

Confiscation of Assets of the Crime of Money Laundering by the State Police Investigators of the Republic of Indonesia

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Abstract: The purpose of the research is to know and understand the essence of the confiscation of assets of the crime of money laundering by police investigators, the implementation of confiscation of assets of the crime of money laundering by police investigators and the factors that affect the confiscation of assets of the crime of money laundering by police investigators. The approach used in this research is a combination of normative legal research and empirical legal research and the essence of the research is descriptive, which describes and describes what is obtained in the research.

Keywords: Assets, Confiscation, Money Laundering, Police Investigators.

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I. INTRODUCTION

Development carried out by the Indonesian nation is an effort to achieve a physically and mentally prosperous life in an atmosphere of a just and prosperous society, as the state's goals are set out in the second and fourth paragraphs of the Preamble of the 1945 Constitution of the Republic of Indonesia (hereinafter referred to as the 1945 Constitution). The country's objectives will only be realized if the law plays its role in maintaining stability and acts as a means of renewal and development in society. In other words, a legal institution's main task is to realize the ideals or goals of the country through law enforcement.¹

One form of exercising power by the state based on laws and regulations is the confiscation of assets of the Crime of Money Laundering in the criminal justice process carried out by the State Police of the Republic of Indonesia (hereinafter referred to as the Police). The criminal justice process is a series of judicial procedures starting from taking action against the existence of a criminal act (source of action) to the birth of a court decision with permanent legal force.²

Investigating a criminal act begins when an incident is known or conveyed to the investigator through information and police reports or reports. A report is a notification delivered by a person regarding an incident or alleged criminal event committed by an authorized official based on law. Meanwhile, a Police report is a written report prepared by a Police Officer regarding a notification given by a person due to a right or obligation based on the law that a criminal event will, is currently or has occurred.³

Furthermore, the investigation of the crime of money laundering as based on Article 1 point 1 of Law of the Republic of Indonesia Number 8 of 1981 on the Code of Criminal Procedure (hereinafter referred to as Law No. 8 of 1981), explains that the "investigator is an official of the state police of the Republic of Indonesia or a certain official of the civil service who by law is granted special authority to conduct an investigation".

In addition, the Police are also given the authority to carry out investigations into the crime of money laundering, as based on Article 74 of Law of the Republic of Indonesia Number 8 of 2010 on the Countermeasure and Eradication of the Crime of Money Laundering (hereinafter referred to as Law No. 8 of 2010), regulates that:

"The investigation for the criminal action of Money Laundering shall be conducted by the investigator of the origin criminal action in accordance with the provision of the criminal procedures law and the provision of law and regulation, unless otherwise stipulated herein."

¹Kusumaatmadja, M. (2002). *Konsep-Konsep Hukum dalam Pembangunan*. Bandung: PT. Alumni, p. 11.

²Zulkarnain, Z. (2006). *Praktik Peradilan Pidana: Panduan Praktis Memahami Peradilan Pidana*. Malang: In-TRANS, p. 20.

³Yusuf, M., et al. (2011). *Ikhtisar Ketentuan Pencegahan dan Pemberantasan Tindak Pidana Pencucian Uang*. Jakarta: The Indonesia Netherlands National Legal Reform Program, p. 481.

Investigators of the original criminal action as referred to in the provisions above, namely the Police, the Attorney General's Office, the Corruption Eradication Commission, the National Narcotics Agency, the Directorate General of Taxes, and the Directorate General of Customs and Excise.

Furthermore, the criminal justice system also assigns authority to Police Investigators to confiscate assets for the Crime of Money Laundering. With this authority, the State can provide a sense of justice, benefit and legal certainty for all parties involved without causing harm to the rights of the other party.

II. STATEMENT OF THE PROBLEM

1. What is the essence of the confiscation of assets of the crime of money laundering by Police Investigators?
2. The extent to which Police Investigators confiscated the assets of the crime of money laundering?
3. What factors influenced the implementation of the confiscation of assets of the crime of money laundering by Police Investigators?

III. THEORETICAL FRAMEWORK

A. Theoretical Basis

1. Theory of Legal Philosophy

According to Roscoe Pound, *"the philosophy of law has played a leading role in all studies of human institutions, starting from Greek thinkers who lived in the 5th century BC"*.⁴ This view is in line with the view put forward by J. J. H. Bruggink that *"the philosophy of law is the mother of all juridical disciplines because the philosophy of law discusses the most fundamentals that arise in law"*.⁵ The philosophy of law is so fundamental that it is unsolved for humans because the problem goes beyond the ability to think. Philosophy of law never ends because it will unravel all the activities of human life and try to provide answers to eternal questions. It is a question to which answers can be given which raises many new questions.

According to Gijssel and Mark Van Hoecke, that:

"The philosophy of law is a general philosophy applied to law or legal symptoms ... the philosophy discusses the answers to the most profound questions about the meaning, foundation, structure and the like of reality."

2. Theory of Authority

The focus of the study of authority theory is related to the source of authority from the government in carrying out legal actions, both about public law and private law. Indiharto put forward three types of authority that originate from statutory regulations. The authority includes Attribution, Delegation and Mandate.⁶

3. Theory of Justice

According to Friedrich, *"the evolution of legal philosophy that is inherent in the evolution of philosophy as a whole revolves around certain problems that appear repeatedly"*.⁷ Among these problems, the most frequently discussed discourse is about the justice of the law. This is because the laws or regulations should be fair, but they are often not.

Everyone can regard justice as an absolute idea or reality and assume that knowledge. In addition, everyone can understand that it can only be obtained partially and through very difficult philosophical endeavors. On the other hand, everyone can think of justice due to a general religious or philosophical view of the world in general. If so, one can define justice in one sense or another from this viewpoint.⁸

According to Soekarno Aburaera that *"basically, legal justice give birth to many concepts as the definition of legal dimensions that are varied and different, depending on from which point people view the law"*.⁹

⁴Ali, A. (1990). *Mengembara di Belantara Hukum*. Ujung Pandang: Hasanuddin University Press, p. 192.

⁵Salman, O. & Susanto, A. F. (2004). *Teori Hukum: Mengingat, Mengumpulkan, dan Membuka Kembali*. Bandung: Refika Aditama, p. 64.

⁶Asshiddiqie, J. (2006). *Perkembangan dan Konsolidasi Lembaga Negara Pasca Reformasi*. Jakarta: Konstitusi Press, p. 15.

⁷Friedrich, C. J. (2004). *Filsafat Hukum: Perspektif Historis* (Muttaqien, R., Trans.). Bandung: Nuansa dan Nusamedia, p. 239.

