates the police professional code of ethics which requires each member to behave honestly, responsibly and not be involved in illegal activities. In fact, law enforcement against police officers involved in online gambling still faces various obstacles, such as the legal settlement process is often not carried out transparently so that in the end the sanctions given are very minimal and unfair (Arisetyanto, 2023).

The increase in online gambling cases among law enforcement officers, especially the police, can be attributed to several main interrelated factors. Increasingly easy access to technology through smart devices has opened up opportunities for deviant behavior, such as gambling, especially when it is not balanced with effective internal monitoring within police institutions. Additionally, economic pressures and the need to maintain a certain lifestyle often push officers to seek additional income, with online gambling seen as a tempting shortcut. The culture of corruption and impunity that exists in some cases, compounded by a lack of education and training regarding professional ethics and related legal implications, contributes to exacerbating this situation. A work environment that is permissive towards gambling and the influence of colleagues who see it as something normal, further strengthens this tendency. These factors, if not handled seriously, have the potential to damage the image and credibility of the police institution, as well as erode public trust in law enforcement in Indonesia.

Based on the description above, it can be concluded that the problems in the research are as follows: (1). How are law enforcement efforts applied to police officers involved in online gambling crimes?. (2) What are the sanctions policies and disciplinary measures applied by police officers involved in online gambling crimes?

## 2. Materials and Methods

Research methods play an important role in achieving a goal, including the methods used in research. So that the validity of a research can be trusted, appropriate methods must be used. In this study, the method applied is the normative juridical method with a conceptual approach along with legislation. The sources used were obtained through secondary data in the form of primary and secondary legal materials as support. Primary legal material in accordance with the research theme is Law Number 1 of 2024

concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions, the Criminal Code (KUHP) and other related regulations, in the material Secondary legal data used is in the form of previous research, related books and other media related to online gambling. The collected legal materials will be analyzed using qualitative methods.

### 3. Results and Discussion

#### 3.1 Law Enforcement Efforts Applied to Police Officers Involved in Online Gambling Crimes

The term gambling has been around since ancient times in Indonesia, gambling is a game that is played by players choosing a choice among several options to bet on, when the choice is correct they become the winner. The player who loses the bet will give his bet to the winner. Regarding the rules and the amount or nominal will be determined before the game is played. In the past, gambling games were played directly, but with increasingly rapid advances in technology, there is now gambling that is done online, which is now known as online gambling.

Online gambling itself can be done anywhere and at any time as long as the online gambler has a lot of free time, a certain amount of money used as a bet in the player's savings account, and a computer or smartphone and an internet connection that is used as a tool to carry out online gambling. Online gambling can cause addiction in players, with fast game mechanisms and easy access and giving the impression of an instant win. If it continues, it will make players lose control over the bets made, so this will cause many negative impacts on players starting from losses. financially, triggers increased crime, and endangers the mental health of the players.

Due to the negative impact that is detrimental to society and caused by gambling carried out directly or online as a form of protecting society, gambling is prohibited in Indonesia and categorized as a criminal act. Another reason for legal consideration is that gambling is seen as a negative activity by several religions in Indonesia, such as Islam, Hinduism and Christianity. Prohibition of gambling is not only implemented in Indonesia, but several countries also prohibit this act, for example Malaysia, the United Arab Emirates (UAE) and Cambodia.

Indonesia is a rule of law state as stated in Article 1 paragraph 3 of the 1945 Constitution. A rule of law state as a form of law enforcement should have a legal function as the protection of human interests. Law enforcement must pay attention to four elements, namely: (a) Legal certainty (*rechtssicherheit*); (b) Legal expediency (*zweckmassigkeit*); (c) Legal justice (*gerechtigkeits*); (d) Legal guarantee (*doelmatigkeits*);

Law enforcement will always involve humans and their behavior, that law enforcement will always require institutions that are closely related to the law to be able to realize legal objectives. The police are one part of the law enforcement apparatus, as regulated in Article 13 of Law no. 2 of 2002 concerning the Police, that the police have three main tasks, namely maintaining security and public order, enforcing the law, providing protection, protection and service to the community. To maintain security, the main function of the Police is to stop something that should not happen and encourage someone to do better than now.

