

# **Review of Law Enforcement of the Crime of Money Laundering Originating from Corruption (Case Study of Makassar District Court Class 1A)**

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## **Abstract:**

This study aims to identify and analyze the law enforcement of money laundering crimes originating from criminal acts of corruption and what factors are inhibiting the law enforcement of money laundering crimes originating from criminal acts of corruption. This study uses primary data through interviews with related parties and distributing questionnaires to 30 respondents as a sample from the public regarding their knowledge of money laundering. The results of this study indicate that: (1) Enforcement of money laundering laws originating from criminal acts of corruption has been carried out according to procedures, however, there are still many things that become obstacles so that law enforcement is not optimal (2) Factors inhibiting money laundering law enforcement, factors accused, law enforcement factors and legal culture factors.

**Keywords:** Law Enforcement, Money Laundering, Corruption

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## **I. Introduction:**

Indonesia is a constitutional state, as stated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia (hereinafter referred to as the 1945 Constitution of the Republic of Indonesia), hereby all state activities must be by the regulations in force in Indonesia. Violations committed must be subject to sanctions by applicable regulations as well. If the violation is public, then the violation is included in the criminal category.

The implication of Indonesia as a rule-of-law country is to uphold the law itself, one of which is criminal law. Criminal law by many experts is said to be public law. What is intended as public law is the law that regulates the relationship between individuals and society/government. Therefore, criminal law plays its role as a counterweight in social and state life. Based on the objectives of criminal law which contain the meaning of preventing unhealthy social symptoms.

Further division of criminal law in the scope of rules is divided into two parts, general criminal law and special criminal law. General criminal law is a criminal law that can be applied to everyone in general, while special criminal law is intended for certain people only.<sup>[1]</sup>

One of the sections of criminal law that will be discussed in the writing of this thesis is a special crime and one of its scopes is an economic crime. According to Andi Hamza, criminal law is part of criminal law, which has its features, namely economic features. Some parts of economic criminal law, namely corruption, money laundering, and many others related to the economy. One of the economic crimes occurring today is the Crime of Money Laundering.

In Law Number 8 of 2010 Concerning the Prevention and Eradication of Money Laundering Crimes, it provides a clear understanding of the Money Laundering Crime in Article 1 number (1) "money laundering is any act that fulfils the elements of a crime by the provisions of the law. this law," namely in Article 3, Article 4, and Article 5 of Law Number 8 of 2010.

The crime of money laundering as a crime has a distinctive feature, namely that this crime is not a single crime but multiple crimes. The crime of money laundering does not stand alone because the assets placed, transferred, or diverted by way of integration were obtained from the crime, meaning that there was already another crime that preceded it (predicate crime).<sup>[2]</sup>

Concerning the relationship between predicate crime and the crime of money laundering, the two have created conflict with law enforcers. Starting from the investigation to the evidence in court. At the investigation stage, the investigator chooses two paths, namely between investigating by simultaneously proving the predicate

crime and the crime of money laundering, or in his investigation only investigating the crime of money laundering. Likewise, with the stage of prosecution or preparation of the indictment, the public prosecutor chooses two paths between indicting simultaneously or indicting only the criminal act of money laundering. This is also experienced by judges in proving the elements of a crime. Will the judge first prove the predicate crime and then be followed proving the crime of money laundering, if the indictment uses cumulative indictments, or will only prove the crime of money laundering because the predicate crime was not charged?

The predicate crime in the crime of money laundering as stipulated in Article 2 paragraph (1) of Law No. 8 of 2010 concerning proceeds of crime, is that there are 26 types of assets obtained from criminal acts. Then Article 69 of Law No. 8 of 2010 states that to be able to carry out investigations, prosecutions, and examinations in a court of the crime of money laundering, it is not mandatory to prove the origin of the crime.