⁸Luthan, A. (2002, 16 July). *Administrasi Peradilan: Lembaga Pengawasan Sistem Peradilan Terpadu*. Paper presented in *Semiloka II Administrasi Peradilan: Lembaga Pengawasan Sistem Peradilan Terpadu*, organized by Masyarakat Pemantau Peradilan Indonesia, Faculty of Law, Universitas Indonesia in collaboration with Komisi Hukum Nasional Republik Indonesia, at Jakarta.

⁹Aburaera, S. (2006, 6 November). *Menakar Keadilan dalam Hukum*. Paper presented in *Speech for the Acceptance of Permanent Professor in the Field of Law*, organized by Faculty of Law, Universitas Hasanuddin, at Makassar.

4. Theory of System

Law has a strategic and dominant position in the life of the nation and state. Law as a system can play a proper and correct role in society if its implementing instruments are equipped with authorities in law enforcement. The law's implementation can occur normally, but it can also occur because of a violation of the law. Law is inseparable from human life, so we cannot be separated from talking about it from human life to talk about the law.¹⁰

Law is essentially a system, so it is necessary to use a systems approach to understand it. In simple terms, the system can be defined as the arrangement and unity of the parts that depend on one another. According to Lawrence M. Friedman, "*the law as a system contains components, namely the legal structure, legal substance, and interacting legal culture*".¹¹

B. State Law

As the objectives of the State are contained in the second and fourth paragraphs of the Preamble of the 1945 Constitution, development is to maintain stability and act as a means of renewal and development in society. In other words, a legal institution's main task is to realize the ideals or goals of the country through law enforcement.¹²

In addition, as based on Article 1 section (3) of the 1945 Constitution, regulates that "*Indonesia is a law-based state*". Confirmation of the constitution is fundamental in the Indonesian constitutional structure. There is a big concept in the state system, namely rechtsstaat and the rule of law. The concept of rechtsstaat originates from the continental European legal system with the civil law system tradition. Meanwhile, the concept of the rule of law originates from the Anglo Saxon legal system with the common law system tradition.¹³

The term the rule of law is a direct translation of rechtsstaat. In addition, the rule of law is equated with state law. However, in reality, there are differences of opinion among experts regarding the three terms. Some think that the term state law is the same as rechtsstaat and the rule of law, but on the other hand, some think that the term state law cannot be equated with the terms rechtsstaat and the rule of law. Basically, the elements of the three terms have in common the shared spirit to limit power so that arbitrariness does not occur, human rights are guaranteed, and a free and independent judiciary is guaranteed. Therefore, in essence, the three terms can be equated.¹⁴

C. Criminal Justice System

1. Definition of the Criminal Justice System

According to Adler Freda, "*the modern criminal justice system should guarantee all people equal treatment before the law*".¹⁵ In addition, the blueprint book Beccaria is based on the assumption that people freely choose what they do and are responsible for the consequences of their behavior.¹⁶

According to Hazel B. Kerper, "*the criminal justice system is the system by which society identifies, accuses, tries, convicts, and punishes those who violated the criminal law*".¹⁷

So it is clear that the Criminal Justice System is a process carried out by law enforcement officials as representatives of the community. Starting from investigations carried out by the Police, prosecutions carried out by the Prosecutors, convictions carried out by the Judges, and punishes carried out by Correctional Institution. All law enforcement officials cooperate in overcoming crime.

2. Criminal Justice System in Indonesia

For Indonesia, the criminal justice system in Indonesia can be seen from the duties and functions of the Police as an institution of investigation and inquiry. Likewise, the prosecution system is generally differentiated and classified into two systems, namely the single prosecution system and the dual public prosecution system. Of these two systems, the most relevant to the position and role of the Indonesian Police is the single prosecution system.¹⁸

¹⁰Mertokusumo, S. (2016). *Mengenal Hukum: Suatu Pengantar*. Yogyakarta: Cahaya Atma Pustaka, p. 1.

¹¹Friedman, L. M. (2009). *Sistem Hukum: Perspektif Ilmu Sosial* (Khozim, M., Trans.). Bandung: Nusamedia, p. 17.

¹²Kusumaatmadja, M. (2002). *Loc. Cit.*

¹³Azhary, M. T. (1995). *Negara Hukum Indonesia: Analisis Yuridis Normatif tentang Unsur-Unsurnya*. Jakarta: UI Press, p. 30.

¹⁴*Ibid.*

¹⁵Adler, F., Mueller, G. O. W., & Laufer, W. S. (2012). *Criminology*. New York: McGraw-Hill Companies, Inc., p. 63.

¹⁶*Ibid.*

¹⁷Waluyo, B., et al. (2000). *Aspek-Aspek Diskresi Penuntutan*. Jakarta: Pusat Penelitian dan Pengembangan Kejaksaan Agung RI, p. 16.

¹⁸*Ibid.*, p. 18.

According to Mardjono, “*the Criminal Justice System is a crime control system consisting of the Police, the Attorney General’s Office, the Judiciary, and the Correctional Institutions*”.¹⁹ The objectives of the criminal justice system are:

- a. Prevent people from becoming victims of crime.
- b. Resolve crimes that occur so that the public is satisfied that justice has been served and the guilty are convicted.
- c. Make sure that those who have committed crimes do not repeat their crimes again.

3. Crime Control Model and System Due Process Model in the Criminal Justice System

Regarding the law enforcement process, the concept of the operation of the criminal justice system can be distinguished between the crime control model, the due process model, and the due process model. According to the crime control model, the most important objective of the criminal justice system is to control crime so that the law enforcement process must be carried out as quickly and efficiently as possible by overriding existing procedural obstacles. Meanwhile, the due process model is based on the concept of respect for the individual and limiting state power. In addition, this concept also considers every stage of the examination process as a form of control over the potential for state arbitrariness, which ultimately leads to an examination process in a free, objective trial and hears both sides (adversarial).²⁰

4. Confiscation

Based on Article 1 point 16 of Law No. 8 of 1981, explains that:

“Confiscation is a series of acts by an investigator to take possession and/or to retain under his control movable or immovable goods, whether tangible or intangible, to be used for evidentiary purposes in investigation, prosecution and adjudication.”

Based on Article 38 of Law No. 8 of 1981, regulates that:

- (1) Confiscation may only be carried out by an investigator with a warrant from the head of the local district court.
- (2) In urgent and compelling circumstances, where an investigator must act immediately and cannot possibly first obtain a warrant, without detracting from the provision of section (1), the Investigator may only seize movable goods and for which purpose he shall be obligated to report immediately to the head of the local district court to obtain his approval.