The rise of online gambling in Indonesia, apart from the public, also involves several police officers, this is clearly contrary to the police's duties as law enforcers. which should play a role in eradicating criminal acts of online gambling. Based on several literatures, researchers concluded that there are several factors that can cause police officers to become entangled in online gambling, including: 1) Addiction, as previously discussed, the negative effect resulting from gambling is addiction for the player. In this online gambling game, beginners are usually given a win, this will cause people who have just played it to want to continue trying with confidence and profit every time they play this game. Like the general public, police officers can also become victims of gambling addiction. 2) Financial pressure, police officers have sufficient income, but

each individual has financial pressure or economic difficulties. As a result, this encourages anyone to look for ways to earn extra money through online gambling, which is often seen as a shortcut to instant financial gain. 3) Easy access to the online gambling platform, to be able to access online gambling you can do it anywhere and without any time limits. Apart from that, online gambling platforms also offer offers using anonymity or using fake identities so that anyone can gamble without being detected. 4) Environmental and external influences, the social environment can also be the cause of police officers who engage in online gambling, for example colleagues, while external factors police officers can easily be influenced by external parties such as bookies or criminal networks that offer profits. financial. 5) Lack of internal supervision and sanctions, a weak internal monitoring system and unclear sanctions for violations, the police can be involved in illegal activities such as online gambling. The belief that one can avoid punishment can be strengthened by the ineffectiveness of internal discipline.

Law enforcement efforts carried out against police officers involved in online gambling crimes are a crucial step to maintain the integrity and public trust in the police institution. This law enforcement effort involves various actions, starting from internal investigations by the supervision division to identifying and dealing with member involvement in online gambling activities. In this case, the police need to take penal action against online gambling through investigations and investigations. The regulation of investigations and inquiries into criminal acts of online gambling is also related to the jurisdiction of a country, where the state has the power to determine criminal law, enforce the law through administrative and judicial actions, and adjudicate cases involving foreign factors.

Various law enforcement efforts were carried out against police officers involved in this online gambling crime, starting with several methods, including preventive, repressive and pre-emptive efforts. Preventive efforts are efforts carried out as a form of prevention before a criminal act occurs, the method used is by providing counseling and education regarding the dangers and legal consequences caused by playing online gambling, another method used is by checking the cellphones of police officers, apart from that Also in a report, it was conveyed that the Propam Division of the Republic of Indonesia Police, hereinafter referred to as Propam Polri, to deal with police members involved in online gambling, opened a complaint service hotline for the public if they found police members playing online gambling.

Repressive efforts are efforts made after a violation occurs, for police officers involved in online gambling crimes, investigations and action must be taken to collect evidence and target illegal gambling perpetrators, either through undercover operations, monitoring, or the use of other technology. That anyone involved in criminal acts of online gambling, whether members of the police or the public, will be subject to legal proceedings as a sanction for the actions they have committed. In the course of this legal process it must be carried out in a transparent manner without discrimination. This means that, as well as the public or a police officer involved in the legal process, there must be transparency in the process.

Pre-emptive efforts or efforts made with the aim of identifying and dealing with potential problems before they develop into violations are carried out by monitoring online activities that are suspicious and have signs of illegal gambling activities. Another method is through a welfare approach for police officers so that they do not fall into illegal activities such as online gambling. Methods used through this approach include salary increases, bonuses and increased welfare facilities. Apart from blocking online gambling sites as an eradication effort, it is hoped that implementing the three measures above will help overcome online gambling activities, especially if members of the police are involved in it.

Sanction Policy and Disciplinary Actions Applied to Police Members Involved in Online Gambling Crimes

The National Police's Propam Division has issued various forms of guidance and information to ensure compliance with applicable regulations. They have provided

jukrah (instructions and direction), issued circulars, and distributed information sheets to related units. All of this aims to explain the rules of the code of ethics and various prohibitions that members must comply with. Providing this information is not just a guide, but also confirms the institution's commitment to enforcing discipline. Violation of these rules will carry clear and strict consequences, which it is the responsibility of each member to avoid. Thus, these steps are part of internal preemptive and preventive efforts aimed at maintaining integrity and professionalism within the National Police. Through this approach, it is hoped that each member can understand the importance of complying with the code of ethics and existing prohibitions, as well as being aware of the consequences they will face if they violate, thereby creating a more disciplined and responsible work environment.

