



Criminological Analysis of Livestock Theft as a Criminal Offense (A Case Study at the Lentari Jaya Police Sector)

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ABSTRACT

Livestock theft is a significant criminal phenomenon in rural areas of Indonesia that causes economic losses and social unrest among communities. This study aims to analyze livestock theft from a criminological perspective based on a case study at the Lentari Jaya Police Sector. The research employs a qualitative descriptive approach using primary data obtained through interviews with law enforcement officers and secondary data from relevant literature and official police records. The findings show that livestock theft cases in Lentari Jaya fluctuated between 2020 and 2024, with the highest number of cases occurring in 2023. Most cases were resolved through mediation and compensation agreements, reflecting the local approach to conflict resolution. The study identifies three main contributing factors to livestock theft: economic hardship, social and environmental influence, and low educational background of offenders. Among these, social environment is the most dominant factor influencing criminal behavior. Furthermore, law enforcement strategies are implemented through preventive measures such as community policing, patrol activities, and public awareness campaigns, as well as repressive measures including legal prosecution and sanctions against offenders. The study concludes that an integrated approach involving law enforcement agencies and community participation is essential to reduce livestock theft and enhance social security in rural areas.

Keywords: Criminology, Criminal Offense, Livestock Theft, Lentari Jaya Police Sector, Rural Crime.

I. INTRODUCTION

Indonesia is a state based on law (rechtsstaat), not merely on power (machtsstaat). This principle is explicitly stated in the General Explanation of the 1945 Constitution, affirming that Indonesia is a constitutional state that adopts law as its ideological foundation to realize order, security, justice, and welfare for its citizens. As a consequence, all actions of citizens are bound by applicable legal norms.

Crime issues are crucial to discuss because they directly affect public security and social stability in Indonesia. Various forms of criminal acts emerge across different regions, becoming a widespread social concern. Crime is a social phenomenon embedded within society itself. Every day, mass media reports numerous criminal cases occurring across the country.

Economic problems in Indonesia have contributed to negative social impacts, leading some individuals to engage in unlawful acts as a means of fulfilling their basic needs. In many cases, individuals prioritize immediate survival without considering the consequences of their actions. This behavior contradicts the moral values embedded in Pancasila. Moreover, some offenders appear increasingly unafraid of law enforcement authorities responsible for maintaining public order and security.

Criminal law, which is both regulating and coercive in nature, seems to be increasingly disregarded and less effective in controlling the rise of criminal behavior in contemporary society. From a legal perspective, the increasing complexity of crime requires continuous study of criminal law enforcement as well as criminological analysis to understand the underlying causes of criminal behavior.

Crime is defined as an act prohibited by law, and anyone who violates such legal provisions will be subject to punishment. In addition, crime is also considered a violation of social norms and values upheld within a society. In nearly all societies, life and property are highly valued, making crime a serious social issue. However, crime remains insufficiently understood in terms of its dimensional causes due to the limited scope of existing studies.

The development and fluctuation of crime rates, both in urban and rural areas, are relative and interactive in nature. Crime can be understood as the “shadow of civilization,” a byproduct of societal development. The locus of crime is within society itself, not merely within individuals.

Universally, humans have needs that must be fulfilled, including clothing and food, whether as a means of survival or as a way to improve social status. Employment is expected to provide a legal means of fulfilling these needs and is even considered a form of worship in some religious perspectives. However, this expectation is not always achieved due to various social and economic conditions, sometimes leading individuals to justify unlawful actions, including theft.

The crime of theft is an offense against property regulated under Book II of the Indonesian Criminal Code (KUHP), specifically in Chapter XXII. It is a formal offense, meaning that the act itself is prohibited and punishable by law. Individuals commit theft for various reasons, particularly economic pressures, which often become the dominant driving factor.

The crime of theft remains a serious and persistent social problem that requires effective solutions. Therefore, efforts in prevention and control must involve all stakeholders, including law enforcement agencies and the community, in a coordinated, systematic, and sustainable manner.