Confiscation carried out by the investigator of the suspect/defendant’s property related to human rights. Therefore, a confiscation may not be carried out arbitrarily but must be under the requirements and mechanisms stipulated in the laws and regulations.

D. Money Laundering Crime

1. Definition of Money Laundering Crime

Based on Article 1 point 1 of Law No. 8 of 2010 explains that “*Money Laundering means any action that meets the elements of criminal action in accordance with the provision herein*”. The elements in question are elements of the perpetrator, acts against the law and elements constituting a criminal act. Furthermore, the category of crime of money laundering is also regulated in Article 3, Article 4, and Article 5 of Law No. 8 of 2010.

The point is that the crime of money laundering is a form of crime that is committed either by a person and/or a corporation with deliberately places, transfers, forwards, spends, pays, grants, deposits, takes to the abroad, changes the form, changes to the currency or securities or other deeds towards the Assets of which are recognized or of which are reasonably alleged as the result of criminal action, or who hides, or disguises the origin, source, including those who receive and control them.²¹

2. Forms of Money Laundering Crime

Money laundering can be grouped into two forms, namely active money laundering as regulated in Article 3 and Article 4 of Law No. 8 of 2010 and passive money laundering as regulated in Article 5 of Law No. 8 of 2010.

According to Yenti Karnasih, that “*money laundering is a new crime that comes from corruption, so eradicating corruption must also present a new strategy*”.²²

¹⁹Reksodiputro, M. (1993, 30 October). Sistem Peradilan Pidana Indonesia (Melihat Kejahatan dan Penegakan Hukum dalam Batas-Batas Toleransi). Paper presented in *Speech for the Acceptance of Permanent Professor in the Field of Law*, organized by Faculty of Law, Universitas Indonesia, at Jakarta.

²⁰Atmasasmita, R. (1996). *Sistem Peradilan Pidana: Perspektif Eksistensialisme dan Abolisionisme*. Bandung: Eresco, p. 6.

²¹Sutadi, A. (2008). *Tindak Pidana Pencucian Uang*. Bandung: PT. Citra Aditya Bakti, p. 1.

²²Garnasih, Y. (2013, 10 September). Tindak Pidana Pencucian Uang dalam Teori dan Praktik. Paper presented in *Seminar Nasional tentang Kajian Tindak Pidana Pencucian Uang dari Sudut Teori Hukum Pidana dan Praktik*, organized by Faculty of Law, Universitas Sebelas Maret, at Surakarta.

Money laundering is a new crime, so every act of enjoying, using, hiding or any act of the proceeds of crime is a criminal act, and all those involved in the proceeds of crime are criminals. Money laundering is also defined as a crime against the proceeds of a crime of corruption. Meanwhile, the eradication of the crime of money laundering is a new strategy in eradicating the criminal act of corruption. For example, with a report related to a state official having a suspicious number of accounts, the police must immediately conduct an investigation into the crime of money laundering and at the same time look for evidence of corruption.

IV. DISCUSSION

A. The Essence of the Confiscation of Assets of the Crime of Money Laundering by Police Investigators

Money laundering is a process that is carried out by manipulating wealth obtained from the proceeds of a criminal act to appear as if it comes from a legitimate source. In the case of the crime of money laundering resulting from a criminal act of corruption, the court needs to impose additional penalties as based on Article 17 and Article 18 of Law of the Republic of Indonesia Number 31 of 1999 on Eradication of the Criminal Act of Corruption, in the form of confiscation of the defendant's property. Furthermore, based on Article 75 of Law No. 8 of 2010, regulates that:

"In the event that the investigator find the sufficient initial evidence on the presence of the criminal action of Money Laundering and the origin criminal action, the investigator combines the criminal action of Money Laundering and the origin criminal action and notifies to Reporting Center and Financial Transaction Analysis."

However, as based on Article 81 of Law No. 8 of 2010, regulates that:

"In the event that it is obtained the evidence that strong enough that there is still the Asset of which have not been confiscated, the judge orders the persecuting attorney to perform the confiscation against the Assets in question."

Furthermore, based on Article 67 section (2) of Law No. 8 of 2010, regulates that:

"In the event that the alleged as perpetrator of the criminal crime is not found within 30 (thirty) days, the investigator could propose to the local court to decide such Assets as the State's treasury or returned to the entitled person."

Confiscation is a legal action in the process of an investigation carried out by an investigator to legally control an object, both movable and immovable property, which is suspected to be closely related to a criminal act currently taking place. Based on Article 38 of Law No. 8 of 1981, regulates that:

(1) Confiscation may only be carried out by an investigator with a warrant from the head of the local district court.

(2) In urgent and compelling circumstances, where an investigator must act immediately and cannot possibly first obtain a warrant, without detracting from the provision of section (1), the Investigator may only seize movable goods and for which purpose he shall be obligated to report immediately to the head of the local district court to obtain his approval.

According to Abustam, that:²³

"Investigators obtain evidence from the results of searches and examinations at the scene of the crime. In addition, evidence can also be obtained at a third party's premises based on the testimony of witnesses and also from disclosures of the suspects. All evidence of a criminal act will be confiscated and temporarily secured for proof in investigations, public prosecutors and courts."

In addition to the provisions in Law No. 8 of 1981, the authority of the Police Investigators as based on Article 16 section (1) point a of Law of the Republic of Indonesia Number 2 of 2002 on the State Police of the Republic of Indonesia (hereinafter referred to as Law No. 2 of 2002), regulates that *"in implementing its tasks referred to in Article 13 and Article 14 for criminal cases, the State Police of the Republic of Indonesia shall authorize to arrest, detain, search, and sequester"*.

In carrying out their duties and functions as investigators of money laundering crimes, the Police must carry out legal proceedings from receiving analysis results from the Reporting Center and Financial Transaction Analysis. Furthermore, the Police conducted inquiries and investigations as based on Law No. 8 of 1981.

If the Crime of Money Laundering is related to the Crime of Corruption, the two have a close relationship. Based on Article 2 section (1) point a of Law No. 8 of 2010, regulates that *"result of the criminal action shall be the Assets acquired from the criminal actions as follow corruption"*.