Article 30 paragraph (1) of Law of the Republic of Indonesia Number 2 of 2022 regulates that every member of the Police of the Republic of Indonesia (Indonesian Police) can be dismissed honorably or dishonorably. In the provisions of Article 34 paragraph (1), the good deeds, attitudes or behavior of Indonesian Police officials are related to the Police Professional Code of Ethics. Apart from that, Article 35 paragraph (1) explains that every violation of the Police Professional Code of Ethics committed by Police officials can be assisted in resolution by the local Police Code of Ethics Commission.

Thus, this regulation guarantees that every member of the Indonesian Police adheres to high ethical standards and behaves in accordance with the applicable code of ethics, so as to increase professionalism and integrity in carrying out their duties as a police officer. Dismissal with respect or disrespect can be applied as a sanction against members of the Police who do not comply with the code of ethics, as well as providing an opportunity for them to improve themselves and return to being professional and ethical members. In the event of a violation of the code of ethics, the local Police Code of Ethics Commission can assist in resolving the problem, thereby increasing transparency and accountability in the management of the Indonesian Police. This regulation can help improve the quality of Indonesian Police services and strengthen public security and order.

In another context, Article 27 paragraph (2) of Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE) regulates that every person intentionally and without right distributes, transmits and/ or make accessible Electronic Information and/or Electronic Documents that contain gambling content. Under Article 45 paragraph (1), a person is threatened with imprisonment for 6 years and/or a fine of up to Rp. 1 M (One Billion Rupiah).

Thus, everyone cannot carry out online gambling illegally and can be subject to appropriate legal sanctions. Therefore, this regulation is very important in preventing and inhibiting online gambling which can damage society and disturb public order. In some cases, this regulation can be applied to members of the Indonesian Police who are proven to have engaged in online gambling. In this case, this regulation can help improve the quality of Indonesian Police services and strengthen public security and order. Thus, this regulation is very important in preventing and inhibiting online gambling which can damage society and disturb public order. Online gambling cannot be easily enforced because the government and its legal instruments have not been able to balance criminal techniques with information technology, especially the internet. There are still many online gambling perpetrators who have not been caught by law enforcement officials in Indonesia.

Law enforcement officials are more likely to use Article 303 of the Criminal Code to ensnare online gambling perpetrators. There are still many gambling websites that appear every day on the internet. On various sites, for example Garuda88, Lucky77, Stars77, Panen138, Hoki77, Slot258 and many more. The large number of advertisements and the ease of opening websites related to gambling via the internet certainly makes it seem as if law enforcers, in this case the police and government (Ministry of Communication and Information) are just silent and do not appear to be doing anything to en-

force the law and block advertisements and websites. and websites related to gambling via the internet.

Article 11 of the Republic of Indonesia Government Regulation Number 1 of 2003 regulates that a member of the Republic of Indonesia State Police can be dishonorably dismissed under certain conditions. First, if the member commits a criminal act, which can include various types of crimes that violate Indonesian criminal law. Second, dishonorable dismissal can also occur if a member of the National Police commits a violation, such as a violation of discipline or the code of ethics that applies within the police. Third, if members of the National Police leave their duties without permission or do other things that seriously harm the police institution or society in general, this can also be grounds for dishonorable discharge.

This dishonorable dismissal process is part of efforts to maintain integrity and professionalism within the police, as well as to provide appropriate sanctions against members who commit serious violations of applicable laws or regulations. Thus, Article 11 of the Republic of Indonesia Government Regulation Number 1 of 2003 provides a clear legal basis for handling cases where dishonorable dismissal is necessary to maintain the discipline and honor of the police institution.

