

## Criminological Perspectives on Crime Persecution Case Study Mario Dandy



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**ABSTRACT:** Criminal law looks at a crime in more detail. Regarding the abuse case committed by Mario Dandy, the criminal law sees that the factors that caused the crime of persecution that caused serious injury to someone were due to internal factors such as psychological factors, age factors, emotional factors, environmental factors and others. Why is it called an emotional factor because the perpetrators are still emotionally unstable because they are still teenagers, so the perpetrators get emotional easily because the victim does not give money, and also because of environmental factors, where the environment is quiet so the perpetrators easily carry out the action.

**KEYWORDS:** Perspective; Criminal; Persecution.

### A. BACKGROUND BEHIND

Country unity Republic Indonesia is Wrong One country biggest that prioritizes current law. <sup>1</sup>Law enforcement in Indonesia is clear is part important in build life Which safe, peace And peace. Wrong One field law For guard order And security public Indonesia is law criminal. Law develops according to changing times and needs man. Wrong One element Which cause exists change And legal developments is exists knowledge knowledge, discoveries inventions in the field of technology, and changing times as a result of need public. In life socialize needed law, to regulate social life so that created something social life. <sup>2</sup>

The problem of crime that interferes with social welfare is a human problem. Those involved in a crime are also man. Because it is absolutely necessary that we have views Which appropriate about man. View Which appropriate about man This can also be stabilization in do activity prevention And depression crime Which full problem And challenge. Because That view Which appropriate This need developed And disseminated, especially in touch with exists expansion field service face crime due to social and technological developments at this time and day tomorrow. <sup>3</sup>

We often hear the word crime, which is where the crime is is "an act that is included in a serious crime or more serious than the offence, whether intentional or unintentional Which can profitable self Alone And harm person other .

This crime when viewed from a legal perspective is usually called an act criminal. follow criminal This There is Which arranged in in "Book Constitution Criminal Law (KUHP) and Special Criminal Law regulated outside (KUHP)". <sup>4</sup> follow criminal to body on Criminal Code called "persecution". formed arrangement about crime to body man This showed for protection interest law on body from acts in the form of assault on the body or parts of the body Which resulted flavor Sick or wound, even Because wound Which such shape on body can raises death. <sup>5</sup> As for someone who could be said to have committed severe persecution if intent For do action the of course For injure heavy person other. And if it is not intended to be like that and the serious injury is only part from the consequences of the action taken, then the action is only classified as ordinary abuse Which resulted wound heavy. <sup>6</sup>

Looking at a crime from a criminological perspective indeed is a solution to study and study how something the crime occurred and became something familiar in society, particularly crimes against life and body. The crime is capable explored from various sides, not just how law enforcement agencies in carrying out its duties as a direct device serves to enforce the law, but such crimes can also be excavated with learn pattern think public related How crime That Can happen. Can said also that criminology is expected to be

<sup>1</sup> Maleha Soemarsono, 'Indonesian rule of law viewed from the point of view of the theory of state objectives', *Journal of Law & Development* , 37.2 (2007), 300–322. p. 301.

<sup>2</sup> Bobi Aswandi and Kholis Roisah, 'The State of Law and Pancasila Democracy in Relation to Human Rights', *Journal of Indonesian Legal Development* , 1.1 (2019), 128–45.

<sup>3</sup> Arif Gosita, *The Problem of Crime Victims* (Jakarta: Akademika Pressindo, 1983). p. 76.

<sup>4</sup> Erdiana Devintawati Ikka Puspitasari, 'The Urgency of Regulating Corporate Crime in Corporate Criminal Liability According to the RKUHP', *Kanun Jurnal Ilmu Hukum* , 20.2 (2018), 237–54.

<sup>5</sup> Barda Nawawi Arief, *Problems of Enforcement of Criminal Law in Combating Crime* (Jakarta: Kencana-Prenadamedia Group, 2008).

