

Criminal Assault by Illegal Racing Against Police Officers: A Case Study in the Jurisdiction of Sidoarjo Regional Police

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ABSTRACT

Illegal racing represents a form of juvenile delinquency that generates public concern and endangers road users' safety. Despite regulation under Law Number 22 of 2009 concerning Road Traffic and Transportation, illegal racing practices remain prevalent in Sidoarjo City. Street racing activities not only violate traffic regulations but frequently escalate into various other serious criminal acts. This study employed a juridical-empirical research method, prioritizing primary data as the main source and secondary data as supporting material. The research aimed to analyze criminal law violations occurring within illegal racing phenomena and to examine law enforcement practices against perpetrators who commit mob violence against police officers at the Sidoarjo Regional Police. Findings reveal that criminal law violations in illegal racing phenomena encompass eight categories: traffic and public order violations, mob violence, gambling, negligence causing injury or death, assault, narcotics and alcohol use, property destruction, and incitement. Law enforcement against mob violence perpetrators proceeds through a systematic mechanism comprising police report registration, issuance of assignment orders, investigation processes pursuant to Articles 170 and 358 of the Indonesian Criminal Code, and case referral to the Sidoarjo District Attorney. In practice, investigators face several obstacles including difficulty in identifying individual perpetrators, lack of willing witnesses, and limited electronic evidence; nevertheless, law enforcement is carried out consistently with the objectives of upholding the law and providing a deterrent effect.

Keywords: Law Enforcement, Criminal Acts of Assault, Illegal Racing

Pengeroyokan oleh Pelaku Balap Liar terhadap Anggota Kepolisian di Wilayah Hukum Polres Sidoarjo

ABSTRAK

Balap liar merupakan bentuk kenakalan remaja yang menimbulkan keresahan masyarakat serta membahayakan keselamatan pengguna jalan. Meskipun telah diatur dalam Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan, praktik balap liar masih marak terjadi di Kota Sidoarjo. Tindakan balap liar tidak hanya melanggar peraturan lalu lintas, tetapi juga kerap berkembang menjadi berbagai bentuk kejahatan lain yang lebih serius. Penelitian ini menggunakan metode yuridis-empiris dengan fokus pada data primer sebagai data utama dan data sekunder sebagai data pendukung. Penelitian ini bertujuan untuk menganalisis pelanggaran hukum pidana yang dapat terjadi dalam fenomena balap liar, serta menganalisis penegakan hukum terhadap pelaku pengeroyokan kepada anggota kepolisian oleh pelaku balap liar di Polres Sidoarjo. Hasil penelitian menunjukkan bahwa pelanggaran hukum pidana dalam fenomena balap liar mencakup delapan bentuk, yaitu: pelanggaran lalu lintas dan ketertiban umum, pengeroyokan, perjudian, kelalaian yang menyebabkan luka atau kematian, penganiayaan, penggunaan narkoba atau alkohol, perusakan barang, dan penghasutan. Penegakan hukum terhadap pelaku pengeroyokan dilakukan melalui mekanisme yang sistematis, mulai dari registrasi laporan polisi, penerbitan surat perintah tugas, proses penyidikan berdasarkan Pasal 170 dan Pasal 358 KUHP, hingga pelimpahan berkas perkara ke Kejaksaan Negeri Sidoarjo. Dalam pelaksanaannya, penyidik menghadapi berbagai hambatan seperti sulitnya identifikasi pelaku, minimnya kesaksian, dan keterbatasan alat bukti elektronik, namun penegakan hukum tetap dijalankan secara konsisten dengan tujuan menegakkan hukum dan memberikan efek jera.

Kata Kunci: *Penegakan hukum, Tindak pidana pengeroyokan, Balap liar*

INTRODUCTION

Mob attacks by illegal racers against police officers in the jurisdiction of the Sidoarjo Police have had a significant negative impact. This phenomenon poses a serious threat to security and public order in the area. Attacks on police officers create instability and an atmosphere of insecurity for the community.¹ Furthermore, such actions also damage the relationship between the police and the community, eroding trust and confidence in law enforcement agencies. Another negative impact is the hindrance of law enforcement efforts. Mobs attacking police officers disrupt their ability to take action against illegal street racers. Officers who are victims of such attacks may suffer physical and mental trauma, which can affect the effectiveness of law enforcement against these illegal street racers. These assaults also increase the risk of accidents and injuries. The disruption of enforcement efforts against illegal street racers can worsen the situation, increasing the risk of accidents and injuries for the racers themselves, police officers, and members of the public not involved in illegal street racing.²