Administrative sanctions regulated in Article 109 of Police Regulation Number 7 of 2022 provide various forms of punishment to members of the National Police who are involved in violating the professional code of ethics. One form of sanction is Demotional Transfer, where members can be transferred to a lower level position for a minimum of one year. In addition, sanctions also include postponement of promotion and postponement of education, each of which can last from one to three years. Members who violate the code of ethics can also be placed in a Special Place for a maximum period of 30 working days, which is determined by the relevant Police leadership in order to enforce discipline. The most severe sanction that can be given is Disrespectful Dismissal (PTDH), which is imposed on violators with moderate and serious violations in accordance with the provisions of the regulation. These sanctions aim to ensure the discipline and integrity of Polri members in carrying out their duties as well as maintaining the reputation and public trust in the police institution.

Article 5 point a of Law Number 2 of 2016 concerning Settlement of Disciplinary Violations of Members of the Indonesian National Police states that disciplinary violations can be given in the form of a warning, either verbally or physically. However, this disciplinary violation does not eliminate the authority of the police officer concerned. This warning is intended to provide a direct and firm warning to members who violate discipline, so that they realize their mistake and do not repeat the action.

Apart from warnings, this law also regulates various other forms of disciplinary sanctions that can be imposed on police officers who violate them. These forms of sanctions include written warnings, postponement of police education for one year, postponement of gradual salary increases, postponement of promotions for one year, change of work position, resignation from work, and placement in a special place for 21 days. These sanctions are designed to enforce discipline and maintain the integrity and professionalism of police officers in carrying out their duties.

The police participate in prevention efforts by carrying out "Cyber Patrols" periodically. This patrol is not only limited to supervision, but also involves preventive efforts and early detection of potential acts of illegal online gambling. By utilizing technology and special expertise, these patrols are at the forefront in ensuring security and order in the cyber domain. Patrols can also be carried out by providing information related to the negative impacts that may be caused by online gambling, which is sought to be disseminated so that the public can understand the consequences of online gambling practices. Involving all parties will create synergy that can produce coordinated and effective steps in tackling the online gambling phenomenon.

#### 4. Conclusions

The involvement of police officers in online gambling practices is a serious problem in Indonesia. Various factors such as financial pressure, easy access to online gambling platforms, environmental influences, and lack of internal supervision influence the occurrence of this phenomenon. Law enforcement efforts are carried out through internal investigations, investigations, and penal action by implementing sanctions such as dishonorable discharge, transfers in the form of demotions, postponement of promotions, and postponement of education. Even though law enforcement efforts have been made, there are still obstacles in taking action against police officers involved in online gambling, especially due to developments in information technology used by perpetrators. Therefore, it is necessary to increase internal supervision, awareness and education, apply strict sanctions, cross-sector collaboration, and use technology to overcome this problem.

The importance of law enforcement against police officers involved in online gambling is not only to maintain the integrity of the police institution, but also to build public trust in law enforcement institutions. With strict and consistent sanctions, it is hoped that this will provide a deterrent effect for other members and provide a signal that violations will not be tolerated. Apart from that, cross-sector collaboration and the use of information technology are also key in efforts to prevent and prosecute online gambling practices. Synergy between various parties can strengthen law enforcement efforts and prevent violations. Thus, the implementation of these suggestions is expected to help reduce cases of involvement of police officers in online gambling, improve the integrity of the police institution, and strengthen public trust in law enforcement agencies.

Police involvement in online gambling has a significant impact on society at large, both from a social and economic perspective. Socially, the involvement of law enforcement officers in illegal activities such as online gambling can damage public trust in institutions that are supposed to maintain order and enforce the law. When the public witnesses that the police, who are expected to be an example of obedience to the law, actually violate the law, their sense of trust and respect for the law and law enforcement officers will be eroded. This can lead to increased public distrust of the legal system as a whole, as well as increased non-compliance with the law among the public.

From an economic perspective, police involvement in online gambling also has detrimental consequences. Online gambling, especially when carried out by those with authority and access to sensitive information, can exacerbate economic problems, both individually and on a wider scale. Individuals who engage in online gambling often experience financial problems, which can lead to reduced purchasing power, increased debt, and even related crimes to cover their losses. In addition, income generated from illegal gambling activities is often not taxed and does not enter the formal economic system, thereby harming state revenues.

Overall, police involvement in online gambling not only damages the credibility of the police institution, but also has a broad negative impact on society, both from a social aspect by decreasing public trust, as well as from an economic aspect by increasing the economic burden on individuals and the state.

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