All parties must collaborate in strengthening religious values, cultural norms, and legal awareness, as well as enforcing strict sanctions against perpetrators of theft. Without such efforts, theft may continue to increase and potentially become normalized within society, thereby increasing the number of victims of irresponsible actions.

Along with technological advancement and globalization, crime has also evolved and increased in complexity. Social and cultural changes have significantly influenced human behavior, leading to both harmonious and disharmonious conditions depending on how individuals respond to these influences. These dynamics shape lifestyles, patterns of social interaction, economic behavior, legal awareness, and political structures.

Criminal issues remain a persistent social reality whose root causes are often difficult to fully understand. According to Wirjono Prodjodikoro (2003:33), crime is “an act that is reprehensible and related to law, meaning an act that violates the law.” Crime is a universal social phenomenon that cannot be completely eradicated; however, its intensity and frequency can be reduced through effective social control and legal enforcement.

Crime is closely related to social problems arising from inconsistencies between societal norms and actual behavior. A social problem becomes significant when it negatively affects social interaction and disrupts social order. If left unaddressed, such problems may worsen and further disturb societal harmony.

One of the most common forms of crime in society is theft. In contemporary conditions, individuals may resort to shortcuts to meet their needs, including theft. Media reports indicate that theft is frequently driven by unmet basic needs. As crime develops, various forms of theft have also emerged, one of which is livestock theft, particularly prevalent in rural areas.

Livestock theft is one of the most troubling crimes in rural communities. It is a form of aggravated theft, as regulated under Article 362 of the Indonesian Criminal Code, with additional aggravating elements that increase its severity and legal punishment. The classification as aggravated theft reflects the higher social and economic value of livestock in Indonesian society.

The legislator considers livestock as an object with special value based on Indonesia’s socio-cultural conditions. Livestock is not only economically valuable but also plays an important role in agriculture, transportation, and as a measure of wealth within rural communities.

II. LITERATURE REVIEW

2.1 General Review of Criminology

2.2.1 Definition of Criminology

Criminology is considered a relatively new academic discipline. Unlike criminal law, which emerged alongside the development of human society and legal systems, criminology began to develop around the 1850s in parallel with sociology, anthropology, and psychology—disciplines that study human behavior and social phenomena. It is important to recognize that humans are the most highly developed creatures in terms of social complexity and behavior compared to other beings.

Etymologically, criminology is derived from two words: *crime* and *logos*, meaning “the study of crime.” Thus, criminology can be understood as the scientific study of crime. However, because criminology has developed its own methods for analyzing and addressing crime as a social phenomenon, it has evolved into an independent scientific discipline concerned with human behavior in society.

In modern social science encyclopedias, criminology is defined as the study of the causes, prevention, and correction of criminal behavior, integrating contributions from various scientific fields that examine crime and related phenomena. Based on this perspective, criminology can be defined as a field of knowledge that systematically studies the causes, consequences, correction, and prevention of crime as a human and social phenomenon by integrating insights from multiple disciplines.

The term criminology itself was introduced by P. Topinard (1830–1911), a French anthropologist (Topo Santoso and Eva Achjani Zulfa, 2001:9). Etymologically, it originates from the Latin *crimen* (crime or offender) and *logos* (science), meaning the science of crime or criminals.

Several scholars have provided different definitions of criminology (A. S. Alam, 2010:1). One of them, W.A. Bonger, defines criminology as the science that investigates crime in its broadest sense. Based on this definition, Bonger divides criminology into pure criminology, which includes:

1. Criminal Anthropology, the study of criminals as human beings (somatic aspects). This field addresses questions such as the physical characteristics of criminals and whether there is a relationship between ethnicity and crime.
2. Criminal Sociology, the study of crime as a social phenomenon. It focuses on identifying the social causes of crime.
3. Criminal Psychology, the study of criminals from a psychological perspective.
4. Criminal Psychopathology and Neuropathology, the study of mentally ill offenders or those with nervous system disorders.
5. Penology, the study of punishment systems and their development.

