

ABSTRAK

KAJIAN KRIMINOLOGIS TERHADAP KEJAHATAN PENIPUAN PENCATUTAN IDENTITAS NASABAH BANK OLEH PEGAWAI BANK DALAM PENGAJUAN KREDIT (Studi Kejaksaan Negeri Bandar Lampung)

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Kejahatan penipuan yang terjadi dalam beberapa kasus terhadap nasabah bank melalui modus pencatutan identitas dilakukan secara sistematis oleh suatu kelompok kejahatan. Fenomena ini menunjukkan bahwa kejahatan tersebut tidak lagi bersifat individual, melainkan terorganisir dan terencana. Permasalahan dalam penelitian ini adalah bagaimanakah faktor penyebab terjadinya kejahatan Penipuan pencatutan identitas nasabah bank oleh pegawai bank dalam pengajuan kredit dan bagaimanakah upaya penanggulangan kejahatan Penipuan pencatutan identitas nasabah bank oleh pegawai bank dalam pengajuan kredit.

Penelitian ini menggunakan pendekatan masalah yaitu pendekatan yuridis normatif dan juga yuridis empiris. Sumber data dalam penelitian ini adalah data primer dan data sekunder. Narasumber dalam penelitian ini adalah Jaksa di Kejaksaan Negeri Bandar Lampung, Dosen Ahli Kriminologi FISIP Universitas Lampung dan Dosen Bagian Pidana Fakultas Hukum Universitas Lampung.

Hasil penelitian dan pembahasan menunjukkan bahwa Kejahatan penipuan pencatutan identitas nasabah oleh pegawai bank dapat dianalisis melalui perspektif teori kriminologi, khususnya Teori Asosiasi Diferensial, Teori Tegang, dan Teori Kontrol Sosial. Teori Asosiasi Diferensial menjelaskan bahwa perilaku kriminal dipelajari melalui interaksi sosial di lingkungan kerja yang permisif terhadap penyimpangan, sehingga pelanggaran administrasi dan hukum dapat dianggap sebagai praktik yang wajar. Teori Tegang menerangkan bahwa tekanan target kerja, tuntutan ekonomi, dan persaingan bisnis menciptakan ketegangan antara tujuan dan sarana legal, yang mendorong pelaku memilih cara ilegal. Sementara itu, Teori Kontrol Sosial menunjukkan bahwa lemahnya pengawasan internal, rendahnya kepatuhan terhadap etika profesi, dan tidak efektifnya sistem pengendalian membuka peluang terjadinya kejahatan perbankan. Upaya penanggulangan kejahatan penipuan pencatutan identitas nasabah bank oleh pegawai bank dalam pengajuan kredit dilakukan melalui pendekatan penal dan non-penal. Upaya penal berfungsi memberikan kepastian hukum, menegakkan keadilan, serta menimbulkan efek jera melalui penegakan hukum yang tegas dan konsisten terhadap pelaku. Sementara itu, upaya non-penal lebih menitikberatkan

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pada langkah-langkah pencegahan, antara lain melalui penguatan sistem keamanan dan pengendalian internal perbankan, penerapan prinsip know your customer (KYC) secara ketat, serta peningkatan literasi dan kesadaran hukum masyarakat agar lebih waspada terhadap potensi penyalahgunaan identitas. Sinergi yang kuat antara pihak perbankan, aparat penegak hukum, dan masyarakat menjadi kunci utama dalam meminimalkan terjadinya kejahatan pencatutan identitas, sekaligus menjaga stabilitas serta kepercayaan publik terhadap sistem perbankan nasional.

Saran penulis adalah aparat penegak hukum perlu meningkatkan efektivitas penanganan tindak pidana penipuan pencatutan identitas nasabah bank melalui penegakan hukum yang profesional, cepat dan berbasis pembuktian digital, serta penguatan kapasitas di bidang kejahatan siber dan koordinasi dengan perbankan dan otoritas terkait guna menimbulkan efek jera. Selain itu, upaya non-penal perlu dioptimalkan melalui pencegahan, sosialisasi hukum, edukasi perlindungan data pribadi, penguatan pengawasan bank, penerapan prinsip *know your customer* (KYC) dan kerja sama lintas sektor untuk menekan peluang terjadinya kejahatan serupa.

Kata Kunci: Kriminologis, Penipuan, Identitas Nasabah.

ABSTRACT

CRIMINOLOGICAL STUDY ON BANK CUSTOMER IDENTITY FRAUD COMMITTED BY BANK EMPLOYEES IN CREDIT APPLICATIONS (Case Study at the Bandar Lampung District Prosecutor's Office)

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Fraud crimes occurring in several cases against bank customers through the modus of identity theft are carried out systematically by criminal groups. This phenomenon shows that such crimes are no longer individual acts, but organized and planned. The problems addressed in this study are: what are the factors causing bank customer identity fraud by bank employees in credit applications, and what are the efforts to prevent and handle such crimes.

This research uses a problem-based approach, namely normative juridical and empirical juridical approaches. The data sources in this study consist of primary and secondary data. The informants in this research are prosecutors at the Bandar Lampung District Attorney's Office, a criminology expert lecturer from the Faculty of Social and Political Sciences of the University of Lampung, and a criminal law lecturer from the Faculty of Law of the University of Lampung.

The results and discussion show that the crime of fraud involving the misuse of customers' identities by bank employees can be analyzed through criminological theories, particularly Differential Association Theory, Strain Theory, and Social Control Theory. Differential Association Theory explains that criminal behavior is learned through social interactions within a work environment that is permissive toward deviant practices, thereby normalizing administrative and legal violations. Strain Theory indicates that work target pressures, economic demands, and business competition create tension between goals and legitimate means, encouraging offenders to choose illegal methods. Meanwhile, Social Control Theory demonstrates that weak internal supervision, low adherence to professional ethics, and ineffective control systems create opportunities for banking crimes. Efforts to address fraud involving the misuse of bank customers' identities by bank employees in credit applications are carried out through penal and non-penal approaches. Penal measures aim to provide legal certainty, uphold justice, and create a deterrent effect through firm and consistent law enforcement against offenders. Meanwhile, non-penal measures focus more on preventive actions, including strengthening security systems and internal controls within banks, strictly implementing the know your customer (KYC) principle, and enhancing public legal literacy and awareness so that individuals are more

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vigilant against potential identity misuse. Strong synergy among banks, law enforcement agencies, and the community is the key to minimizing identity misuse crimes while maintaining the stability and public trust in the national banking system.

The author suggests that law enforcement agencies need to enhance the effectiveness of handling fraud involving the misuse of bank customers' identities through professional, swift, and digitally evidence-based law enforcement, as well as by strengthening capacity in cybercrime investigations and improving coordination with banks and relevant authorities in order to create a deterrent effect. In addition, non-penal efforts should be optimized through preventive measures, legal socialization, education on personal data protection, strengthening bank supervision, strict implementation of the know your customer (KYC) principle, and cross-sector cooperation to reduce the opportunities for similar crimes to occur.

Keywords: *Criminological, Fraud, Customer Identity.*