This is different from the wording of Article 77 of Law No. 8 of 2010 which says, for examination in court, the defendant is required to prove that his assets are not the proceeds of a crime. In line with this article, as Article 78 paragraph (1) of Law No. 8 of 2010 regulates, during an examination at a trial court as referred to in Article 77, the judge orders the defendant to prove that the assets related to the case do not originate or are related to the crime as referred to in Article 78. referred to in Article 2 paragraph (1). Then in paragraph (2) the Defendant proves that the assets related to the case do not originate from or are related to the crime referred to in Article 2 paragraph (1) by submitting sufficient evidence.<sup>[3]</sup>

In the crime of money laundering, the main thing to be pursued is money or assets obtained from the proceeds of crime for several reasons. First, when chasing the culprit is more difficult and risky. Second, when compared to chasing the perpetrators it will be easier to pursue the results of the crime. Third, the proceeds of crime are the blood that feeds the crime itself. If the proceeds of the crime are caught and confiscated by the state, it will automatically reduce the crime of money laundering.

Law no. 8 of 2010 concerning Money Laundering Crimes states that the proceeds of crime are assets obtained from criminal acts: corruption, bribery, narcotics, psychotropics, labour smuggling, migrant smuggling, in the banking sector, in the capital market sector, in the insurance sector, customs, excise, human trafficking, illegal arms trade, terrorism, kidnapping, theft, embezzlement, fraud, counterfeit money, gambling, prostitution, in the field of taxation, in the field of forestry, in the field of environment, in the field of maritime affairs and fisheries, or other criminal acts that shall be punished with imprisonment of 4 (four) years or more, committed within the territory of the Unitary State of the Republic of Indonesia or outside.<sup>[4]</sup>

Recently, the problem of money laundering has received increasing attention from various groups, not only on a national scale but also regionally and even globally.

Indonesia can be said to be a "paradise" for criminals as a place to launder the proceeds of crime. The money from laundered crimes usually comes from white-collar crimes (*white Crime*).<sup>[5]</sup> In Indonesia itself, the majority of the money obtained from crimes is obtained from the proceeds of corruption.<sup>[6]</sup> Therefore, law enforcers must be more responsive and focused on fighting corruption, because this is a benchmark for a government. One very important element of law enforcement in a country is the fight against corruption.

The link between the criminal act of money laundering and the criminal act of corruption is used by corruptors to secure assets obtained from the corruption crimes they have committed.<sup>[7]</sup> This can be seen in several cases in Indonesia where corruptors involve the results of their corruption in various forms of assets, investments, and business activities.

From the previous explanation, it needs to be emphasized again, that law enforcers must always take part in eradicating criminal acts, especially money laundering, one of the participations of law enforcers is by upholding the current law to achieve the goals of the law itself. One of the actions of law enforcers, especially in deciding a money laundering crime case by imposing a criminal sentence on the defendant.

An example of a case related to this problem is described as follows, a panel of judges at the Makassar Tipikor Court sentenced the defendant to 7 years and 6 months in prison in the case of alleged corruption money laundering (TPPU) on Sulselbar Bank Bulukumba Branch, Muhammad Iqbal Reza Ramadhan. Not only sentenced to corporal punishment but accused of alleged corruption accompanied by money laundering. Therefore, the panel of judges also ordered them to pay a fine of Rp. 500,000,000 with the provision that if the fine is not paid it will be replaced with a sentence of 4 months in prison.

Not only that, the panel of judges also punished the BUMD employee by paying a replacement fee of Rp. 21,817,975,102 and if he does not pay the replacement money within a month after the court decision has permanent legal force, then his property can be confiscated by the prosecutor and auctioned to cover the replacement money. If he also does not have sufficient property to pay the specified replacement money, then he is replaced with imprisoned for 4 years.<sup>[8]</sup>

Based on the description above, the writer is interested in studying and researching the problem of money laundering at the Makassar District Court Class IA, with the title "A Review of the Law Enforcement of the Crime of Money Laundering Derived from Corruption Crimes (Case Study of the Makassar District Court Class 1A)"

## **II. Research Method**

The type of research used in the preparation of this scientific work is the type of empirical research. This research was conducted at the Class 1A Makassar District Court, with subjects namely Class 1A Makassar District Court Judges, Advocates, Police, and Students. The data collection techniques are interviews, direct observation and distribution of questionnaires. After the data was collected from the results of both primary and secondary data research, the authors then conducted a qualitative descriptive analysis.