In addition, applied criminology includes:

1. Criminal Hygiene, efforts aimed at preventing crime, such as government welfare programs and social policies designed to reduce crime.
2. Criminal Policy, efforts to address crime after it occurs, focusing on its root causes, such as economic improvement or job creation rather than merely imposing sanctions.
3. Criminalistics, the science of technical investigation and crime detection.

Sutherland defines criminology as the body of knowledge concerning crime as a social phenomenon. According to him, criminology covers the processes of law-making, law enforcement, violation of law, and societal reactions to such violations. He divides criminology into three main branches:

1. Sociology of Law
2. Etiology of Crime
3. Penology

Paul Mudigdo Mulyono disagrees with Sutherland's definition, arguing that it does not sufficiently acknowledge the role of the offender in the occurrence of crime. According to him, crime does not only arise from societal rejection but also from the offender's internal motivation. Therefore, he defines criminology as the science that studies crime as a human problem. Michael and Adler define criminology as the total body of knowledge concerning criminal acts, offenders, their environment, and how they are formally treated by law enforcement institutions and society. Wood states that criminology includes all knowledge obtained through theory or experience related to crime and criminals, including societal reactions toward them. Noach defines criminology as the study of criminal acts and deviant behavior involving individuals engaged in such conduct. Wolfgang, Savitz, and Johnson define criminology as a body of scientific knowledge aimed at understanding crime through systematic analysis of descriptions, patterns, regularities, and causal factors related to crime, offenders, and societal reactions. Accordingly, the scope of criminology includes:

1. Criminal acts
2. Criminal offenders
3. Societal reactions toward crime and offenders

According to A. S. Alam (2010:4–7), criminology can be divided into two major categories:

a. Theoretical Criminology

Theoretical criminology is divided into several branches that systematically study the causes of crime:

1. Criminal Anthropology, which studies physical characteristics of criminals. Lombroso, for example, identified traits such as elongated skulls, thick hair, protruding temples, and slanted foreheads as criminal characteristics.
2. Criminal Sociology, which studies crime as a social phenomenon, including:
 - a. Sociological Etiology, studying the causes of crime
 - b. Geographical Criminology, examining the relationship between location and crime
 - c. Climatological Criminology, studying the relationship between weather and crime
3. Criminal Psychology, studying crime from a psychological perspective, including:
 - a. Typology, classification of offenders
 - b. Social Psychology of Crime, studying crime from a social-psychological perspective
 - c. Psychopathology and Neuropsychiatry of Crime, studying mentally ill offenders
4. Penology, studying the history, meaning, and function of punishment

b. Applied Criminology

Applied criminology focuses on practical efforts to combat crime in society, also known as applied criminology. Its branches include:

1. Criminal Hygiene, which aims to eliminate factors that cause crime, such as improving economic conditions, providing counseling, and creating recreational facilities.
2. Criminal Policy, which focuses on how to design fair and effective punishment systems that encourage offenders to reform.
3. Criminalistics (Police Science), the study of investigative techniques used to detect and apprehend offenders.

2.1.2 Scope of Criminology

- a. The scope of criminology encompasses three main components (A.S. Alam, 2010:2–3), namely: The process of criminal law and criminal procedural law-making (making laws).
- b. Criminal etiology, which examines theories explaining the causes of crime (breaking of laws).
- c. Reactions to legal violations (reacting toward the breaking of laws).

Such reactions are not only directed at offenders through repressive measures, but also toward potential offenders through crime prevention efforts (criminal prevention). Both criminology and criminal law share several similarities (A.S. Alam, 2010:14), namely:

- a. Their object of study is crime.
- b. Both involve efforts to prevent crime.

However, fundamental differences remain between these two disciplines. Criminal law is considered a normative science whose investigations focus on legal rules and their application in pursuing justice. It studies norms or “what ought to be,” formulates and establishes them, and subsequently enforces them. Criminal law is general and universal in nature and is considered *post factum*, meaning it operates after a crime has occurred. Legal provisions are formulated after criminal problems emerge in society, and regulations are then established to set legal boundaries.