Based on the description above, it can be concluded that the essence of the confiscation of assets of the crime of money laundering by Police Investigators is law enforcement. Law enforcement itself is an effort to make the

²³Results of Interviews with Police Investigators at the South Sulawesi Regional Police. Abustam. March 30, 2021.

law a code of ethics in every legal act, both for the legal subject concerned and law enforcement officials. Law enforcement officials are official institutions that are given the duties and powers by law to ensure the functioning of legal norms that apply in society and the state. Law enforcement officers cannot be separated from the law enforcement process because law enforcement officials will later enforce the rule of law. If law enforcement officials have a bad mentality, it will create bad law enforcement as well. On the other hand, if the law enforcement apparatus has a good mentality, it will create good law enforcement.

B. Confiscation of Assets of the Crime of Money Laundering by Police Investigators

1. Asset Confiscation Mechanism for the Crime of Money Laundering

Confiscation is the act of taking over objects to be stored or kept under the control of an investigator. Objects that can be confiscated according to the law are objects that are related to a criminal act. If an object has absolutely nothing to do with a criminal act, then confiscation of the object cannot be carried out. Therefore, confiscation of objects with no legal relevance to the criminal event being examined can be considered confiscation against the law and invalid. The investigation of the crime of money laundering is complex and not simple, so it requires a very comprehensive and measurable investigation technique with a pattern of following the trail of the criminal act and following the proceeds of the crime.

2. Inter-Agency Coordination

In eradicating the crime of money laundering, the institutions that play an important role in implementing the laws and regulations are the police institutions that generally carry out investigations. Then the Police delegate it to the prosecutor's office for prosecution. Then the judiciary whose task is to decide or determine whether a person accused of the crime of money laundering is guilty or not. Finally, the correctional institution whose job is to carry out judicial decisions for those given criminal sanctions.

To achieve this, one of the steps taken is the issuance of a Circular Letter of the Chief of Police on Improving the Handling of the Crime of Money Laundering. Some of the things outlined in this circular are:

- a. Regional Police Heads to mobilize all Resort Police Heads in their respective regions to investigate cases of money laundering that occur in their jurisdictions, and the results of the investigations are immediately transferred to the prosecutor's office to be tried in court immediately;
 - b. The Regional Police, which are currently still in the investigation stage, so that within three months of completion of this Circular Letter, they must be transferred to the Prosecutor's Office.
 - c. The success in increasing the transfer of money laundering cases by the respective Regional Police and Resort Police is used to assess the leadership of their respective units.
 - d. In order to monitor and evaluate the performance of Polda and Polres in handling cases of money laundering, the Monitoring and Evaluation Team of the Police is carried out. Cq. Kabareskrimus.
- Following are the responses of respondents regarding coordination between law enforcement agencies:

Table 1. Coordination between Law Enforcement Agencies in Confiscation of Assets of the Crime of Money Laundering

| Indicator | Respondents | |
|--------------|-------------|----------------|
| | Frequency | Percentage |
| Good | 22 | 95.65% |
| Less Good | 1 | 4.35% |
| Not Good | 0 | 0.00% |
| Total | 23 | 100.00% |

Source: Primary Data Processed, 2021

Based on the table above, it appears that among 23 respondents, there were 22 or 95.65% of respondents who considered that coordination between law enforcement agencies in confiscating money laundering was good. At the same time, there were 1 or 4.34% of respondents rated less good. This reality is under the views of each representing the respondents through interviews which psychologically will influence the Police as investigators. With good coordination, psychologically, the Police in carrying out the confiscation will not experience obstacles such as security measures, permits for confiscation/search from the District Court and audits from the Reporting Center and Financial Transaction Analysis, and conflicts of interest on confiscated assets.

C. Influencing Factors the Confiscation of Asset of the crime of Money Laundering by Police Investigators

1. Substance, Structure, and Culture

Different views on the criminal justice system have different dimensions with different points of view. The criminal justice system is a social construction that shows the process of human interaction (in which there are legal officials, lawyers and defendants, and the community), which are interrelated in building the world (reality) they create, including:

- a. Substance is the result or product of the system, including Law No. 8 of 1981;
- b. Structure, namely the institutions in the legal system consisting of the Police, Attorney General's Office, Courts and Correctional Institutions;
- c. Culture, namely how the system will be empowered. In other words, culture is a movement of the criminal justice system.

There are four components of the criminal justice system in the criminal justice system: the Police, Prosecutors, Courts, and Correctional Institutions expected to cooperate and form an integrated criminal justice system. Criminal justice as a system is an open system, in the sense that the criminal justice system in its movements will always carry out inter-agency coordination (interaction, interconnection, and interdependence) with the environment. The general coordination is based on the criminal justice system's social, economic, political, educational, technical, and sub-systems.

Regarding the legal structure, what is meant is the institutions that implement the rule of law. In eradicating the criminal act of corruption, the institutions that play an important role in implementing the laws and regulations are the prosecutor's office, which generally carries out investigations. The prosecutor's office makes the prosecution. Then the judiciary, whose job is to decide or determine whether a person accused of corruption is guilty or not. Finally, the correctional institution whose job is to carry out judicial decisions for those given criminal sanctions.

Legal culture is the values contained in the law which is expected to be reflected in the behavior of legal officers in carrying out the law enforcement process. Every law always has several values that need to be fought for and enforced. These values can be a measure or barometer of the success of law enforcement.

One of the Law No. 8 of 2010 is to safeguard the national development that the government has proclaimed to create a just and prosperous society based on Pancasila and the 1945 Constitution. This is the mission that this law aims to strive for. Suppose the legal apparatus can demonstrate the values that the law wants to fight. In that case, gradually, the justice-seeking community or the general public will be happy to obey the law. Remember, in the feudalistic structure of Indonesian society where the behavior of the superiors becomes a measure or becomes an example for commoners in general. So that in general, the legal culture must appear in customs, ways of thinking and doing so that people are directed to obey the law or not obey the law. One of the things that hinder efforts to prevent and eradicate money laundering in Indonesia is the passivity and permissiveness of the public regarding corrupt behavior and systems in their daily lives, in a small and large scope.

It would be a great relief for the public if all government agencies declared that they would eliminate criminal acts of money laundering and corruption in their respective fields, including the possibility of collusion with private parties in various fields. Indeed, the eradication of the crime of money laundering and corruption must start from the top.

2. Integrated Criminal Justice System

One of the criminal acts that have been in the spotlight so far is the crime of money laundering. It is undeniable that law enforcement is weak in dealing with this crime so that public trust in law enforcement officers diminishes. So, people tend to see law enforcement officials as the part that is controlled by economic profits.