## **III. Discussion And Results:**

### **Law Enforcement of Money Laundering Crimes Derived from Corruption Crimes**

Money laundering is a process or activity that aims to hide or disguise the origin of money or assets obtained as a result of criminal acts which are then converted into assets that appear to originate from legitimate activities.

In its regulations, Article 1 of Law Number 8 of 2010 Concerning the Prevention and Eradication of Money Laundering Crimes (hereinafter referred to as the PP-TPPU Law) states that money laundering is any act that fulfils the criminal elements by the provisions of this Law. <sup>[9]</sup> The provision in question is an act in the form of placing, transferring, diverting, spending, paying, granting, depositing, bringing abroad, changing the form, exchanging with currency or securities or other actions on assets that he knows or reasonably suspects are the result of acts criminal. <sup>[10]</sup>

Law enforcement of money laundering crimes starts with investigations and investigations into money laundering crimes carried out by investigators from the Indonesian National Police (POLRI). <sup>[11]</sup> In practice, in uncovering a money laundering case, for example in the early stages of an investigation, of course, investigators will develop the predicate crime committed by the perpetrator of the crime of money laundering. This cannot be separated from the overlap between the jobs of actors who, for example, used to just sit at home but have excess assets. This is an important indicator that can be used as an excuse for disclosing the existence of money laundering crimes.

Furthermore, in the case of money laundering, in essence, in the fact that the trial proved that it was a predicate crime first, then from this predicate crime it depends on the prosecutor, whether he wants to make a connection with whether or not money laundering is involved.

According to the informant, Farid Hidayat Sopamena SH., MH, the Makassar District Court Judge stated that the procedure for handling cases of laundering crimes was that when the predicate crime or in this case the criminal act of corruption was proven, then the criminal act of corruption was processed first. When the predicate crime or corruption crime is proven, then it will proceed to the next case, in this case, the crime of money laundering. In the rules, the two can be combined, but of course, it will be complicated if the two are combined.

Furthermore, related to the law enforcement of money laundering crimes originating from criminal acts of corruption, the informants also explained that when later investigators and prosecutors could prove that in the predicate crime, in this case, the criminal act of corruption, there was indeed money laundering. Regarding law enforcement, in essence, it has been carried out or carried out, in the sense that the evidence that has been collected by the prosecutor is then examined in court. If the defendant is unable to prove that the assets owned are not the result of money laundering, of course, the assets owned by the defendant will be confiscated for the State. If later the prosecutor is unable to prove it, the assets will still be returned to the defendant. The judge's considerations in deciding the money laundering crime case are based on the testimony of the most important witness, the evidence that the public prosecutor then presents. <sup>[12]</sup>

According to the author, law enforcement related to money laundering crimes originating from criminal acts of corruption has been carried out by authorised law enforcement officials, starting from the initial stages of investigation at the police until the execution stage. It should be emphasized that in law enforcement against criminal cases, the police is the agency that is the earliest in handling if a crime occurs. The police as investigators and investigators are obliged to carry out investigations into these crimes so that they can then be delegated to the prosecutor's office to prosecute the suspect.

Regarding the criminal act of money laundering originating from the criminal act of corruption, when viewed from the perspective of its legal subject, in this case, the majority of perpetrators are carried out by officials. Determining whether the defendant has committed the crime of money laundering, can be said to be quite complicated. Remember that law enforcement officials need to be careful and thorough in exploring the origins of the assets of suspects or defendants. It could be that the assets obtained are the result of business.

The same thing was also conveyed by Faisah, SH., MH who is a prosecutor, stating that law enforcement for money laundering originates from criminal acts of corruption. Initially, what needs to be known is regarding the procedure for handling cases in this regard, that the procedure starts with an investigation. At this stage of the investigation, it can be carried out simultaneously with the original crime, in this case, corruption, and the investigator is an investigator from an investigator of the Indonesian National Police

(POLRI). Then it was further increased in the prosecution stage after the prosecution, then the trial and the final stage, namely execution.