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able to provide a solution to prevent the occurrence of a problem crime. Criminology examines crime as a social phenomenon until as behavior crime Which No regardless in interaction social . This means that crime attracts attention because of the influence of the act felt inside connection between man.<sup>7</sup>

By looking at the number of crimes that occurred now it is primarily a crime against the body. There is one example a case that went viral a few months ago, namely case action abuse committed by the son of senior tax official Rafael Alun Triambodo Which named Mario Dandy. Like is known, action Mario Dandy Satriyo abused David in the area guest house, Jakarta South on Monday, 20 February 2023 Evening. Based on results investigation, Mario persecute David after hear AG, get no treatment Good. Dirkrimum Polda Metro Jaya, Kombes Pol Hengki Haryadi said cases of persecution Which done Mario Dandy Satriyo (20) to Cristalino David Ozora (17) actually has planned since beginning. In Guesthouse that's Mariopersecuted David. Mario several times kicked David's head, hitting and stomping nape. From background behind on writer interested study case the persecution done by Mario Danny however in the opportunity this time the author will examine it in a criminological perspective so that from What Which has writer explain on writer will write paper This with the title "Criminological Study of the Crime of Persecution Against Case Mario Danny." From background behind yangn express on there is formulaproblem in paper making these include: How Case Position persecution Which done by Mario Dandy? How review criminologist to case persecution Which done by Mario Dandy?

### B. DISCUSSION

#### 1. Criminology Terminology

Term "criminology" First time used by anthropologist French, Paul Topinard from the word "crimen" which means crime and "logos" which means science. Sutherland (Topo Santoso 2003:9) say : "*criminal behavior is behavior initiation of a criminal law*". Netler (1984) said, "*a crime is an intentional violation of the criminal law.*" Soedjono D (1985:4) put forward understanding criminology as following: from facet etymology, term criminology consists on two ethnic group word, ie "*crimes*" and "*logos*" (science) so in a manner terminology criminology is something knowledge knowledge Which learn all something about crime And crime Which done.<sup>8</sup> Sutherland formulate as whole knowledge knowledge related to evil deeds as a social phenomenon (*The body of knowledge regarding crime as a social phenomenon*) .<sup>9</sup> According to Sutherland criminology covers processes making law, violation laws and reactions to violations of the law. Criminology by him divided be three The main branches of science are:

- Sociology of law Crime is an act committed by law prohibited and threatened with a penalty. So that's decisive that something deed That crime is law. In here investigatethe causes of crime must also investigate what factors are cause legal developments (especially criminal law)
- The etiology of crime is a branch of criminology that seeksbecause causation crime. In criminology, etiology crime is the most important study.
- Penology On basically is knowledge about punishment, willbut Sutherland includes rights related to crime control efforts both repressive as well as preventive.

Bonger (Topo Santoso 2001; 10), provides a definition of criminology: science that studies, investigates the causes of crime and symptoms of crime in the broadest sense. what is meant by learn symptom crime widest possible, including learn disease social (prostitution, poverty, homeless, And alcoholism. Abdul Syani (1987: 19) formulates criminology as a part of science with empirical research trying to give a picture about facts. Criminology he looked as something term global for such a scientific field is not possible mastered by a expert just. Persecution Understanding persecution That interpreted as following: "Every deed Which done with on purpose For causing pain or injury to another person solely is objective from on deed the". With thereby mentions that someone has committed maltreatment against people others must have a will, to inflict pain on other people, cause injury to other people's bodies, detrimental to health others.<sup>10</sup>

Based on chapter 351 Criminal Code according to jurisprudence, meaning persecution is deed with on purpose Which raises flavor Nopleasure, pain or injury. Whereas in Article 351 paragraph (4) of the Criminal Code, persecution in match damage health person with on purpose. Persecution in the Criminal Code does not define elements or elements elements, but only mention qualification or Name only the offense, namely abuse (mishandeling) is punished, and so on. Persecution regulated in the Criminal Code consists from: Persecution based on Article 351 of the Criminal Code which is detailed on: Persecution normal , Persecution Which resulted wound heavy. Persecution Which resulted the person dead. Persecution light Which arranged by Chapter 352 Criminal Code. Persecution planned Which arranged by Chapter 353 Criminal Code with details as following: Result seriously injured Result the person dead. Persecution heavy Which arranged by Chapter 354 Criminal Code with details as follows ;<sup>11</sup> Result

<sup>7</sup> Senze Verrel, Rasso Nathaniel, and Lembong Roy Ronny, 'Efforts to Criminalize Cyber Crime', *Lex Administratum* , IX.4 (2021), 252–63.

<sup>8</sup> Ruby Hadiarti Jhony, 'Criminal Acts of Violence Against Women (Study of Criminal Ethology in the Legal Area of Bayumas Police)', *Journal of Legal Dynamics* , 11.214–229 (2011).

<sup>9</sup> Roni Rahman Nitibaskara, *When Crime Sovereigns (An Approach to Law, Criminology and Sociology)*, (Jakarta: Jayabaya University Pres, 2001).

