

Analysis Of Juvenile Delinquency Based On Travis Hirschi's Social Control Theory In Batam City

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ABSTRACT

Juvenile delinquency is a collection of various juvenile behavior that is unacceptable in society which is usually a criminal act. There are 2 forms of juvenile delinquency, namely delinquency committed at school and outside school, juvenile delinquency in school in the form of skipping school, crossing walls, brawls, etc., while juvenile delinquency outside school is usually in the form of smoking, free sex, illegal racing, drunkenness, taking drugs, stealing, killing, and other harmful behavior. To find out how to analyze juvenile delinquency in terms of Travis Hirschi's social control theory and what are the criminal sanctions against juvenile delinquency in Batam City. The method used in the following article is a juridical-empirical approach which uses data collection techniques with google form which has a total of 180 respondents from Batam City. The results of this study prove that the role of affection from parents is very important.

ABSTRAK

Kenakalan remaja adalah kumpulan berbagai perilaku remaja yang tidak dapat diterima di masyarakat yang biasanya merupakan sebuah tindakan kriminal. Bentuk kenakalan remaja ada 2 yaitu kenakalan yang dilakukan di sekolah dan diluar sekolah, bentuk kenakalan remaja di sekolah berupa bolos sekolah, mencoret dinding, tawuran, dan lain lain, sedangkan kenakalan remaja di luar sekolah biasanya berupa merokok, free sex, balap liar, mabuk-mabukan, mengkonsumsi narkoba, mencuri, membunuh, dan perilaku merugikan lainnya. Untuk mengetahui bagaimana analisa terhadap perilaku kenakalan remaja yang ditinjau dari teori kontrol sosial Travis Hirschi dan apa saja sanksi pidana terhadap kenakalan remaja di Kota Batam. Metode yang digunakan dalam artikel berikut adalah pendekatan yuridis-empiris yang dimana menggunakan teknik pengumpulan data dengan google form yang memiliki total 180 responden dari Kota Batam. Hasil penelitian ini membuktikan bahwa sangat penting peran kasih sayang dari orang tua.

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I. INTRODUCTION

Every human being in life will definitely pass through adolescence, in the development period of teenagers or children into adults, of course there are many obstacles that will be passed, especially humans as living beings who always need other people and cannot live by themselves (Alhakim, 2021a) good or bad things they learn usually apply in this period. The role of teenagers is very important because they are the next generation of our nation, they are expected to have good performance, moral, knowledge, and mental qualities to replace the previous generation. (Cahyo,

2015) Some of them can certainly distinguish between good and bad things. what can be done, but there are still some teenagers who do not know what kind of things are categorized as good and bad things even there are teenagers who know it is something bad but they still do it, or according to Sutherland's theory that for a child or teenager, The social environment that is not good or bad is easier for the formation of a bad behavior from mild behavior to behavior that violates the law. (Samu-Samu, 2018) Criminology is the identification of an act that was originally not considered a crime, but turned into an act that can be punished. (Alhakim, 2022)

According to Sidik Jatmika that adolescents are divided into several behaviors, firstly, adolescents begin to express their freedom and right to express their own feelings, where this can provide distance between themselves and the family environment, then secondly that adolescents are easily influenced by their peers compared to when they were young. a child, this can also have an impact on the distance between a teenager and his parents, then the third that a teenager who will experience unusual physical changes that usually cause guilt and stress, then the last is a teenager often feels like someone who have excessive trust, combined with feelings or emotions that often increase which makes it difficult for the teenager to receive input or guidance from parents. (Setyawan, Gustaf, Pambudi, Fatkhurrozi, & Anwar, 2019).