The so-called integrated criminal justice system was formed to optimize the performance of law enforcement officers in Indonesia. The integrated criminal justice system is an integral part of the law enforcement system. In the Criminal Justice System, there are four sub-systems, namely:

- 1) investigative power;
- 2) prosecution power;
- 3) the power to judge and impose a verdict/criminal; and
- 4) the power to implement the verdict/criminal.

a. Investigation Stage

In this stage, several things are common and can be categorized as a discrepancy. One of them is the embezzlement of cases usually carried out by terminating a case because there is insufficient evidence, even though the case already has a criminal element and is worthy of investigation.

In this stage, the common discrepancy is the manipulation of the Audit Official Report. Investigators usually offer to obscure the criminal elements in the case to relieve the suspect in court. In addition, at this stage of the investigation, the investigation time is often carried out, and the Minutes of Investigation are leaked to lawyers. The purpose of this act was so that the defendant would fulfill what was requested by the investigator if he wanted incriminating elements to be avoided from it.

b. Prosecution Stage

In this stage, discrepancies usually occur when the indictment is drawn up, where usually the prosecutor offers the suspect which article he wants to be accused of.

In handling money laundering, an integrated justice system plays a very important role. One of the reasons is that implementing an integrated criminal justice system creates a better public awareness of the judiciary, then creates a deeper understanding that the judicial process from start to finish is an inseparable unit.

Unity in the implementation of the system is the best part to get optimal results for the benefit of all elements related to the system. However, in this case, the integrated criminal justice system is not a system that works in one work unit or part that is integrated, but rather a harmonious combination of sub-systems to achieve one goal. The role of the Police in handling money laundering crimes, according to Abustam, that:²⁴

“The Police are currently experiencing difficulties in handling criminal acts, especially money laundering. A police law that gives the Police the authority to carry out investigations into criminal cases of money laundering and corruption is one of the causes of the Police’s difficulties in conducting investigations. Confusion between the Police and the prosecutor in the investigation process has led to a complicated investigation process, far from efficient and effective.”

The existence of the police and prosecutors as investigators in the handling of criminal acts of money laundering and corruption can make the case handling process easier if the two institutions carry out their functions by sticking to an integral part of the integrated criminal justice system. The appearance of confusion in the handling of money laundering and corruption crimes indicates a lack of coordination between the two institutions and an indication that the implementation of an integrated criminal justice system is not yet optimal in handling money laundering and corruption crimes. Another condition that causes the ineffective and inefficient handling of the crime of money laundering and corruption by police investigators is the granting of enormous powers to the Corruption Eradication Commission in handling money laundering crimes, the origin of which is corruption.

Based on the description above, it can be said that the investigation of the crime of money laundering and corruption by the Police has not been carried out optimally. The lack of authority regulations between agencies is why the investigation process has not been carried out optimally.

3. Legal Paradigm

One of the factors influencing the implementation of the confiscation of assets of the crime of money laundering by the Police investigator is the philosophy behind the legal system and laws and regulations. As it is known, the Indonesian legal system and laws and regulations have a background of analytical legal positivism based on the philosophies of liberalism, individualism, and rationalism. This philosophy originates from the XVIII century French Industrial Revolution philosophy, namely liberty, equality, and fraternity, a legal system with individual liberal characteristics. So the substance of the doctrine of principles and other equipment (construction, systematics, and interpretation) is applied to secure the liberal value paradigm. Thus it is not surprising that the legal system with a liberal character is designed primarily to protect individual liberty.

Law of the Republic of Indonesia Number 1 of 1960 on Amendment of the Criminal Code (hereinafter referred to as Law No. 1 of 1960) does not contain general guidelines for granting crimes, namely a guideline made by legislators which contain principles that need to be considered by judges in imposing a sentence, only rules for granting penalties.

Due to the absence of a criminal conviction guideline, criminal sanctions are one of the most chaotic aspects of the regulations relating to punishment in most countries. Sanctions exist for different offences, having absolutely no rational basis. Ultimately, this is one of the main contributors to the difference in the treatment of offenders whose guilt is proportional. Almost all countries in the world have experienced what has attracted legislative bodies and other institutions involved in the criminal law administration system to resolve it. Handling criminal cases in district courts is based on Law No. 1 of 1960 and special laws related to other criminal acts, such as Law No. 8 of 2010 and Law No. 31 of 1999.

There are several stages in handling a criminal act, namely inquiries, investigations, prosecution, examination at trial in court. Law No. 8 of 1981, unless otherwise stipulated in law, is the procedural law used in handling criminal offences.

²⁴Results of Interviews with Police Investigators at the South Sulawesi Regional Police. Abustam. March 25, 2021.

Following are the responses of respondents regarding the independence of Police investigators in confiscating money laundering crimes.

Table 2. Independence of Police Investigators in Confiscation of Assets of the Crime of Money Laundering

| Indicator | Respondents | |
|------------------|-------------|----------------|
| | Frequency | Percentage |
| Independent | 23 | 100.00% |
| Less Independent | 0 | 0.00% |
| Not Independent | 0 | 0.00% |
| Total | 23 | 100.00% |

Source: Primary Data Processed, 2021

Based on the table above, it appears that among 23 respondents, all of them or 100% of respondents who considered that Police Investigator in confiscation of assets of the crime of money laundering was independent. With the composition of the respondents' answers as shown in the table above, it can be concluded that the police investigator in carrying out the confiscation of money laundering crimes is already independent. This reality is by the views of each representing the group of respondents through interviews.

Suppose it is related to legal psychology studies that emphasize psychological factors that influence individual or group behavior in all their actions in law. For example, how is the attitude or behavior of Police Investigators in carrying out their duties, and how do police investigators conduct investigations and detain suspects and confiscate their assets? Psychologically, the investigator is independent in confiscating the money laundering crime, which will affect the Police Investigator's legal actions, which always depend on orders/instructions or instructions from superiors.

4. Facilities and Infrastructure

One of the supporters of the professionalism of Police Investigators in carrying out the task of investigating money laundering crimes is the availability of facilities and infrastructure. Following are respondents' responses regarding the availability of facilities and infrastructure for Police Investigators in carrying out the task of confiscating money laundering crimes.

Table 3. The Availability of Facilities and Infrastructure of Police Investigators in Confiscation of Assets of the Crime of Money Laundering

| Indicator | Respondents | |
|---------------|-------------|----------------|
| | Frequency | Percentage |
| Adequate | 22 | 95.65% |
| Less Adequate | 1 | 4.35% |
| Inadequate | 0 | 0.00% |
| Total | 23 | 100.00% |

Source: Primary Data Processed, 2021

Based on the table above, it appears that among 23 respondents, there were 22 or 95.65% of respondents who considered that the availability of facilities and infrastructure for Police Investigators in carrying out the task of confiscating money laundering was adequate. At the same time, there were 1 or 4.34% of respondents rated less adequate.