<sup>10</sup> Sergio Ticoalu, 'A Study of Criminal Law and Criminology Against the Crime of Blasphemy in a Legal Perspective in Indonesia', *Lex et Societatis* , 3.1 (2015), 109–19.

<sup>11</sup> Maria Silvy E. Wangga, R. Bondan Agung Kardono, and Aditya Wirawan, 'Political Corruption Law Enforcement', *Kanun Jurnal Ilmu*

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wound weight ; Result the person die ; Persecution heavy And planned Which arranged by Chapter 355 Criminal Codewith details as following: Persecution heavy And plan ; Persecution heavy And planned Which resulted the persondead.

### Position Case Mario Dandy

Like is known, action persecution done Mario Dandy Satriyo to David in region guest house, Jakarta South on Monday, 20 February 2023 Evening. Based on results investigation, Mario abused David after hearing the AG, getting the treatment of no Good. Dirkrimum Polda Metro Jaya, Kombes Pol Hengki Haryadi said the case of persecution committed by Mario Dandy Satriyo (20) against Cristalino David Ozora (17) has actually been planned since beginning. It was at the Pesanggrahan that Mario abused David. Mario some times kicking David in the head, punching, and stepping on the nape of the neck. Mario Also time shouted a number of say, Wrong only one 'free kick' momentpersecuted David. Acts of maltreatment by Mario Dandy to David who isa child of an administrator at GP Ansor. Chronology of persecution started when Mario's girlfriend told her friend that she had abused by David (her ex-boyfriend). Then Mario's friend tell Mario about it. However, Mario didn't believe it right away,He asked his girlfriend again. His girlfriend also confirmed the story the. With the excuse of wanting to return David's student card, Mario asked her boyfriend to contact David. Mario thought he couldmeet David If He do method the. After David send the location on ex- his girlfriend That Which Now is boyfriend from Mario Danny, Mario even direct came to , the place and Mario also carried out acts of persecution which done in a manner repeated to David. Mario do action beating, Then He kick on face david, besides That head behindalso became his target as well as the neck until David was unconscious and had to fall into a coma for a few days. Consequences arising from incident That is Mario Now become a suspect And now mustcrouch in bars police custody Jakarta South. A Shane was the party who recorded the abuse on orders from Mario Dandy. Shane is also considered to have made an effort omission, on persecution Which happen. In case This, police named 2 people as suspects namely Mario Dandy Satriyo and Shane Lukas, and one child perpetrator, namely AG Mario Dandy, were charged withArticle 355 of the Criminal Code paragraph 1 Subsidiary Article 354 paragraph 1 of the Criminal Code Subsidiary Article 353 paragraph 2 of the Criminal Code Subsidiary Article 351 paragraph 2 of the Criminal Code and or Article 76c juncto Article 80 UU PPA with a maximum threat of 12 years in prison. Then, the suspect Shane Lukas was charged with Article 355 paragraph 1 in conjunction with Article 56 Criminal Code Subsidiary Chapter 354 paragraph 1 juncto Chapter 56 Criminal Code Subsidiary Chapter 353 paragraph 2 in conjunction with Article 56 of the Criminal Code Subsidiary Article 351 paragraph 2 in conjunction with Article 56 Criminal Code And or Chapter 76c juncto Chapter 80 UU PPAs. Temporary That, AG Whichis a perpetrator or a child in conflict with the law Article 76c juncto Chapter 80 UU PPAs And or Chapter 355 paragraph 1 juncto Chapter 56 SubsidiaryArticle 354 paragraph 1 Juncto Article 56 Subsidiaries Chapter 353 paragraph 2 Juncto Article 56 Subsidiary 351 paragraph 2 Juncto Chapter 56 Criminal Code.

### Analysis Criminology To Case Mario Dandy

The crime of persecution does not always directly occur, but There is factor – factor Which can cause happening follow criminal persecution. The crime of persecution is included in this type of crimecriminal. Factors underlying the perpetrators of crimes do follow criminal persecution can is known in a manner intact if studied in criminologist i<sup>12</sup>, knowledge Which learn about perpetrator crimecriminal. follow criminal persecution Which done by people This is a crime that is very troubling to society. This persecution also resulted in many victims being seriously injured, and the community is worried about the crime of persecution that causes injury the weight will return. The author in this case is very interested in conduct further research on cases of criminal acts of persecution cause wound heavy on somebody This.