Negative perceptions of illegal racing and a culture of violence are also consequences of this assault. The public tends to view illegal racing as an irresponsible and potentially dangerous activity. The assault creates a negative image of a culture of violence that may be associated with the illegal racing community.³ The phenomenon of illegal street racing in Indonesia has been the subject of various legal studies. Previous studies have examined illegal street racing from various perspectives; Sarifah examined in her study titled “Criminal Law Enforcement of Illegal Street Racing by the Police to Maintain Public Order” that criminal law enforcement of illegal street racing faces obstacles in the form of a shortage of police personnel and the deeply ingrained habit of illegal racing that is difficult to eradicate. This study focuses on preventive and repressive measures against the perpetrators of illegal racing themselves, and has not yet examined the escalation of violence committed by perpetrators of illegal racing against law enforcement officers.⁴ In line with this, Noviani, in his study titled “Law Enforcement Against Illegal Racing in Palangka

¹ A. Afriyanto, R. Riswadi, and A. Redi, “The Role of the Police in Overcoming Motorcycle Racing Actions That Disturb Road Users,” *Edunity: Kajian Ilmu Sosial Dan Pendidikan* 2, no. 1 (2023), <https://doi.org/https://doi.org/10.57096/edunity.v1i05.43>.

² R. Damayanti, M. Bakri, and J Jumra, “Police Efforts in Combating and Preventing Illegal Racing Among Youth,” *Journal of Asian Multicultural Research for Social Sciences Study* 3, no. 2 (2022), <https://doi.org/https://doi.org/10.47616/jamrsss.v3i2.285>.

³ M Irza and B Sumbogo, “Analisis Differential Association Theory Terhadap Proses Remaja Menjadi Pelaku Balap Liar Di Pondok Indah Jakarta Selatan,” *Jurnal Anomie* 4, no. 3 (2022): 155.

⁴ Nurhidah Sarifah, Briliyan Erna Wati, and Hasna Afifah, “Penegakan Hukum Pidana Balap Liar Oleh Pihak Kepolisian Terhadap Terciptanya Ketertiban Umum,” *Jurnal USM Law Review* 8, no. 1 (2025): 158.

Raya City: A Study on Effectiveness and Challenges,” examines the effectiveness of law enforcement against illegal racing in the city

Palangka Raya using a sociological-legal approach. The results of the study indicate that law enforcement has not been sufficiently effective due to weak penalties, low legal awareness among offenders, as well as limited resources and a lack of inter-agency coordination.⁵ Consequently, there is a significant research gap in previous studies, as there has been no research analyzing the phenomenon of mob attacks on police officers carried out by illegal racers. Furthermore, law enforcement regarding the criminal act of mob attacks committed by illegal racers remains limited, particularly in the application of Article 170 of the Criminal Code (KUHP) concerning violence against persons. The general objective of this study is to fill this gap in the literature by comprehensively analyzing the phenomenon of mob attacks by illegal street racers against police officers within the jurisdiction of the Sidoarjo Regional Police. By identifying the criminal offenses that occur within the phenomenon of illegal street racing and understanding how the law is enforced against perpetrators of assaults on police officers by illegal racers within the Sidoarjo Regional Police.

LITERATURE REVIEW

Law Enforcement Theory

Law enforcement can be defined as rational efforts to address and control criminal acts, with the aim of satisfying the sense of justice and ensuring effectiveness in its implementation. In the process of combating crime, various measures are available to respond to offenders, including both criminal and non-criminal instruments, which should be integrated to complement one another. When a criminal approach is chosen as a means of combating crime, criminal law policies will be implemented. This includes the process of selecting and adapting criminal regulations to align with the conditions and relevance to the needs of contemporary society and needs that may arise in the future. Law enforcement needs to be understood within the framework of three main concepts:

1. The Concept of Comprehensive Law Enforcement: This concept emphasizes that all values underlying legal norms must be enforced consistency and without exception.
2. The concept of selective law enforcement: This concept acknowledges the need for limitations on the application of the concept of comprehensive law

⁵ Refky Hadi Rianto Zulfian Achmad Noviandi and Ahmad Zidane Jauhari, “Penegakan Hukum Terhadap Balap Liar Di Kota Palangka Raya: Studi Tentang Efektivitas Dan Tantangan,” *QOSIM : Jurnal Pendidikan, Sosial & Humaniora* 3, no. 2 (2025).

enforcement. These limitations are imposed through procedural rules and other provisions, with the aim of protecting individual rights.