With the composition of the respondents' answers as listed in the table above, it can be concluded that in general, the respondents considered the availability of facilities and infrastructure for the Police Investigators in carrying out the task of confiscating assets for the crime of money laundering as adequate. This reality is by the views of each representing the group of respondents through interviews.

Suppose it is related to the study of legal psychology, which emphasizes psychological factors that influence individual or group behavior in all their actions in the field of law. For example, how is the attitude or behavior of the Police in carrying out their duties to prevent and overcome the occurrence of violations and crimes? How is the behavior of Police Investigators in conducting investigations, detention, and prosecution of suspects? How attitudes or attitudes of prosecutors and judges in examining, trying and passing decisions? Then whether the facilities and infrastructure greatly affect the psychology of Police Investigators in carrying out their duties? Based on the table above, it is illustrated that the facilities and infrastructure for the Police Investigators in carrying out the task of confiscating the assets of the crime of money laundering are adequate so that psychologically it affects the behavior of the police investigators in carrying out investigations into money laundering crimes.

In the province of South Sulawesi in particular, there were three cases of money laundering, the origin of which was corruption, which had become the public's attention and turned out to be decided with many controversies. The verdict in question is:

a. 459/Pid.B/2007/PN.MKS

The Prosecutor's indictment, in this case, is three years imprisonment minus the detention period with an order to remain detained. However, the Judge decided to release the defendant from all charges and recover the good name/rights of the defendant.

b. 354/Pid.B/2005/PN.MKS

The Prosecutor's indictment, in this case, is three years imprisonment minus the detention period with an order to remain detained. However, the Judge decided to release the defendant from all charges and recover the good name/rights of the defendant.

c. 960/Pid.B/2008/PN.MKS

The Prosecutor's indictment, in this case, is that of imprisonment for two years each minus the detention period with an order to remain detained. However, the Judge decided to release the defendant from all charges and recover the good name/rights of the defendant.

Apart from not implementing the minimum punishment sanctions, another thing that appears in the prosecutor's charges against the perpetrators of the crime of money laundering whose origin is corruption is dissatisfaction with the length of the required sentence. A perpetrator with a greater amount of corruption receives a lower sentence than another actor with less corruption. This can be seen in the prosecutor's demands in the Makassar District Court Decision No. 803/Pid/B/2009/PN.MKS and Makassar District Court Decision No. 1055/Pid/B/2009/PN.MKS.

Based on the descriptions above and also based on the results of the investigators' tracing during conducting the research, several things were found that hindered the course of the process of law enforcement of the crime of money laundering, namely:

- a. Limited time for detention, making it difficult to pursue proceeds of crime;
- b. Two unclear powers should take precedence at the time of confiscation, namely, on the one hand, there is bankruptcy in which the curator also has the right to confiscate the reported assets;
- c. In the investigation process to request a special permit, confiscation is sometimes constrained by the jurisdiction of confiscation of assets, thus complicating the security of evidence;
- d. Assets hidden in an anti-money laundering country cannot be secured or confiscated because the country has immunity to its banking regulations.

The factors above greatly affect the effectiveness and efficiency of law enforcement of the crime of money laundering, especially the confiscation of the assets of the perpetrators. Therefore, it is necessary to find an appropriate solution to optimize law enforcement for the crime of money laundering. In general, the origin of the criminal act is very corrupt and detrimental to the state and people.

V. CONCLUSION

1. The essence of the confiscation of assets of the crime of money laundering by Police Investigators is for law enforcement. While law enforcement itself is an effort made to make the law a code of conduct in every legal act, be it by the legal subjects concerned or by law enforcement officials. Law enforcement officials are an official institution that is given the task and authority by law to ensure the functioning of legal norms that apply in society and the state.
2. The implementation of the confiscation of assets of the crime of money laundering by Police Investigators is carried out according to the mechanisms required by laws and regulations and coordination between related institutions and the authorities they have.
3. The factors that influenced the implementation of the confiscation of assets of the crime of money laundering by Police Investigators include:
 - a. Substance, Structure, and Culture;
 - b. Integrated Criminal Justice System;
 - c. Legal Paradigm; and
 - d. Facilities and Infrastructure.

REFERENCES

- [1]. The 1945 Constitution of the Republic of Indonesia.
- [2]. Abdussalam, R. & Sitompul, D. P. M. (2007). Sistem Peradilan Pidana. Jakarta: Restu Agung.
- [3]. Aburaera, S. (2006, 6 November). Menakar Keadilan dalam Hukum. Paper presented in Speech for the Acceptance of Permanent Professor in the Field of Law, organized by Faculty of Law, Universitas Hasanuddin, at Makassar.