Based on the observations of the Mario Dandy case, there are severalthe main factors that led to the crime of persecution Which cause wound heavy on somebody namely ; Factor internal (inside perpetrator) . Factor in a manner special can said factor Which only There is in selfperpetrator or a condition that is only experienced by perpetrators who are not applies in general. It can be said that this particular factoris an internal factor that is within the perpetrator. In theory the factors are: Age : Age factor is a determining factor for someone to docriminal act of persecution by a person, but very old It is important which level of maturity and maturity of thinkinginfluenced by age. Maturity think become factor important in matter This For do something follow criminal orNo. In Case Mario Dandy perpetrators ie Mario Dandy(20 years) and AG (15 years) belong in age teenager Which notamazd If own emotion Which unstable. No seldom appear feelingAfraid ignored, so that brave do actions which is daring or extreme.

Environment . This environmental factor can be seen from the immediate environmentlike family environment, environment nature or physique, environment communication . In Case Mario Dandy para perpetrator persecution This results fromenvironment Which Wrong, Wrong in matter choose friendship so they become instigated or involved in things that are bad. As well as from Environment Family Where child always spoiledand fulfilled all his wishes so child grows up to be private ones own characteristic that ego tall and temperament.

spiritual . On the spiritual factor can be seen from his no religion someone or a person's lack of religious knowledge of things crime. In the current era development is not followed by society by repairing and increasing worship and values mark moral. Public more

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Hukum , 21.1 (2019), 39–60 <<https://doi.org/10.24815/kanun.v21i1.12862>>.

<sup>12</sup> Muhaimin Muhaimin, 'Restorative Justice in the Settlement of Minor Crimes', *De Jure Journal of Legal Research* , 3.4 (2019), 185–206 <<https://doi.org/10.30641/dejure.2019.v19.185-206>>.

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think about life worldly compared to life hereafter. Public used to leave the good and do the bad. So that tend not to have peace of mind. When someone always remember the Almighty then he will be spared various deed Which No Good And No justified. Faithis strength Which capable guard man from deed immorality and crime.<sup>13</sup>

Factor Emotional . The factor that most often occurs in a person is factor a person's emotional state where a feeling is driven someone to give a response or act on things Good or matter bad from in or outside himself. Emotion Alone can form feeling anger, afraid, happiness, Love, flavor shock, disgust and sadness. All of these emotional symptoms are like anger, afraid, flavor happy, like, stress And etc affect a person's physical changes, emotions can also become The cause of crime is because the perpetrators are annoyed and angry and express their emotions to victims through violence or persecution.

Factor external (outside perpetrator himself) . factors the in a manner general can called as factor external causes of criminal persecution, divided into Crime scene, family and time of crime, and environmental factors. Social theory explains that criminal acts are the result from the collapse system and social structure. Factor Motivation from the Actor . In this case, the perpetrator himself has the same desire revenge, or have a problem right away so that's what make cause himself Want to perpetrate persecution.<sup>14</sup>

Factor Target/Target , On factor This Can So in context certain certain victim persecution That, si victim more low Possible from physical, social position, economic compared to the perpetrator. So it is easy for the perpetrator to commit the crime of persecution the. Weak circumstances when it u, On moment happen persecution person person Which There is No own concern for others, so that the crime of persecution happened . In matter This, as for theory or Genre Anthropologist Which states that the reason people commit crimes is depending to people or individuals. That someone already has a type- certain type as a criminal. So people commit crimes it already exists from within his own personality as a person Which wicked. There is theory or Genre Sociological<sup>15</sup> Which state that because people commit crimes because they are influenced or determined by environment surrounding, Good environment natural nor environment the people. From second theory the appear that's it theory Which third Which is a combination or combination of both, namely theory or flow Bio-sociological. This flow states that because the person is doing crime Because factor individual person Which concerned plus with exists influence environment.

## CONCLUSION

The factors causing the crime of persecution that caused serious injury to someone were due to internal factors such as psychological factors, age factors, emotional factors, environmental factors and others. Why is it called an emotional factor because the perpetrators are still emotionally unstable because they are still teenagers, so the perpetrators get emotional easily because the victim does not give money, and also because of environmental factors, where the environment is quiet so the perpetrators easily carry out the action. And on external factors such as the motivational factors of the perpetrators, the target or target factors, the weakness of the situation at that time. So that the perpetrators of criminal acts dare to commit crimes of persecution that cause serious injury to someone. As an example of the Mario Dandy Case which has been described .

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