3. The concept of actual law enforcement: This concept emerged in response to the reality of discretion in law enforcement practice. It acknowledges that law enforcement cannot always be carried out in an ideal manner and allows for situational considerations.⁶

According to Soejono Soekanto, there are several factors that influence law enforcement, including:

1. The legal factors itself;
2. Law enforcement factors, such as the parties who establish and implement the law;
3. Society as where the law is applied;
4. Cultural factors, the result of human creativity, emotions, and intentions in social interaction.⁷

The Theory of the Criminal Act of Assault

Before explaining Moeljatno's definition of a criminal offense, it is important to recognize that assault is an illegal act. This prohibition is accompanied by the threat of specific criminal penalties for anyone who violates it. The use of violence by individuals or groups against others is prohibited under criminal law because it violates statutory regulations and can also cause damage to the community, resulting in significant harm. Therefore, it is important to note that the consequences of these illegal acts can result in serious injury or even death. Consequently, the Criminal Code has established provisions regarding perpetrators of violence in various forms and their consequences. The criminal code prescribes criminal penalties for perpetrators of violence, such as murder and assault, which include attacks by one person against another, intentional one-on-one fights, and acts of violence committed collectively by several people in the form of mob violence.⁸

RESEARCH METHODOLOGY

⁶ Samosir M, M. Y. D. . et al., "Faktor-Faktor Yang Mempengaruhi Efektivitas Penegakan Hukum Dalam Pergaulan Masyarakat," *Jurnal Pendidikan Dan Konseling (JPDK)* 5, no. 2 (2023): 1935, <https://doi.org/https://doi.org/10.31004/jpdk.v5i2.13306>.

⁷ Soejono Soekanto, *Faktor-Faktor Yang Mempengaruhi Penegakan Hukum* (Jakarta: Rajawali Press, 2005).

⁸ Dennis Kurniawan, "Analisis Hukum Tentang Sanksi Pidana Terhadap Pelaku Pengeroyokan Yang Menyebabkan Hilangnya Nyawa Orang" (Universitas Islam Kalimantan, 2021).

This research employs a juridical-empirical method, which involves legal research that not only examines written regulations but also directly observes their application in the field. Data was collected through direct interviews with police officers and suspects involved in an assault case during an illegal youth street race, and was supplemented by secondary data in the form of relevant legislation and legal literature. All data was then analyzed qualitatively by describing and linking field findings with applicable legal provisions, thereby providing a clear picture of how police actions are implemented in handling such cases.⁹ Data validity was ensured through source triangulation that is, by comparing information from various informants and documents to ensure the research results remain accurate and reliable.¹⁰

RESULT AND DISCUSSION

Criminal Offenses Occurring in Illegal Street Racing

Illegal street racing is a prohibited activity and is regulated by law. The criminal offenses that may occur in street racing include the following:

1. Traffic and Public Order Violations
 - a. Using public roads for illegal racing without official permission, illegal racing on public roads without the approval of the authorities. Violators are subject to Article 115(b) in conjunction with Article 297 of Law No. 22 of 2009, punishable by imprisonment for up to 1 year or a fine of up to Rp. 3,000,000.00 (three million rupiah).
 - b. Not possessing or carrying a driver's license; drivers participating in illegal street racing often do not have a driver's license. The violated provision is Article 281 of Law No. 22 of 2009, punishable by imprisonment for 4 months or a maximum fine of Rp. 1,000,000.00 (one million rupiah).
 - c. Vehicles that are substandard or have been modified illegally, such as those with noisy exhaust systems, non-standard bodywork, and so on. The provisions violated are Article 285(1) and (2) of Law No. 22 of 2009.
 - d. Not wearing a helmet or other safety equipment is subject to Article 291(1), which carries a penalty of one month's imprisonment or a fine of up to Rp. 250,000.00 (two hundred fifty thousand rupiah).