- [4]. Adler, F., Mueller, G. O. W., & Laufer, W. S. (2012). *Criminology*. New York: McGraw-Hill Companies, Inc.
- [5]. Ali, A. (1990). *Mengembara di Belantara Hukum*. Ujung Pandang: Hasanuddin University Press.
- [6]. Ali, A. (1998). *Menjelajahi Kajian Empiris terhadap Hukum*. Jakarta: PT. Yarsif Watampone.
- [7]. Ali, A. (2002). *Keterpurukan Hukum di Indonesia: Penyebab dan Solusinya*. Jakarta: Ghalia Indonesia.
- [8]. Ali, A. (2002). *Menguak Tabir Hukum: Suatu Kajian Filosofis dan Sosiologis*. Jakarta: Gunung Agung.
- [9]. Asshiddiqie, J. (2006). *Perkembangan dan Konsolidasi Lembaga Negara Pasca Reformasi*. Jakarta: Konstitusi Press.
- [10]. Asshiddiqie, J. (2009). *Pengantar Ilmu Hukum Tata Negara*. Jakarta: PT. Raja Grafindo Persada.
- [11]. Atmasasmita, R. (1982). *Strategi Pembinaan Pelanggar Hukum dalam Konteks Penegakan Hukum di Indonesia*. Bandung: PT. Alumni.
- [12]. Atmasasmita, R. (1996). *Sistem Peradilan Pidana: Perspektif Eksistensialisme dan Abolisionisme*. Bandung: Eresco.
- [13]. Atmasasmita, R. (2013, 10 September). *Analisis Hukum UU RI Nomor 8 Tahun 2010 tentang Pencegahan dan Pemberantasan Tindak Pidana Pencucian Uang*. Paper presented in Seminar Nasional tentang Kajian Tindak Pidana Pencucian Uang dari Sudut Teori Hukum Pidana dan Praktik, organized by Faculty of Law, Universitas Sebelas Maret, at Surakarta.
- [14]. Azhary, M. T. (1995). *Negara Hukum Indonesia: Analisis Yuridis Normatif tentang Unsur-Unsurnya*. Jakarta: UI Press.
- [15]. Black, D. (1976). *The Behavior of Law*. Britania Raya: Emerald Group Publishing.
- [16]. Black, H. C., Nolan, J. R., & Nolan-Haley, J. M. (1991). *Black's Law Dictionary: Definitions of the Terms and Phrases of American and English Jurisprudence, Ancient and Modern (6 ed.)*. Minnesota: West Publishing.
- [17]. Bruggink, J. J. H. (1999). *Refleksi tentang Hukum: Pengertian-Pengertian Dasar dalam Teori Hukum (Sidharta, B. A., Trans.)*. Bandung: PT. Citra Aditya Bakti.
- [18]. Budiardjo, M. (2002). *Dasar-Dasar Ilmu Politik (Revisi ed.)*. Jakarta: PT. Gramedia Pustaka Utama.
- [19]. D., M. M. M. (1999). *Hukum dan Pilar-Pilar Demokrasi*. Yogyakarta: Gama Media.
- [20]. Friedman, L. M. (1975). *The Legal System: A Social Science Perspective*. New York: Russell Sage Foundation.
- [21]. Friedman, L. M. (2009). *Sistem Hukum: Perspektif Ilmu Sosial (Khozim, M., Trans.)*. Bandung: Nusamedia.
- [22]. Friedmann, W. (1990). *Teori & Filsafat Hukum: Telaah Kritis Atas Teori-Teori Hukum (Arifin, M., Trans. Vol. 1)*. Jakarta: PT. Raja Grafindo Persada.
- [23]. Friedrich, C. J. (2004). *Filsafat Hukum: Perspektif Historis (Muttaqien, R., Trans.)*. Bandung: Nuansa dan Nusamedia.
- [24]. Garnasih, Y. (2013, 10 September). *Tindak Pidana Pencucian Uang dalam Teori dan Praktik*. Paper presented in Seminar Nasional tentang Kajian Tindak Pidana Pencucian Uang dari Sudut Teori Hukum Pidana dan Praktik, organized by Faculty of Law, Universitas Sebelas Maret, at Surakarta.
- [25]. Hadjon, P. M., et al. (Eds.). (2011). *Pengantar Hukum Administrasi Indonesia*. Yogyakarta: UGM Press.
- [26]. Husen, L. O. & Thamrin, H. (2017). *Hukum Konstitusi: Kesepakatan (Agreement) dan Kebiasaan (Custom) Sebagai Pilar Konvensi Ketatanegaraan*. Makassar: CV. Social Politic Genius (SIGn).
- [27]. Husen, L. O. (2005). *Hubungan Fungsi Pengawasan Dewan Perwakilan Rakyat dengan Badan Pemeriksa Keuangan dalam Sistem Ketatanegaraan Indonesia*. Bandung: CV. Utomo.
- [28]. Husen, L. O. (2009). *Hukum Pajak & Hak Privilege*. Bandung: CV. Utomo.
- [29]. Husen, L. O. (2009). *Negara Hukum, Demokrasi dan Pemisahan Kekuasaan*. Makassar: PT. Umitoha Ukhuwah Grafika.
- [30]. Husen, L. O. (2019). *Negara Hukum, Demokrasi dan Pemisahan Kekuasaan*. Makassar: CV. Social Politic Genius (SIGn).
- [31]. Husen, L. O., et al. (2020). *Safeguard of the Police Intelligence Against Court Decisions Regarding the Object of the Dispute*. *Sovereign: International Journal of Law*, CV. Social Politic Genius (SIGn), 2(2), pp. 1-12. doi: <https://doi.org/10.37276/sijl.v2i2.28>
- [32]. Husen, L. O., et al. (2021). *Panduan Penulisan Skripsi: Fakultas Hukum, Universitas Muslim Indonesia*. Makassar: CV. Social Politic Genius (SIGn).
- [33]. Ilmar, A. (2014). *Hukum Tata Pemerintahan*. Jakarta: Kencana Prenada Media Group.
- [34]. J., M. A. S., et al. (2020). *Limited Company Financial Assets based on State-Owned Enterprises*. *IOSR Journal of Humanities and Social Science (IOSR-JHSS)*, 25(7), pp. 15-23.
- [35]. Kansil, C. S. T. (2002). *Pengantar Ilmu Hukum dan Tata Hukum Indonesia*. Jakarta: Balai Pustaka.
- [36]. Kelsen, H. (2006). *Teori Umum tentang Hukum dan Negara (Muttaqien, R., Trans.)*. Bandung: Nusamedia & Nuansa.