Regarding law enforcement, of course, handling has been carried out by the procedures of the applicable laws and regulations, where cases related to money laundering crimes are handled concurrently with predicate crimes. But to find out that this is money laundering, it can be seen from the defendant's assets that it is known that these assets are indeed the result of money laundering crimes.<sup>[13]</sup>

From the description above, the authors assume that the criminal act of money laundering stems from the criminal act of corruption when investigated in-depth, this is a separate predicate crime.

In line with what was disclosed by the previous informant that Article 75 of Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering also states that if investigators find sufficient initial evidence of the occurrence of the Crime of Money Laundering and predicate crime, the investigator combines the investigation of the crime origin by investigating the crime of money laundering and notifying it to the Financial Transaction Reports and Analysis Center (PPATK). So that with the provisions of this article, investigations into Money Laundering Crimes and predicate crimes can be carried out simultaneously.

However, investigations into money laundering crimes and predicate crimes, in this case, corruption, cannot necessarily be carried out simultaneously, but can also be carried out separately. The separation of predicate crime investigations, in this case, corruption and money laundering, is highly dependent on the dominant direction of initial evidence. If the predominant evidence is predominant, the tendency towards the crime of money laundering, then the investigation can be separated. However, if it is more directed to predicate crimes in this case corruption, then a combined investigation must be carried out so that it can be proven maximally together.

Furthermore, the author also explores information related to money laundering originating from criminal acts of corruption within the police. Where the author conducted interviews with Ipda Irham, SH. MH, the informant stated that the procedure for dealing with money laundering cases originating from criminal acts of corruption is the same as handling cases with other crimes, only this type of crime is more focused on finding assets or assets from money laundering perpetrators.

Regarding law enforcement, the informant added that law enforcement efforts are being carried out, namely by seizing property or assets that are possible as a result of money laundering originating from criminal acts of corruption. Furthermore, in the legal order to determine a criminal act, law enforcement officials must have sufficient evidence to be able to proceed with criminal proceedings. In the context of money laundering, the evidence needed is for law enforcement to trace back the assets or assets owned by the perpetrator. In this case, when the perpetrators of corruption are of course after being named as defendants, if there are indications of money laundering being carried out, the assets of the perpetrators of corruption will be traced. When later it is true that the crime of money laundering from the proceeds of corruption is committed, the assets or assets they have will be confiscated.<sup>[14]</sup>

According to the author, the origin of money laundering comes from a legal vacuum. This then becomes one of the causes for the perpetrators of this criminal act of corruption to become increasingly rampant because they assume that the proceeds of corruption money then produce an item or can be transferred in this case changing the form of the proceeds of the crime into another form as if it were money, the result of good deeds.

In disclosing the crime of money laundering not only from PPATK reports but also from the results of police investigations, namely investigations into original cases carried out by suspects.<sup>[15]</sup> Investigators carry out the development of predicate criminal cases, namely by tracing the possibility that money laundering has occurred, as a continuation of the predicate crime by the suspect. In this case, investigators can ask the PPATK to trace the flow of funds made by the suspect, so that there is evidence that the suspect has also committed the crime of money laundering.

It is common for investigators to arrest suspects in money laundering cases, especially if the suspect shows an uncooperative attitude. Investigators have an interest in arresting and detaining suspects. This aims to facilitate the investigation process so that it can run smoothly, as well as so that investigators can carry out case development because money laundering crimes often involve many people as suspects.

If the police data file is complete, then what is done next by the police, in this case, the investigator, will hand over the file to the public prosecutor if it has been declared complete (P-21), and usually it can be processed according to the time stipulated in the law, which is 60 days.<sup>[16]</sup> If the suspect is cooperative, the investigation process will go faster. However, it is the public prosecutor who declares that the files are complete, so it is possible to return the files. Therefore the prosecutor can return the files to the investigators if they do not meet the requirements, for further completion. When the file has been declared complete by the prosecutor, then the case or file is then transferred to the court.

Law enforcement officials, in this case, advocates, are also involved in this writing. Adi Putra Raera, SH., MH, who is an advocate, gave his views regarding money laundering which stated that the procedure for

handling money laundering crimes remains by the Criminal Procedure Code because even though money laundering is a continuing crime, in principle money laundering does not need to be proven. the predicate crime first. Against the predicate crime it can be revealed in court through the process of proof through the prosecutor or by the attorney/defendant proving otherwise through the process of reversing the burden of proof (reverse proof).