In contrast, criminology—although partly rooted in criminal law concepts—focuses more on examining individual and social conditions that give rise to conflicts, as well as the effects and consequences of conflict repression. It also critically evaluates the societal impact of such repressive measures. Unlike the normative nature of criminal law, criminology studies empirical realities and interprets social contexts based on research findings. It is more specific and limited in scope and is therefore considered *pre factum*, meaning it studies the causes of crime before or beyond legal classification.

- a. Further distinctions between criminology and criminal law (A.S. Alam, 2010:14–15) include: Criminology seeks to understand the background of criminal behavior, asking why a person commits a crime (e.g., “Why did Mr. X commit a crime?”). Criminal law, on the other hand, determines whether a person has committed a crime (e.g., “Has Mr. X committed a crime?”). Criminal law identifies the offender first, after which criminology investigates the causes.
- b. Criminology provides input for the formulation of criminal legislation, whereas criminal law already defines and codifies criminal acts within statutes such as the Indonesian Criminal Code (KUHP) and the Criminal Procedure Code (KUHAP).

Despite their differences, criminal law experts still require criminology as a supporting science. Both disciplines are interdependent and must work in a complementary manner, albeit from different perspectives. Their interaction creates an integrative relationship in which each discipline supports the other. At the intersection of both fields, various complex legal and social issues emerge.

2.2 General Overview of Crime

2.2.1 Definition of Crime

Crime is a representation of behavior that contradicts the interests of social groups that possess authority in shaping public policy, or the formulation of legal violations that define conduct opposing the interests of those who establish such norms.

Crime is a label assigned to certain actions considered wrongful by society; thus, the perpetrator is labeled a criminal. This concept is value-based and therefore relative, depending on who defines it. What is considered a crime by one group may not necessarily be viewed as such by another. Even when consensus exists that an act is criminal, disagreements often remain regarding its severity.

- a. Several definitions of crime have been proposed by scholars (Syahrudin, 2003:2–3), including: J.M. Bemmelem: Crime is an antisocial act that causes harm and social unrest, requiring state punishment to restore order.
- b. M.A. Elliot: Crime is a problem in modern society or behavior that violates the law and is punishable by imprisonment, death, fines, and other sanctions.
- c. W.A. Bongger: Crime is a strongly antisocial act that is consciously opposed by the state through the imposition of suffering (punishment).
- d. Paul Moedikdo Moeliono: Crime is a violation of legal norms interpreted by society as harmful and disturbing, thus requiring state intervention.
- e. J.E. Sahetapy and B. Marjono Reksodiputro: Crime is a relative concept influenced by time, place, and social values; it includes behavior considered antisocial or violating living legal norms within society.

2.2.2 Elements of Crime

To classify an act as a crime, there are seven interrelated elements that must be fulfilled (A.S. Alam, 2010:18–19), namely:

1. There must be an act causing harm (harm), as regulated in criminal law. For example, theft is prohibited under Article 362 of the Indonesian Criminal Code (KUHP) under the principle of legality.
 - a. There must be a criminal act (*actus reus*).
 - b. There must be criminal intent (*mens rea*).
 - c. There must be a unity between intent and act.
 - d. There must be correspondence between the harm defined in law and the act committed.

e. There must be a criminal sanction attached to the act.