Adolescence is often referred to as a rebellious period by society, because a teenager who has just experienced puberty often shows his emotions. (Karlina, 2020) Usually the bad things they do are called juvenile delinquency, according to Santrock juvenile delinquency is a collection of deviant actions and is usually unacceptable by society. (Aroma & Suminar, 2012) There is also according to Paul Moedikto, SH stating that juvenile delinquency is an act that violates norms, rules or laws in society which is usually carried out during the transition from childhood to adulthood. (Letecya, 2019) Juvenile delinquency is usually found in two places, namely juvenile delinquency committed at school and outside school, juvenile delinquency in school is usually in the form of skipping or withdrawing, crossing walls, brawls, and others, while juvenile delinquency outside school is usually in the form of smoking, free sex, illegal racing, drinking, taking drugs, stealing, killing, and other harmful behavior. Juvenile delinquency is one of the deviant actions that exist in today's society, of course the government is worried about the increase in juvenile delinquency in Indonesia. As we know that the birth rate in Indonesia is increasing every day, therefore we need a good generation to carry on, many of them are even unaware of the existence of a law. (Alhakim, 2021b) Over time, cases of juvenile delinquency often appear in newspapers, television, and social media. This shows that more and more serious attention is needed, because juvenile delinquency that occurs has an impact on the quality of performance, morals, knowledge, and good mentality for the future. Many changes occur, both mentally and physically in a teenager, therefore the need for supervision from parents and people around. There are still many parents who do not know how to respond to changes in their children, so that parents take the wrong action, namely curbing their own children. (Karlina, 2020)

The act of restraint has a negative impact, namely making the teenager become someone who is timid, lacks confidence, depends on others, does not know how to solve his own problems, is easily anxious, stressed and other impacts. (Fadli, n.d.) Parents are the most important role in the formation of good character for children and adolescents. Parents must be equal in giving love, teach how to be responsible in order to be aware of what they are doing, involve the teenager in normative activities in order to reduce the chance of committing juvenile delinquency and most importantly teach the teenager to trust, be loyal. , and comply with existing norms.

Riau Islands Province has a big city, namely Batam City. In 2020 data from the Central Statistics Agency shows that Riau Islands has a population of 2,064,564 (Statistik, 2021) people and data from the Batam City Central Statistics Agency itself has a population of 1,196,396 people. (Batam., 2020) The number of teenagers in 2020 aged 10-14 years is 57,610 people and those aged 15-19 years are 63,666 people. (Indonesia., 2020) Batam City has a strategic location, which is on

the international route, because of the frequent entry and exit of foreigners in Batam City, of course there are also many impacts.

Previous research on the analysis of juvenile delinquency has previously been widely studied and researched into a research article, such as that conducted by Sulastrri Br Siahaan, Monica Margareth in 2019 where they studied the Study of Free Sex Behavior in the Perspective of Travis Hirschi's Social Control Theory in the Beji Region, Depok . (Siahaan & Margareth, 2019) Gde Made Swardhana, Ida Bagus Surya Dharma Jaya, I Gusti Ayu Putri Kartika in 2015 where they studied Criminal Policy in Combating Crime and Delinquency in High School Students: A Study on the Application of Social Control Theory And Local Wisdom In Bali. (Swardhana, Jaya, & Kartika, 2015) and Tri Wahyu Widiastuti in 2012 which has reviewed the Law Enforcement Against Child Delinquency. (Widiastuti, 2012) It is different from previous research where this research focuses on analyzing how the analysis of juvenile delinquency is viewed from the Social Control Theory proposed by Travis Hirschi. In addition, this study also examines what criminal sanctions are for juvenile delinquency in Batam City. Based on the description of the problem above, it can be proven that the importance of knowledge on juvenile delinquency behavior and sanctions in Batam City. Because, if it is not taken seriously, there will be more juvenile delinquency that will occur in Batam and certainly there will be no good quality of performance, morals, knowledge, and mentality to replace the previous generation.

Based on the problems above, there are 2 problem formulations, namely 1) How is the Analysis of Juvenile Delinquency Behavior in terms of Travis Hirschi's Social Control Theory in Batam City? And 2) What are the criminal sanctions against juvenile delinquency in Batam City?

This research was conducted because there are several objectives to be achieved. There is also the purpose of this research because of the strategic location of Batam City and frequent criminal acts committed by teenagers, therefore the author wants to analyze the behavior of juvenile delinquency in terms of social control theory, researchers here also take one of the experts as a reference, namely Travis Hirschi. In addition, there are also several contributions to this research, which are expected to be used as sources or references and provide understanding in legal science, especially in the field of criminology.

