

**Review Article****THE ROLE OF PROPAM IN ENFORCING THE LAW AND CODE OF ETHICS FOR POLICE MEMBERS WHO COMMIT CRIMINAL OFFENSES IN THE JURISDICTION OF THE ROKAN HILIR POLICE;**<sup>1</sup>Denny Kurniawan, <sup>2</sup>Muhammad Yusuf Siregar, <sup>3</sup>Wahyu Simon TampubolonEmail : <sup>1</sup>. [denni\\_kurniawan@gmail.com](mailto:denni_kurniawan@gmail.com), <sup>2</sup>. [yusufsiregarshimh@gmail.com](mailto:yusufsiregarshimh@gmail.com),  
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**Journal homepage:**<https://jurnal.arjunajusticia.com/index.php/ijeck>**Abstract:**

The purpose of this research is to understand the role of Propam Polri in enforcing the law and code of ethics for Polri members who commit criminal acts in the legal area of the Rokan Hilir Police and the obstacles faced by Propam in implementing law enforcement and the code of ethics for police members who commit criminal acts in the legal area. Rokan Hilir Police. The results of the discussion are: 1. The role of Propam Polri in enforcing the law and code of ethics for Polri members who commit criminal acts in the legal area of the Rokan Hilir Police, including: a. Implementing registration research on the case handling process and preparing rehabilitation processes/decisions for Polri members/PNS who are not proven to have committed violations, or pardoning / reducing sentences (discipline / administration) as well as monitoring, assisting the process of implementing sentences and preparing decisions to terminate sentences for personnel who are currently /has carried out his sentence (convict); b. Carry out development and implementation of internal security functions, which include: security of personnel, materials, activities and information, including investigations into cases of violations/suspected violations/irregularities in the implementation of Polri's duties at the central level within the limits of established authority. c. Development and implementation of the provost's functions which include the development/maintenance of discipline/order, as well as law enforcement and resolving cases of disciplinary violations at the central level within the limits of established authority. 2. Obstacles faced by Propam in implementing Law Enforcement and the Code of Ethics for Police Members who commit Crimes in the Legal Area of the Rokan Hilir Police, namely: a. Obstacles in implementing strict action against members of the National Police carried out by Propam are due to weak mentality and lack of initiative, resulting in law enforcement not running as it should; b. There is intervention from other parties who deliberately hinder the process of enforcing legal sanctions against perpetrators of violations. Intervention from other parties, whether from outside or within the police unit, can hamper the law enforcement process for perpetrators of violations. So that the cases handled cannot be resolved effectively; c. The lack of propam personnel means it is not proportional to the number of Brimob members who must be supervised.

**Keywords:** Propam, Law Enforcement, Code of Ethics, Police Members, Crime;

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## INTRODUCTION

The Republic of Indonesia Police, or hereinafter abbreviated as Polri, is one of the Law Enforcement institutions in Indonesia. Duties, Principals and Functions are hereinafter abbreviated to (Tupoksi) which are clearly regulated by the Laws of the Republic of Indonesia. The Indonesian Police Law is regulated in Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia.

As a unit whose rules are clear according to the law, members of the National Police have an obligation to always carry out their profession in accordance with the Code of Ethics of statutory regulations. All regulations relating to the appointment, transfer or dismissal of members of the National Police are clearly visible in the law that regulates them. Every Polri is obliged to comply with all the rules in accordance with the main duties and functions, if anyone violates them then there are sanctions that apply to Polri members in accordance with the applicable regulations.

Nowadays we see that many members of the National Police are involved in cases, from cases of disciplinary violations to criminal acts. This of course really tarnishes and brings down the reputation of the police of the Republic of Indonesia. It is said that the National Police is a law enforcement institution whose job is to provide services and protect the community. In fact, the behavior of some of its elements can destroy the image of the National Police, which has so far been very good in the eyes of the public. Several members of the National Police who carry out activities that violate disciplinary rules, even acts that violate the law as criminal acts, must receive strict sanctions from their unit. This is done so that it can be a lesson for other Polri members to always obey and comply with the rules that have been implemented for Polri members in their units. Strict sanctions will be applied to members of the National Police who commit criminal acts, up to dismissal or dishonorable dismissal (PTDH) from the Indonesian National Police Unit.

In giving sanctions to members of the National Police who commit violations of either discipline or criminal acts, in the National Police unit there are officers who specifically handle this, namely Propam, which stands for Profession and Security for the National Police of the Republic of Indonesia. Propam is a police unit tasked with fostering and carrying out professional accountability and internal security functions, including enforcing discipline and order within the police force, as well as carrying out the function of serving public complaints regarding irregularities in the actions of police officers. So that Propam has a very strategic role in resolving cases of violations and criminal acts committed by members of the National Police from its units, apart from that, in carrying out their duties and profession, of course there are problems or obstacles that affect Propam's performance which can result in case resolution and law enforcement not running effectively.