Strictly speaking, the informant added that the law enforcement of money laundering crimes against corruption has not been maximized. This is because there are still many modes that can be carried out by perpetrators of money laundering crimes which are still difficult to trace by law enforcement officials, such as perpetrators who are very likely to use and or continue to operate financial transactions either by using a customer account on behalf of another person, exchanging currency foreigners, shopping for luxury goods or other valuable assets and there are many more ways that money laundering criminals can do to trick law enforcement officials. Law enforcement officers are often hampered by the limited ability of money laundering investigators to track transactions of money laundering offenders and access to information on the financial condition of money laundering offenders, which tends to be slow to obtain.<sup>[17]</sup>

The author responds to what was conveyed by informants who are advocates. Whereas in enforcing the law on money laundering, in this case originating from criminal acts of corruption, the role of an advocate is limited to defending the rights of the perpetrator, in this case, the suspect/defendant of money laundering. However, for the initial process, the role of the police, in this case, investigators and prosecutors, is the role of the police in uncovering or eradicating money laundering crimes. After entering the realm of court, the Judge then conducts an examination based on the initial evidence that has been collected.

To find out more about how money laundering cases are rife in society, the authors try to test the extent of public knowledge of money laundering by distributing questionnaires to the general public. The following are the results of the questionnaire distributed to the public:

**Table 1**  
**Community Questionnaire**

No.	Question	Of	Presents	No	Presents	Amount
1.	Do you know about the Crime of Money Laundering?	28	93,5%	2	6,5%	30
2.	Are you aware of any regulations governing money laundering?	25	83,9%	5	16,1%	30
3.	Do you know the types of money laundering crimes?	14	48,4%	16	51,6%	30
4.	Do you know the law enforcement mechanism for money laundering?	12	38,7%	18	61,3%	30
5	In your opinion, has money laundering law enforcement been effective or not?	9	29%	21	71%	30

Based on the research results obtained from the above questionnaire on community respondents regarding money laundering crimes, it can be explained that:

1. Out of 30 community respondents, 28 people knew about money laundering, while 2 others said they did not know about money laundering.
2. Of the 30 community respondents, 25 people were aware of any regulations regarding money laundering crimes, while 5 others answered that they were not aware of any regulations regarding money laundering crimes.
3. Of the 30 community respondents, 14 people knew the types of money laundering crimes, while the other 16 people answered they did not know the types of money laundering crimes.
4. Of the 30 community respondents, 12 people knew the law enforcement mechanism for money laundering, while 18 others answered that they did not know the law enforcement mechanism for money laundering.

5. Of the 30 community respondents, 9 people stated that law enforcement for money laundering had been effective, while 21 others said law enforcement for money laundering had not been effective.

From the results of the questionnaire above, the authors can conclude that actually, the public's knowledge regarding the crime of money laundering is quite high, but when we look at the facts on the ground, cases of money laundering are still rife. This means that the problem is not about public ignorance of money laundering crimes so things like this often happen. However, the community is less concerned about the environment around them, that is if we examine the role of the community in assisting law enforcement officials in eradicating money laundering crimes.

Then, money laundering originating from criminal acts of corruption is only carried out by elite circles, in this case, officials. Therefore it is not because of ignorance of the law that perpetrators like this commit criminal acts of money laundering from the proceeds of corruption. However, people from circles like this see a loophole to then commit money laundering which they think will be difficult for law enforcement officials to trace.

To find out how many predicate crime cases involve money laundering, in this case, corruption, the following describes the number of corruption cases that have been decided at the Makassar District Court from 2020 to 2022, as follows:

**Table 2**  
**Number of Corruption Cases in 2020-2022**

PERIOD	TOTAL THINGS
2020	100
2021	93
2022	111

Data Source: Directory of Makassar District Court Decisions

From the description of the table above, it can be seen that the number of corruption cases that were submitted to the Makassar District Court from 2021 to 2022 can be said to fluctuate. Where in 2020 the number of cases that came in was 100 cases, then in 2021 it decreased where the number of cases came in was 93 cases. Furthermore, in 2022 it will increase where the number of cases entered is 111 cases