⁹ J. W. Creswell and C. N Poth, *Qualitative Inquiry and Research Design: Choosing among Five Approaches (4th Ed.)* (SAGE Publications, 2018).

¹⁰ Lexy J. Moleong, *Metodologi Penelitian Kualitatif* (Bandung: PT Remaja Rosdakarya, 2018).

- e. Reckless driving or endangering others is subject to Article 311(1), punishable by imprisonment for one year or a fine of Rp. 3,000,000.00 (three million rupiah).
 - f. Violating traffic signs and road markings is subject to Article 287(1), with a maximum fine of Rp. 500,000.00 (five hundred thousand rupiah).
2. **The Crime of Assault by a Mob**

Illegal street racing on public roads not only violates traffic regulations but also often escalates into other forms of crime, such as assaults on police officers who are performing their duties to maintain order and enforce the law. The legal basis for determining the criminal liability of perpetrators of assault can be found in the provisions of the articles governing assault in the Criminal Code, namely Articles 170 and 358.
 3. **Gambling Offenses**

Illegal street racing is often accompanied by betting on money or goods, whether by participants or spectators. For example, participants in illegal street races may wager a sum of money, with the winner receiving the winnings from spectators or other participants. Offenders will be charged under Article 303 of the Criminal Code: Gambling, which carries a maximum prison sentence of 10 years or a fine.
 4. **Criminal Negligence Resulting in Injury or Death**

If an illegal street race causes an accident resulting in serious injury or the death of another person, the perpetrator may be charged with criminal negligence. For example, a road user is struck by a participant in an illegal street race, resulting in serious injury or death. The offender will be charged under Article 359 of the Criminal Code, which states, “anyone who, through negligence, causes the death of another person,” and Article 360 of the Criminal Code, which states, “anyone who, through negligence, causes serious injury to another person.
 5. **Criminal Offense of Assault**

Illegal street racing often involves conflicts between gangs or groups that lead to fights and assaults; it is also not uncommon for police officers who are maintaining order or enforcing the law to become victims while performing their duties. Offenders will be charged under Article 351 of the Criminal Code, which states “assault, punishable by a maximum prison term of 2 years and 8 months,” and Article 170 of the Criminal Code, which states “anyone who openly or collectively uses violence against property or persons.”
 6. **Criminal Offenses Involving the Use of Drugs or Alcohol**

Some illegal racers consume narcotics or alcohol before or during races to make their bodies feel lighter and lose control while riding the vehicles used for illegal racing; it is also not uncommon for spectators who are supporters to consume these substances as well. Violators will be subject to Article 127 of Law No. 35 of 2009, which states that “drug users are subject to criminal sanctions and rehabilitation,” as well as the Criminal Code (KUHP) or local regulations regarding the prohibition of driving under the influence.

7. Criminal Offense of Destruction of Property

Illegal street racing that may cause damage to public facilities, such as sidewalks, parks, traffic signs, and streetlights. Offenders will be charged under Article 406 of the Criminal Code, which states: “Any person who intentionally damages another person’s property shall be punished by imprisonment for a maximum of 2 years and 8 months.”

8. The Crime of Incitement

Encouraging or provoking others to participate in illegal street racing, whether directly or through social media, can be classified as incitement. An example would be someone posting the schedule for an illegal street race on social media and organizing a meeting point for participants and spectators. Offenders will be charged under Article 160 of the Criminal Code, which states: “Anyone who, in public, incites others to commit a criminal act, violate the law, or disturb public order.”

Based on the criminal offenses occurring in the illegal racing activities mentioned above, various criminal offenses arising from this phenomenon have been discussed, including assault, the use of illegally modified vehicles, and disturbances of public order. Each of these violations not only breaches applicable legal provisions but also has a negative impact on public safety and comfort. With a deeper understanding of these forms of violations, it is hoped that more effective law enforcement measures can be implemented.