II. RESEARCH METHOD

This research was conducted in the Riau Islands, Batam City. To obtain the data needed, this study uses a juridical-empirical approach, the data collection technique used by the researcher is taken by data collection techniques using google form with a total of 180 respondents from Batam City, of which 63.4% (sixty three point four percent) female and 36.6% (thirty-six point six percent) male. Then this research is also taken from several supporting legal materials, namely: Primary legal materials, namely Law Number 22 of 2009 concerning Road Traffic and Transportation, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA), Presidential Decree concerning the Supervision and Control of Alcoholic Beverages, and the Law on the Book of Laws Criminal. Secondary Legal Materials, namely explanations through Online Journals and Books. (Sari & Farida, 2021)

III. RESULT AND DISCUSSION

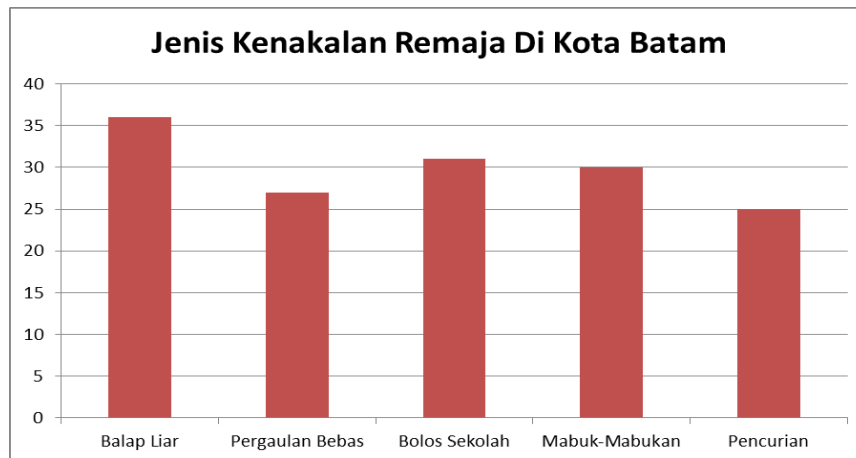


Figure 1 Types of Juvenile Delinquency in Batam City

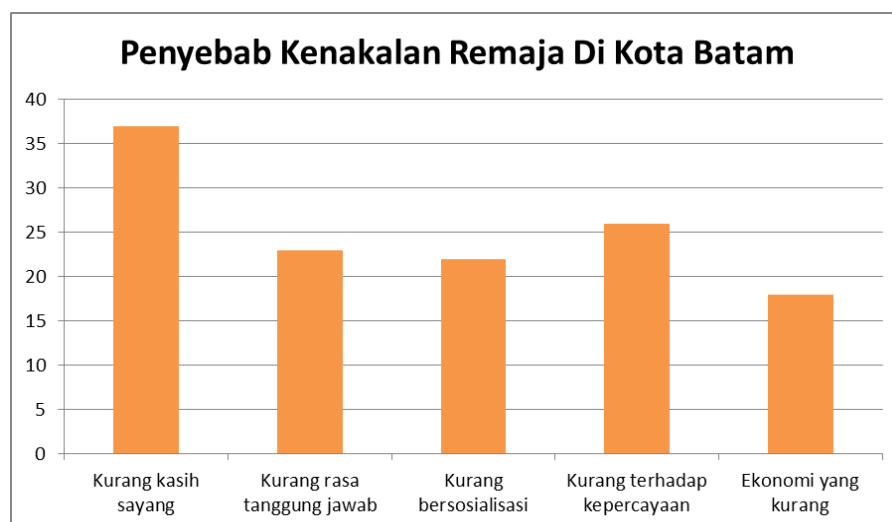


Figure 2 Causes of Juvenile Delinquency in Batam City

1. Analysis of Juvenile Delinquency in terms of Travis Hirschi's Social Control Theory in Batam City

According to Travis Hirschi, Social Control is a form of failure to socialize oneself into society to act regularly within the existing rules or regulations. (AGUSTIAN, n.d.) Travis Hirschi also once said that humans are born to violate the law and will stay away from the act if something special happens (Herdiana, n.d.) From the results of the research taken, consisting of 63.4% women and 36.6% men who where the average age of 19 years to 25 years states that the 3 most common types of juvenile delinquency in Batam City are illegal racing, skipping school and drinking, where the results of the study also state that the cause of juvenile delinquency in Batam City itself is a lack of affection. from parents and friends, then the results of the study also stated that the most important role in preventing juvenile delinquency was parents and followed by oneself. It can also be seen from the table of causes of juvenile delinquency above, that all Travis Hirschi's social control theories are included in the fourth highest cause of juvenile delinquency and the economy is

also the cause of juvenile delinquency in Batam City but is in the fifth highest position. The nature of deviant behavior is divided into several categories, the first is individual deviation or deviations that occur alone without interference by other parties, then group deviations or deviations that occur in groups or more than 2 people, this most often occurs among delinquents, teenagers, and the last is deviations committed by social groups or usually this group is subject to norms and usually ignores the norms that apply in society. (Susanti, 2015)

Travis Hirschi also developed four main elements in his mind map as functioning as individual behavior control where all aspects are included in the 4 highest causes of juvenile delinquency in Batam City, namely, first Attachment or affection is a person's way of getting closer to others, usually obtained through parents, friends, etc. If the control has been formed, then usually the person has feelings that are more sensitive to the feelings and thoughts of others, so that a person has embedded the feeling of affection. Second, commitment or responsibility is a person's attachment to