Regarding the law enforcement of the criminal act of money laundering originating from the criminal act of corruption, it has been carried out by the applicable procedures. However, whether that is the maximum or not is still being reviewed, bearing in mind that there will always be obstacles in resolving cases like this. Law enforcement for criminal acts of money laundering originating from criminal acts of corruption has been outlined in the decision of the Makassar District Court Number 65/Pid. Sus. Tpk/2021/PN Mks. In this decision panel of judges at the Makassar Tipikor Court sentenced the defendant to 7 years and 6 months in prison in the case of alleged corruption money laundering (TPPU) on Sulselbar Bank Bulukumba Branch, Muhammad Iqbal Reza Ramadhan. Not only sentenced to corporal punishment, but accused of alleged corruption accompanied by money laundering. In addition, the panel of judges also ordered them to pay a fine of Rp. 500,000,000 with the provision that if the fine is not paid it will be replaced with a sentence of 4 months in prison. Not only that, the panel of judges also sentenced the defendant to additional punishment by paying compensation in the amount of Rp. 21,817,975,102, -(twenty-one billion eight hundred seventeen million nine hundred seventy-five thousand one hundred and two rupiahs); provided that if the replacement money is not paid within 1 (one) month at the latest after the Court Decision which has permanent legal force, then the property can be confiscated by the Prosecutor and auctioned off to cover the replacement money, if the defendant does not have sufficient assets to pay the replacement money, shall be punished with imprisonment for 4 (four) years.

To find out more about the role of law enforcers, in this case, judges, the authors set out some of the judges' considerations in deciding corruption cases accompanied by money laundering. The following are the judge's considerations:

- That the defendant M. IQBAL REZA RAMADHAN as Administrative Assistant of Bank Sulselbar Bulukumba Branch based on Decree Number: SK/007/DIR/I/2014 dated 23 January 2014, as Credit Analysis based on Memorandum Number: MM/009/BK/IX/2014 dated 23 September 2014 from H Hisda Saleh (Head of PT Bank Sulselbar Cab Bulukumba) and as Junior Account Officer of Bank Sulselbar Bulukumba Branch based on Decree Number: SK/092/DIR/V/2017 dated 29 May 2017 and as Account Officer of Bank Sulselbar Bulukumba Branch based on Decree Number: SK/ 058/DIR/IV/2018 dated 9 April 2018.

- That the defendant M. IQBAL REZA RAMADHAN has processed and disbursed KUM and KUL credits from 2016 to 2021 in the amount of Rp. 25,889,000,000

- That the fund amounted to Rp. 25,889,000,000, - received by the defendant from the Fictitious Credit Fund of Bank Sulselbar then transferred in cash and non-cash, then placed in the account belonging to the defendant, the defendant's family and friends of the defendant

- The Defendant had accounts at several Conventional Banks and the funds originating from the fictitious credit were disguised using transfers to several accounts belonging to the Defendant's family/friends

1. 10 times to Mandiri bank account No. rec. 1740000863068 on behalf of MOCH. NUR RIFKY (cafe employee/family) with a total of Rp. 2,290,015,000

2. 8 times to Mandiri bank account No. rec. 1740001667625 on behalf of ASWANDY HARYADI (carwash employee) with a total of Rp. 1,550,278,500

- That the Defendant MUH. IQBAL REZA RAMADHAN also uses one of these fictitious credit funds, for accessories and renovation of the Labissa café worth Rp. 567,900,000.- (five hundred sixty-seven million nine hundred thousand rupiah), for 10 (ten) transactions with Bank Mandiri on behalf of FUAD RIDHO SAFNA (a friend of the Defendant who worked on cafe labissa)

- That the defendant also placed and transferred to the account of the defendant, family and friends of the defendant a total of Rp. 8,293,287,000, - which was later partly spent on buying land, houses, cars and motorcycles

- That the defendant's actions were placed and transferred to the defendant's account, the defendant's family and friends and spent it with a total of Rp. 8,293,287,000, - which is known to be the result of a criminal act of corruption, is not by the income earned and cannot be accounted for by the defendant as long as the origin of the money is obtained legally (legally).