Law enforcement against perpetrators of assault on a police officer by illegal street racers at the Sidoarjo regional police

Based on an interview with Ipda Saiful Arief, S.H., Head of Operational Development at the Sidoarjo Police Criminal Investigation Unit, on June 2, 2025, a concrete picture emerged regarding the mechanisms for enforcing the law against perpetrators of assaults in the context of illegal street racing. He stated that between 2022 and 2024, the Sidoarjo Regional Police had handled several cases of assault involving illegal street racers against police officers, with the majority of incidents

occurring on Jalan Raya Porong and the surrounding Taman area in Sidoarjo. These incidents were generally triggered when officers attempted to disperse crowds of illegal street racers in the early morning hours.¹¹

The legal basis for establishing criminal liability for perpetrators of a mob attack is found in Articles 170 and 358 of the Criminal Code. Article 170 of the Criminal Code applies when acts of violence are committed openly and jointly in public, while Article 358 of the Criminal Code applies when such a fight or mob attack results in serious injury or death. Its application requires the fulfillment of the following elements: the existence of a joint act of violence, committed openly; causing harm to a person or property; and the perpetrator's legal capacity to be held accountable for their actions.

The law enforcement mechanism at the Sidoarjo Regional Police is carried out through the following stages: First, a police report is registered based on the victim's or complainant's statement, which is then supplemented with an assignment order from the leadership. Second, the Criminal Investigation Unit's investigative team reviews the report to ensure that the elements of a criminal offense are present, including processing the crime scene, taking fingerprints, and collecting witness statements. Third, the suspect is arrested and detained for the purposes of the investigation. Fourth, once the case file is deemed complete, the file, along with the suspect and evidence, is transferred to the Sidoarjo District Attorney's Office. The subsequent stages of prosecution and sentencing fall under the authority of the public prosecutor and the panel of judges.¹²

According to Ipda Saiful Arief, investigators face several significant obstacles in handling cases of mob violence committed by illegal street racers. First, the difficulty in identifying individual perpetrators because the assaults are carried out by large, fast-moving groups, and most perpetrators wear helmets and clothing that conceal their identities. Second, the deep-rooted anti-police sentiment within the illegal street racing community means that perpetrators do not hesitate to resist officers. Third, the scarcity of witnesses willing to provide testimony, whether due to fear of the perpetrators' group or solidarity within the community. Fourth, the limited availability of electronic evidence, such as CCTV footage at the scene of the incident, which typically occurs on arterial roads at night. These obstacles align with the findings of Saragih, who state that the effectiveness of law enforcement is significantly influenced by factors such as

¹¹ S.H Ipda Saiful Arief, "Wawancara Dengan Kepala Urusan Pembinaan Operasional Satreskrim Polres Sidoarjo," 2025.

¹² D. Susetyo, L. Farhan, and M Fauzan, "Traffic Law Enforcement on Illegal Racing at Tulungagung Police Realizing Kamseltibcarlantas," *Tanggung Kosala* 14, no. 1 (2025), <https://doi.org/https://doi.org/10.70526/tk.v14i1.1667>.

infrastructure, human resources, and community support.¹³ Despite these various obstacles, investigators from the Sidoarjo Regional Police emphasize that the legal enforcement process against perpetrators of mob violence must still be carried out consistently, whether against individual perpetrators or those acting in groups or specific factions, as mandated by Article 170 of the Criminal Code.

CONCLUSION

Illegal street racing on public roads constitutes not only a violation of traffic regulations but also a catalyst for broader criminal conduct. Based on the findings of this study, two principal conclusions may be drawn. First, illegal street racing is associated with various criminal offenses, including traffic violations and disturbances of public order, assault, gambling, negligence resulting in injury or death, narcotics or alcohol abuse, property damage, and incitement, as regulated under the Indonesian Criminal Code and related statutory provisions. Second, law enforcement against the perpetrators of the assault on a police officer at the Sidoarjo Regional Police was implemented through a structured criminal justice process, encompassing the registration of police reports, investigation procedures, arrest and detention measures, and the transfer of case files to the public prosecutor. The legal basis for prosecution primarily referred to Articles 170 and 358 of the Criminal Code concerning collective acts of violence. In practice, investigators encountered several obstacles, including difficulties in identifying individual perpetrators, anti-police sentiment within illegal street racing communities, limited witness cooperation, and insufficient electronic evidence. Despite these challenges, law enforcement authorities continued to undertake legal measures consistently in order to uphold the rule of law and ensure a deterrent effect against similar offenses in the future.

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