school, organization, work and so on. If a person has a sense of responsibility from childhood, he will think about how to be responsible for himself, his parents, those around him who care about him, so that he does not do irresponsible things. Third, involvement is a person's activity in an activity. If someone participates in or is active in an activity or an organization, there is very little chance of that person committing a deviation, for example participating in student council activities, someone must think twice about taking an action because often someone participates in activities, of course many know him, so he will try to keep his good name. Fourth, Belief or belief is a moral aspect contained in social bonds, in this case it is most different from the previous aspect. Someone who has a sense of obedience to a norm must have a strong sense of avoiding breaking, but if someone does not comply with the norm, the possibility of someone violating it is greater. (Hagan, 2013).

An individual really needs to be guided from childhood by his family, then have friends or a good school environment too. If a person does not have a good absorption from childhood, it is likely that someone will become a less good individual in the future. There are many examples out there whose parents divorced, then gave up their role as parents, the teenager must have received a lot of bad absorption, for example being irresponsible because his parents were not responsible for their role, lack of affection which could lead to riots. of the teenager to get attention, and many others. (Aroma & Suminar, 2012) There are also some parents who are divorced but still carry out their role as parents, because they know their child still needs love and attention to develop and form a good individual. As for the view that criminal acts come from internal factors which include an identity crisis and weak self-control. The purpose of the identity crisis is because of the possibility of 2 forms of integration, the first because of the formation of a consistent necessity and the second, namely the achievement of role identity where many teenagers fail to achieve the second form. (Zakiyah, Humaedi, & Santoso, 2017) It all comes back to how their parents taught them and gave the right view. Then for weak individuals they have an impressionable nature in bad associations. (Aviyah & Farid, 2014).

2. Benefits What are the Criminal Sanctions Against Juvenile Delinquency in Batam City

Legal protection as a separate benchmark of the function of a law which has the understanding that the law provides justice, peace, certainty, benefit, and order. (Alhakim & Lim, 2021) In the opinion of G.P. Hofnagels quoted by Barda Nawawi that there are several ways to overcome crime, the first is the application of criminal law (criminal law application), then prevention without punishment (prevention without punishment), and the last is to influence the public's view of crime and punishment through mass media. (influencing views of society in crime and punishment/mass media). Then the effort to overcome criminal acts is divided into two, namely the penal route (criminal law) and the non-penal route (outside criminal law or non-criminal law). (Grace, B, 2019)

Through the results of research, illegal racing is the most frequent juvenile delinquency in Batam City. Wild racing carried out by these teenagers is usually often done on Friday nights and