2. General Overview of Theft

a. Definition of Theft

Under Article 362 of the Indonesian Criminal Code, theft is defined as: "Whoever takes an item wholly or partly belonging to another person, with the intention of unlawfully possessing it, shall be punished for theft with imprisonment of up to five years or a fine of up to sixty rupiah." The elements of theft include:

1. Taking an object
2. The object belongs to another person (wholly or partially)
3. The intention of unlawful possession

b. Taking of Property

The act of "taking" refers to physically moving an object from one place to another. In legal practice, this includes actions such as transferring liquid substances. However, if the item is voluntarily handed over, it is not theft but may constitute fraud or coercion depending on the circumstances.

c. Ownership of the Object

The object taken must belong to another person and have economic or personal value. Items abandoned by their owner (*res nullius*) cannot be considered objects of theft.

d. Intention of Unlawful Possession

Unlawful possession refers to the intent to treat the object as one's own without legal right. This includes actions such as selling, lending, using, or withholding property without permission.

e. Forms of Theft

The Criminal Code classifies theft into several categories:

1. Simple Theft (Article 362 KUHP), Elements include taking property, belonging to another, and unlawful intent.
2. Minor Theft (Article 364 KUHP), Applies when the value of stolen goods is very low and the act is not aggravated.
3. Aggravated Theft with Violence (Article 365 KUHP), Includes theft accompanied by violence or threats, with increased penalties depending on circumstances such as nighttime execution, group involvement, or resulting injury or death.
4. Livestock Theft (Article 363 KUHP), Considered aggravated theft due to the economic importance of livestock in society, covering animals such as cattle, horses, goats, and pigs. Proof in court must establish that the object qualifies as livestock under legal interpretation.

III. RESEARCH METHODS

3.1 Research Location

This research will be conducted at Polsek Lentari Jaya, as this location provides the researcher with access to the necessary data required to complete the undergraduate thesis in fulfillment of the requirements for obtaining a Bachelor of Laws degree at the Faculty of Law, Universitas Sulawesi Tenggara.

3.2 Types and Sources of Data

Primary data refers to data obtained directly through interviews and field research with relevant parties involved in the study. Secondary data refers to data obtained through literature review, including books, scientific works, journal articles, internet sources, and official documents that are related to the issues discussed in this study.

3.3 Data Collection Techniques

Data collection in this study is carried out using two main methods: library research and field research.

- a. Library Research is conducted by collecting data from various literature sources relevant to the research problem. This includes books, journals, articles, and other academic references that support the study.
- b. Field Research is conducted through direct and open interviews in a question-and-answer format with informants related to the research problem. This method is used to obtain accurate and relevant empirical data.

3.4 Data Analysis

The data collected, both primary and secondary, will be analyzed using qualitative analysis methods to produce conclusions. The findings will then be presented in a descriptive form to provide a clear and systematic understanding of the research results.

3.5 Research Timeline

The research will be carried out after the research proposal seminar has been conducted and approved by the examiners, after which the field research process will be continued.

IV. RESEARCH RESULTS AND DISCUSSION

4.1 Data on the Number of Livestock Theft Crimes Handled by the Lentari Jaya Police from 2020 to 2023

No	Year	Total	Info
1	2020	1	Complete
2	2021	0	
3	2022	2	Complete

No	Year	Total	Info
4	2023	4	Complete
5	2024	0	
	Total	7	

Data Source: Lantari Jaya Police Station

Based on the table above, it shows the details of livestock theft crimes in Lantari Jaya. In 2020 there were 7 cases of livestock theft. In 2021 there were no reported cases. In 2022, there were 2 cases of livestock theft, and in the following year, 2023, there was an increase in police reports reaching 4 cases. Meanwhile, in 2024 there were no reported incidents. From 2020 to 2023, most livestock theft cases were resolved through mediation processes accompanied by compensation agreements.

Based on an interview with the Head of Unit, Aiptu Fitra, it was stated that livestock theft is one form of crime that should receive serious attention from all parties, both law enforcement officers and the community in Konawe Selatan Regency, especially in Lantari Jaya. Although the number of reported cases in this area is relatively low, it still causes losses and social unrest, particularly for the victims. Therefore, law enforcement officers continuously encourage the community to be more vigilant, to properly supervise their livestock to prevent theft, and to understand that livestock theft constitutes a criminal act of taking another person's property without the owner's knowledge, which is punishable under theft provisions of the law.

4.2 Factors Causing the Occurrence of Livestock Theft in Lantari Jaya

In criminological studies, the discussion is closely related to the factors that lead individuals to commit crimes, including livestock theft.