- That the defendant M. IQBAL REZA RAMADHAN, who is a BUMD employee, in this case, Bank BPD Sulselbar, receives a basic salary and allowances of Rp. 10,423,952

Weigh, that from the above description it was found that there were legal facts about the actions of the defendant M. IQBAL REZA RAMADHAN by transferring the accounts belonging to the defendant, the family and friends of the defendant, for the purchase of movable and immovable goods, which in the opinion of the criminal expert is an act of predicate crime (predicate crime), namely corruption, using other people's accounts to place or accommodate the proceeds of corruption known as the Use of Nominee. Using assets resulting from corruption crimes to spend or buy assets then used/used by other people to make it appear as if these assets did not belong to the defendant M. IQBAL REZA RAMADHAN. The use of nominee is commonly used by ML perpetrators in hiding or disguising the origin of assets resulting from crime:

Considering, that Thus the element "Those who place, transfer, assign, spend, pay, grant, deposit, take abroad, change the form, exchange with currency or securities or other actions on assets that he knows or reasonably suspects are the result of acts crime, in this case, the criminal act of corruption to conceal or disguise the origin of assets" can be proven in the actions of the defendant.

Considering, that regarding the defence of the defendant's legal advisors, the panel of judges thought that by fulfilling the elements in the subsidiary indictment, the defence of the defendant's legal advisors were set aside and the relevant legal considerations above could support evidence at trial

Considering, that during the trial process, this case did not find any justifications and excuses that could abolish the sentence for the Defendant, so the Defendant must be found guilty and sentenced according to his guilt.

Considering, that apart from being sentenced to imprisonment, by the provisions of the Corruption Law, the Defendant was also sentenced to a fine, the amount of which will be determined in the verdict below.

Considering, that in this case the Defendant was placed in temporary detention, then it is determined that the detention that the Defendant has served is deducted in full from the sentence imposed.

Considering, that because the defendant is in custody, according to the criminal procedure law, the defendant remains in detention

Considering, that regarding the evidence presented at trial the panel of judges considered the following:

Considering, that against the evidence item 11, namely 1 (one) plot of land with a certificate of ownership right (SHM) No. 3719/Caile, Ujung Bulu District, Bulukumba Regency based on measurement letter No. 2415/Caile with an area of 432 M2 which, now becomes 1 (one) unit of labbisa cafe shop at Jalan Melati no. 9 bulukumba, which have been confiscated by the Public Prosecutor, based on the decision of the Investigator's permission to carry out the confiscation Number 953/Pen.Pid/2021/PN.Mks, which is a credit facility item at the Sahabat Mitra Sejati Savings and Credit Cooperative (KSP), which has been given Mortgage No.10 dated 10-02-2020 and certificate of Mortgage No.00216/2020 Rank I, on behalf of the Savings and Loans Cooperative (KSP) Sahabat Mitra Sejati in the Bulukumba Branch, which is collateral for the credit, it must be returned to the Cooperative Savings and Loans (KSP) Sahabat Mitra Sejati in the Bulukumba Branch, to be calculated. The value of the loan and the remainder is returned to the State to be calculated with the state losses that must be borne by the defendant

Considering, that cash worth Rp. 442,941,381.- from 106 fictitious credit customers of Bank Sulselbar Cab. Main Bulukumba, Confiscated to be deposited into the State treasury through Bank Sulselbar, Main Branch of Bulukumba and deducted as replacement money.

**Closing:**

In essence, regarding law enforcement, the criminal act of money laundering originating from criminal acts of corruption has been carried out by law enforcers by procedures. It's just that, there are still some obstacles that complicate law enforcement, for example in terms of proof. This is based on information from law enforcement officials such as judges, prosecutors, police and advocates. There needs to be firm and strict action in the application of sanctions against the perpetrators of the criminal act of money laundering from the proceeds of corruption by being given the most severe punishment and impoverishing the perpetrators so that the perpetrators become frustrated and do not repeat their actions. The crime of money laundering is a *white-collar crime* (white-collar crime) so the seriousness of law enforcement officials is needed, as well as the participation and participation of the community so that money laundering crimes can be eradicated.

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