Saturday nights. Usually they do this wild race starting from 7 pm until 3 am WIB, they usually do this wild race on a wide and smooth highway in Batam City. Illegal racing is not only detrimental and endangers the lives of these teenagers, but illegal racing also harms, endangers and disturbs other motorists on the road. Many people do this wild race to channel their passion on the road. (Rosanti & Fuad, 2015) Based on Pancasila and the 1945 Constitution, Indonesia is a state of law that regulates the entire life of the Indonesian nation. (Alhakim & Soponyono, 2019) In Law Number 22 of 2009 concerning Road Traffic and Transportation, everything has been regulated in the Law, but there are still many who do not know and even obey the public. One of them is Article 115 which states that "Drivers of motorized vehicles on the road are prohibited": a. Driving a vehicle exceeding the maximum speed limit allowed as referred to in article 21; and/or b. Racing with other motorized vehicles" and the punishment for those who violate is stated in Article 297, which reads "Everyone who drives a Motorized Vehicle racing on the Road as referred to in Article 115 letter b shall be punished with imprisonment for a maximum of 1 (one) year or a fine a maximum of IDR 3,000,000.00 (three million rupiah)." However, as we know in Article 79 paragraph (2) of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA) it reads "The punishment for limiting freedom imposed on children is no longer than 1/2 (one half) of the maximum imprisonment imposed on children. threatened against adults." which means that the punishment imposed by the juvenile is 1/2 of the maximum punishment imposed, then in article 71 it reads "(1) The principal punishment for children consists of: a. warning penalty; b. criminal charges with the following conditions: 1) coaching outside the institution; 2) community service; or 3) supervision. c. work training; d. coaching within the institution; and e. prison. (2) Additional penalties consist of: a. deprivation of profits derived from criminal acts; or b. fulfillment of customary obligations." and Article 85 paragraph (1) also states that "Children who are sentenced to imprisonment are placed in LPKA." which means that children/adolescents who commit criminal acts are not placed in prison but are placed in LPKA (Special Child Development Institution).

Furthermore, the most juvenile delinquency in Batam City from the research taken is school truancy, in contrast to other juvenile delinquency acts, this act of skipping school is the lightest juvenile delinquency act and usually juvenile delinquency starts from this stage. Unfortunately, skipping school is not regulated in the law, but this is only regulated and dealt with by the rules of each school. School is the second most important place after home, in the development of a good individual for a child it is necessary to have a good school and also stricter legal rules in dealing with this act of skipping school.

The third most juvenile delinquency in Batam City from the research taken was drunkenness, from Presidential Decree number 3 of 1997 concerning the Supervision and Control of Alcoholic Beverages there were divided into 3 groups of alcoholic beverages, class A 1%-5% ethanol content, B 5%-20% ethanol content, and group C 20%-55% ethanol content and as we know that alcoholic beverages group A is very easy to get in minimarkets and supermarkets without any restrictions and supervision. Due to the ease of purchase and the disapproval of buying this class A alcohol, many teenagers buy it for various reasons, through research results the reasons they buy are because they are curious, feel cool, and some are addicted. As we know that alcoholic beverages are very dangerous because it will eliminate awareness and we will lose control in controlling ourselves so that consuming excessive alcohol is very big opportunity for crimes that can be done without realizing it. Actually there is no clearer rule regarding the punishment for the loss of one's life due to drunkenness, for now it is only taken from some judges' considerations. (Hidayah, 2014) One example of a case in Batam City was on September 10, 2021, a teenager with the initials AK was ganged up by several people at the Batu Aji soccer field which caused the loss of his life. From the results of the confessions of the suspects to the police team that the incident began when the victim, suspect, and several sanctions were in the field and they were drinking wine type liquor. When drunk the victim mocked several suspects and a fight broke out. Then the victim was found