Based on an interview with Aiptu Fitra, the factors behind livestock theft consist of three main components:

a. Economic factors

Urgent economic needs of the offender become the primary reason for committing livestock theft. Based on the interview, economic factors include poverty conditions. Although it cannot be generalized that all poor individuals commit crimes, Aiptu Fitra explained that most livestock theft offenders in Lantari Jaya come from economically disadvantaged backgrounds.

b. Environmental and social influence factors

This factor includes habitual behaviors where certain individuals repeatedly commit livestock theft, making it part of their daily activity or even a "profession." Many offenders are recidivists who have committed similar crimes multiple times. Social environmental conditions also play a major role, as many offenders are influenced or encouraged by people around them, including family, neighbors, or community members at the village level. According to Aiptu Fitra, this environmental influence is one of the dominant contributing factors.

c. Educational factors

Low levels of education are also considered a contributing factor to livestock theft. Although Aiptu Fitra did not explicitly emphasize this, the researcher argues that individuals with limited education and lack of skills tend to struggle in meeting their daily needs, which may lead them to engage in criminal acts, including theft. Furthermore, Aiptu Fitra explained in detail that environmental influence or social association is the most dominant factor at 50%, followed by economic factors at 30%, and low education at 20%.

4.2.1 Efforts by Law Enforcement in Addressing Livestock Theft in Lantari Jaya

Law enforcement efforts to address livestock theft are carried out through preventive and repressive measures.

1. Preventive Measures

Preventive efforts refer to actions taken before a crime occurs, aimed at preventing criminal acts from happening in the first place. According to Aipda Agus (interview on April 10, 2024), preventive measures include:

- a. Community guidance and outreach (BINMAS) conducted across Lantari Jaya, especially in villages prone to livestock theft.
- b. Routine patrols in areas identified as high-risk zones for livestock theft.
- c. Encouraging and strengthening community-based security systems (siskamling) to enhance public participation in crime prevention.

In addition, preventive measures are also carried out through public socialization and information campaigns via visual and print media, including public service announcements and warning banners placed in strategic areas, especially during certain periods such as before Eid al-Adha.

Based on the interview, Aiptu Fitra stated that these preventive measures are relatively effective, although they have not fully eliminated livestock theft cases in Lantari Jaya. However, these efforts at least increase public awareness and encourage residents to remain cautious and vigilant.

2. Repressive Measures

Repressive measures are actions taken by the police after a crime has occurred. Based on the interview conducted on April 10, 2024, with Aiptu Fitra as an investigator, repressive efforts include:

- a. Following up on every reported case, including livestock theft cases.
- b. Imposing firm legal sanctions against perpetrators in order to create a deterrent effect.
- c. Ensuring a sense of security, comfort, and justice within the community.

V. CONCLUSIONS AND SUGGESTIONS

5.1 Conclusion

Based on the findings presented in the research, the following conclusions can be drawn: The factors causing livestock theft include economic factors in the form of poverty and urgent livelihood needs, socio-cultural factors such as habitual behavior and environmental influence, and low levels of education among offenders.

Law enforcement efforts to combat livestock theft are divided into two approaches. The first is preventive measures, which include legal education and outreach in high-risk villages through BINMAS, conducting patrols in vulnerable areas, strengthening community security systems (siskamling), and disseminating information through various media channels. The second is repressive measures, which involve handling reported cases and imposing strict sanctions on offenders in Lantari Jaya.

5.2 Suggestions

The increasing cases of livestock theft in Lantari Jaya should serve as an evaluation point for law enforcement agencies to improve their performance in crime prevention, especially livestock theft cases. The role of BINMAS (Community Development Unit), which exists in each village, should be further optimized in engaging with the community.

Furthermore, government officials at all administrative levels, from the sub-district to the village level, are encouraged to intensify socialization programs regarding the vulnerability of livestock theft in Lantari Jaya to strengthen public awareness and prevention efforts.

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