

ABSTRAK

MUHAMAD IRGI SUBAGYA NIM: E.1911115 “Analisis Putusan Tindak Pidana Korupsi Penyalahgunaan Dana Bantuan Operasional Sekolah di Kota Bogor (Studi Kasus Putusan Nomor 68/Pid.Sus-TPK/2020/PN.Bdg)”. Skripsi Program Studi Hukum, Fakultas Hukum Universitas Djuanda, Bogor, 2023.

Tindak pidana korupsi di Indonesia sudah sangat meluas dan telah masuk sampai ke seluruh lapisan kehidupan masyarakat. Termasuk pada dunia pendidikan, seperti yang terjadi di Kota Bogor, dimana terdapat penyimpangan dana Bantuan Operasional Sekolah (BOS) untuk penggandaan naskah soal ujian tertulis kegiatan evaluasi pembelajaran jenjang Sekolah Dasar pada Dinas Pendidikan Kota Bogor Tahun 2017, 2018 dan Tahun 2019 yang dilakukan oleh oknum Kelompok Kerja Kepala Sekolah (K3S) Kota Bogor, sehingga merugikan negara sebesar Rp.17.189.919.828,-. Hal ini sebagaimana tertuang di dalam Putusan Pengadilan Negeri Bandung Nomor 68/Pid.Sus-TPK/2020/PN Bdg. Penelitian ini bertujuan untuk mengetahui dan menganalisis pemeriksaan tindak pidana korupsi penyalahgunaan dana bantuan operasional sekolah di Pengadilan Negeri Bandung. Serta pertimbangan hukum hakim dalam Putusan Nomor: 68/Pid.Sus-TPK/2020/PN.Bdg tersebut. Metode pendekatan yang digunakan dalam penelitian ini ialah yuridis normatif dengan studi kasus (putusan), yang bertujuan untuk mengetahui dan menganalisa putusan tindak pidana korupsi yang berkaitan dengan pertimbangan hukum hakim dalam memutus perkara. Dari hasil penelitian diketahui bahwa pelaksanaan penanganan tindak pidana korupsi penyalahgunaan dana bantuan operasional sekolah di Kota Bogor yaitu dalam proses penegakan hukum terhadap tindak pidana korupsi tidak hanya menjadi tugas aparat penegak hukum, akan tetapi dibutuhkan juga peran serta masyarakat, ini menunjukkan bahwa dalam upaya penegakan hukum dibutuhkan peran serta semua pihak agar penegakan hukum berjalan dengan efektif. Adapun pertimbangan hukum hakim dalam Putusan Nomor 68/Pid.Sus-TPK/2020/PN.Bdg atas tindak pidana korupsi penyalahgunaan dana bantuan operasional sekolah di Kota Bogor ialah bahwa para Terdakwa dinyatakan bersalah sebagaimana dakwaan subsider yang didakwakan oleh Jaksa Penuntut Umum. sebab unsur melawan hukum dalam dakwaan primair dalam perkara ini tidak terpenuhi, sehingga Majelis Hakim mempertimbangkan untuk menghukum Terdakwa dengan dakwaan Subsider.

Kata Kunci : Analisis, Putusan, Tindak Pidana Korupsi

ABSTRACT

MUHAMAD IRGI SUBAGYA NIM: E.1911115 "Analysis of Decisions on the Corruption Crime of Misuse of School Operational Assistance Funds in Bogor City (Case Study of Decision Number 68/Pid.Sus-TPK/2020/PN.Bdg)". Essay for the Legal Study Program, Faculty of Law, Djuanda University, Bogor, 2023.

Corruption in Indonesia is very widespread and has entered all walks of life. Including in the world of education, as happened in the City of Bogor, where there were irregularities in the School Operational Assistance (BOS) funds for duplicating written examination question papers for the evaluation activities at the Elementary School level at the Bogor City Education Office in 2017, 2018 and 2019 carried out by unscrupulous persons Bogor City Principal Working Group (K3S), causing a loss to the state of Rp. 17,189,919,828,. This is as stated in the Bandung District Court Decision Number 68/Pid. Sus-TPK/2020/PN Bdg. This study aims to identify and analyze the examination of criminal acts of corruption in the misuse of school operational assistance funds at the Bandung District Court. As well as the judge's legal considerations in Decision Number: 68/Pid. Sus-TPK/2020/PN Bdg. The approach method used in this study is normative juridical with case studies (decisions), which aims to find out and analyze the decisions of corruption related to the legal considerations of judges in deciding cases. From the results of the research it is known that the implementation of the handling of criminal acts of corruption misusing school operational assistance funds in Bogor City, namely in the process of law enforcement against criminal acts of corruption is not only the task of law enforcement officials, but also requires community participation, this shows that in law enforcement efforts It takes the participation of all parties so that law enforcement can run effectively. As for the judge's legal considerations in Decision Number 68/Pid.Sus-TPK/2020/PN.Bdg for the criminal act of corruption in the misuse of school operational assistance funds in Bogor City, namely that the Defendants were found guilty as in the subsidiary charges charged by the Public Prosecutor. because the unlawful element in the primary indictment in this case was not fulfilled, so the Panel of Judges considered convicting the Defendant with a Subsidiary indictment.

Keywords: *Analysis, Decision, Corruption Crime*