by residents in a state of unconsciousness, then residents took the victim to the nearest hospital but his life was not saved. After further examination, these suspects were sentenced to Article 170 paragraph 2 to 3e of the Criminal Code which reads: "(1) Whoever publicly commits violence against persons or property, shall be sentenced to a maximum imprisonment of five years and six months. (K.U.H.P. 336). (2) Guilty punished : 1e. by a maximum imprisonment of seven years, if he intentionally damages property or if the violence he commits causes any injury; (K.U.H.P. 406 s, 412). 2e. with a maximum imprisonment of nine years, if the violence causes serious bodily harm; (K.U.H.P. 90). 3e. by a maximum imprisonment of twelve years, if the violence causes the death of a person." (Simanjuntak, n.d.) Due to their age, which are still children/teenagers, the punishment they receive is 1/2 of the applicable adult rules. The rules that regulate if the loss of a person's life is due to one's own actions / not in groups, which has been regulated in Article 359 of the Criminal Code which reads "Whoever because of his mistake (negligence) causes another person to die, is threatened with a maximum imprisonment of five years or a maximum imprisonment of five years. one year long." Which means that in this case if the loss of a person's life is due to drunkenness, the suspect will be threatened with a maximum sentence of 5 years and a maximum imprisonment of 1 year.

There is a difference between the punishment of adults and children/adolescents because according to experts, the children/adolescents are still in the process of development so as much as possible not to separate them from their parents, unless the family has very chaotic and inappropriate circumstances and the child The juvenile commits an act that has a severe punishment, in this case it can be handed over to the government. (SinSinaga, Lestari Victoria, Kaban, Jhon Rico, & Supratman, Eddy. (2020). Tinjauan Kriminologi Terhadap Kenakalan Remaja (Juvenile Delinquency) Dan Pencegahannya Ditinjau Dari Uu Perlindungan Anak. Jurnal Darma Agung, 28(1), 72-83.aga, Kaban, & Supratman, 2020).

IV. CONCLUSION

From the results of data and analysis obtained in Batam City, it is stated that a lot of juvenile delinquency is happening in Batam City at this time, one of the actions that are mostly carried out is Wild Racing. According to Travis Hirschi, there are 4 elements that influence the actions taken, namely Attachment or affection, Commitment or responsibility, Involvement or involvement, and Belief or trust. From the results of the analysis, it was taken that many juvenile acquaintances occurred due to the lack of love from parents and friends. And through the results of the analysis that parents are the most important role in preventing a child from experiencing juvenile delinquency, then the child himself will follow suit.

The three most juvenile delinquency acts in Batam City, the first is illegal racing. Many of the illegal racing actions carried out by teenagers in Batam City, not only harm and endanger the lives of these teenagers, but illegal racing also harms, endangers and disturbs motorists on other roads. The criminal sanctions that will be imposed by these teenagers are Article 297 of Law No. 22 of 2009 concerning Road Traffic and Transportation, namely imprisonment for a maximum of 1 year or a fine of a maximum of IDR 3,000,000.00. However, because of the existence of anyone who takes something, wholly or partly belonging to another person, with the intention of unlawfully possessing it, is threatened with theft, with a maximum imprisonment of five years or a maximum fine of nine hundred rupiahs. then juveniles who commit such acts are only subject to 1/2 the maximum adult penalty. Furthermore, the most juvenile delinquency in Batam City is skipping school, where this action is not regulated in the law, but this goes back to the rules and policies of each school. And the most juvenile delinquency in Batam City, the last one is drunkenness. In the case that was taken because it was carried out together, the punishment imposed by the teenagers was Article 170 of the Criminal Code. Violence committed together in public is punishable by a maximum of 5 years and 6 months, intentionally damaging an object and an injury occurs, the

maximum sentence is 7 years, if it causes serious injury, the maximum sentence is 9 years, and the last if it causes someone death is subject to a maximum sentence of 12 years. Furthermore, for punishments carried out individually/not in groups, they will be subject to Article 359 of the Criminal Code with the threat of a maximum criminal sentence of 5 years or imprisonment for a maximum of 1 year, plus the same protection as illegal racing from the SPPA Law, which is only subject to 1/2 the maximum adult sentence. . Parents should also pay more attention and learn to recognize their own children and spend more time with their children, parents should also be good at finding schools and good environments for their children's development. If a child or teenager grows up from a good environment, he will surely know how to distinguish good and bad things, after that it is only up to the individual teenager to absorb good things that can be done and which absorptions must be limited or not at all.

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