- [37]. Kelsen, H. (2007). *Teori Hukum Murni: Dasar-Dasar Ilmu Hukum Normatif*. Bandung: Nusamedia & Nuansa.
- [38]. Kusumaatmadja, M. (2002). *Konsep-Konsep Hukum dalam Pembangunan*. Bandung: PT. Alumni.
- [39]. Latif, A. & Ali, H. (2010). *Politik Hukum*. Jakarta: Sinar Grafika.
- [40]. Law of the Republic of Indonesia Number 1 of 1960 on Amendment of the Criminal Code. (State Gazette of the Republic of Indonesia of 1960 Number 1, Supplement to the State Gazette of the Republic of Indonesia Number 1921).
- [41]. Law of the Republic of Indonesia Number 2 of 2002 on the State Police of the Republic of Indonesia. (State Gazette of the Republic of Indonesia of 2002 Number 2, Supplement to the State Gazette of the Republic of Indonesia Number 4168).
- [42]. Law of the Republic of Indonesia Number 31 of 1999 on Eradication of the Criminal Act of Corruption. (State Gazette of the Republic of Indonesia of 1999 Number 140, Supplement to the State Gazette of the Republic of Indonesia Number 3874).
- [43]. Law of the Republic of Indonesia Number 8 of 1981 on the Code of Criminal Procedure. (State Gazette of the Republic of Indonesia of 1981 Number 76, Supplement to the State Gazette of the Republic of Indonesia Number 3209).
- [44]. Law of the Republic of Indonesia Number 8 of 2010 on the Countermeasure and Eradication of the Crime of Money Laundering. (State Gazette of the Republic of Indonesia of 2010 Number 122, Supplement to the State Gazette of the Republic of Indonesia Number 5164).
- [45]. Luthan, A. (2002, 16 July). *Administrasi Peradilan: Lembaga Pengawasan Sistem Peradilan Terpadu*. Paper presented in Semiloka II Administrasi Peradilan: Lembaga Pengawasan Sistem Peradilan Terpadu, organized by Masyarakat Pemantau Peradilan Indonesia, Faculty of Law, Universitas Indonesia in collaboration with Komisi Hukum Nasional Republik Indonesia, at Jakarta.
- [46]. Manan, B. (1993). *Dasar-Dasar Perundang-Undangan Indonesia*. Jakarta: Ind-Hill Co.
- [47]. Manan, B. (2005). *Sistem Peradilan Berwibawa: Suatu Pencarian*. Yogyakarta: UII Press.
- [48]. Marzuki, P. M. (2011). *Penelitian Hukum*. Jakarta: Kencana Prenada Media Group.
- [49]. Mertokusumo, S. (2006). *Penemuan Hukum Sebuah Pengantar*. Yogyakarta: Liberty.
- [50]. Mertokusumo, S. (2016). *Mengenal Hukum: Suatu Pengantar*. Yogyakarta: Cahaya Atma Pustaka.
- [51]. Muladi, M. & Arief, B. N. (1992). *Bunga Rampai Hukum Pidana*. Bandung: PT. Alumni.
- [52]. Muladi, M. & Arief, B. N. (2010). *Teori-Teori dan Kebijakan Pidana*. Bandung: PT. Alumni.
- [53]. Napang, M., Husen, L. O., & Mamonto, L. (2017). Refund Losses of State Assets of Perpetrators of Criminal Acts Of Tax Through Means Legal Penal And Non-Penal Law Systems in Indonesia. *IOSR Journal of Humanities and Social Science (IOSR-JHSS)*, 22(11), pp. 10-19.
- [54]. Nawi, S. (2014). *Pengantar Sosiologi Hukum*. Makassar: CV. Fharras Jaya Grafika.
- [55]. Nawi, S. (2017). *Penelitian Hukum Normatif Versus Penelitian Hukum Empiris*. Makassar: PT. Umitoha Ukhuwah Grafika.
- [56]. Nazir, M. (1998). *Metode Penelitian*. Jakarta: Ghalia Indonesia.
- [57]. Nonet, P. & Selznick, P. (2015). *Hukum Responsif (Muttaqien, R., Trans.)*. Bandung: Nusamedia.
- [58]. Nurmala, L. D., et al. (2020). The Nature of the Legal Protection of Children Who Commit Crimes in the Child Criminal Justice System. *IOSR Journal of Humanities and Social Science (IOSR-JHSS)*, 25(7), pp. 1-18.
- [59]. Poerwadarminta, W. J. S. (1987). *Kamus Umum Bahasa Indonesia*. Jakarta: Balai Pustaka.
- [60]. Prodjodikoro, R. W. (1990). *Hukum Acara Perdata di Indonesia*. Bandung: Sumur.
- [61]. Pruitt, D. G. & Rubin, J. Z. (2014). *Teori Konflik Sosial (Soetjipto, H. P. & Soetjipto, S. M., Trans.)*. Yogyakarta: Pustaka Pelajar.
- [62]. R., R. H. (2006). *Hukum Administrasi Negara*. Jakarta: PT. Raja Grafindo Persada.
- [63]. Rahardjo, S. (2014). *Ilmu Hukum*. Bandung: PT. Citra Aditya Bakti.
- [64]. Rawls, J. (1971). *A Theory of Justice*. Massachusetts: Harvard University Press.
- [65]. Rawls, J. (2006). *Teori Keadilan: Dasar-Dasar Filsafat Politik untuk Mewujudkan Kesejahteraan Sosial dalam Negara (Fauzan, U. & Prasetyo, H., Trans.)*. Yogyakarta: Pustaka Pelajar.
- [66]. Reksodiputro, M. (1993, 30 October). *Sistem Peradilan Pidana Indonesia (Melihat Kejahatan dan Penegakan Hukum dalam Batas-Batas Toleransi)*. Paper presented in Speech for the Acceptance of Permanent Professor in the Field of Law, organized by Faculty of Law, Universitas Indonesia, at Jakarta.
- [67]. S., S. H. & Nurbani, E. S. (2016). *Penerapan Teori Hukum pada Penelitian Tesis dan Disertasi*. Jakarta: PT. Raja Grafindo Persada.
- [68]. Salman, O. & Susanto, A. F. (2004). *Teori Hukum: Mengingat, Mengumpulkan, dan Membuka Kembali*. Bandung: Refika Aditama.
- [69]. Sampara, S. & Husen, L. O. (2016). *Metode Penelitian Hukum*. Makassar: Kretakupa Print.
- [70]. Sampford, C. (1989). *The Disorder of Law: A Critique of Legal Theory*. Britania Raya: Basil Blackwell.

- [71]. Soekanto, S. (1985). *Perspektif Teoritis Studi Hukum dan Masyarakat*. Jakarta: Rajawali Pers.
- [72]. Soekanto, S. (1986). *Pengantar Penelitian Hukum*. Jakarta: UI Press.
- [73]. Sutadi, A. (2008). *Tindak Pidana Pencucian Uang*. Bandung: PT. Citra Aditya Bakti.
- [74]. Waluyo, B., et al. (2000). *Aspek-Aspek Diskresi Penuntutan*. Jakarta: Pusat Penelitian dan Pengembangan Kejaksaan Agung RI.
- [75]. Yusuf, M., et al. (2011). *Ikhtisar Ketentuan Pencegahan dan Pemberantasan Tindak Pidana Pencucian Uang*. Jakarta: The Indonesia Netherlands National Legal Reform Program.
- [76]. Zulfa, E. A. (2011). *Pergeseran Paradigma Pidanaaan*. Depok: UI Press.
- [77]. Zulkarnain, Z. (2006). *Praktik Peradilan Pidana: Panduan Praktis Memahami Peradilan Pidana*. Malang: In-TRANS.

Ahmad Mariadi, et. al. "Confiscation of Assets of the Crime of Money Laundering by the State Police Investigators of the Republic of Indonesia." *IOSR Journal of Humanities and Social Science (IOSR-JHSS)*, 26(05), 2021, pp. 12-24.