Based on the description above, the author formulates the problem of what is the role of Propam in enforcing the law and the Code of Ethics for members of the National Police who commit criminal acts in the jurisdiction of the Rokan Hilir Police? Obstacles for Propam in implementing Law Enforcement and the Code of Ethics for Police Members who commit Crimes in the Legal Area of the Rokan Hilir Police. With this research, it is hoped that we can find out about the role of Propam in enforcing the law and the Code of Ethics for members of the National Police who commit crimes in the jurisdiction, especially the Rokan Hilir Police, as well

as the obstacles for Propam in carrying out law enforcement and the code of ethics for members of the National Police who commit crimes. in the Legal Area of the Rokan Hilir Police.

## **RESEARCH METHODS**

The type of research used is a juridical-empirical research method, namely a research and understanding process based on a methodology that investigates a social phenomenon and human problem. Conduct field research related to efforts to handle the crime of motor vehicle theft (curanmor). The approach taken is sociological juridical, namely the occurrence of social phenomena in society.

## **RESULTS AND DISCUSSION**

### **1. Propam's role in enforcing the law and the Code of Ethics for members of the National Police who commit criminal acts in the legal area of the Rokan Hilir Police**

#### **A. Definition of Provam;**

Professional and Security Division of the Indonesian National Police or usually abbreviated as Div. Propam Polri is one of the supervisory elements and assistant leaders in the field of professional development and security in the internal environment of the Polri institution. The National Police Propam Div is located directly under the National Police Chief.

The duties of Div. Propam in general is to foster and carry out the function of professional accountability and internal security, including enforcing discipline and order within the National Police, as well as serving public complaints regarding irregularities in the actions of members/PNS of the National Police. Judging from the organizational structure and working procedures, Propam consists of 3 (three) functional areas in the form of agencies, namely Bureau/Ro (Ro Paminal, Ro Wabprof and Ro Provos), which have the following functions: The professional responsibility function is under the responsibility of Ro Wabprof; The security function in the internal environment of the National Police organization is under the responsibility of Ro Paminal; The function of the Provos in enforcing discipline and order within the National Police is under the responsibility of the Provos.

Div. Propam Polri oversees 3 Bureaus and 3 Sections as assistants in implementing Propam's duties, namely:

- a. Internal Security Bureau (Ro Paminal), consisting of:
  - Bureau Secretariat (Setro)
  - Security Development Section (Bagbinpam)
  - Personnel Research Section (Baglitpers)
  - Documentation Production Section (Bagprodok)
  - Detachment A
  - Detachment B
  - Detachment C
  
- b. Provos Bureau (Ro Provos), consisting of:
  - Bureau Secretariat (Setro)
  - Enforcement, Order & Discipline Section (Baggaktiblin)
  - Law Enforcement Section (Baggakkum)
  - Security & Escort Section (Bagpamwal);

- b. Bureau of Supervision, Investigation and Professional Development (Ro Wabprof and Wasdik), consisting of:
  - Bureau Secretariat (Setro)
  - Standardization Section (Bagstandard)
  - Ethics Development Section (Bagbinetika)
  - Ethics Enforcement Section (Baggasat)
  - Professional Investigation Section
- c. Planning & Administration Section (Bagrenmin), consisting of:
  - Planning Subdivision (Subbagren)
  - Resources Subdivision (Subbagsumda)
  - Function Development Sub-Section (Subbagbinfung)
- d. Service & Complaints Section (Bagyanduan), consisting of:
  - Report Reception Subdivision (Subbagtrimlap)
  - Monitoring & Evaluation Subdivision (Subbagmonev)
  - Personnel Rehabilitation Section (Bagrehabpers), consisting of:
    - Registration, Research & Determination Sub-Section (Subbagglittap)
    - Subdivision of Professional Recovery Development (Subbagbinlihprof);

Div. Propam Polri in carrying out its duties has the obligation to carry out/organize various activities, including:

- a. Development of Propam functions for all levels of the National Police, including: Formulation/development of systems and methods including instructions for implementing Propam functions; Monitoring and supervision of staff including providing direction to ensure the implementation of Propam's functions; Providing support (back-up) in the form of both technical guidance and strength assistance in implementing Propam's functions; Planning personnel needs and budget including submitting suggestions/considerations for placement/career development of personnel carrying Propam functions; Collection, processing and presentation as well as statistics relating to resources and results of carrying out tasks of Propa organizational units; Implementation of service functions regarding public complaints/reports regarding the attitudes and behavior of National Police members/civil servants, including national data centralization and monitoring/control over the handling of public complaints/reports by all levels of the National Police.
- b. Carrying out research registration on the case handling process and preparing rehabilitation processes/decisions for members/PNS Polri who are not proven to have committed violations, or pardoning/reducing sentences (discipline/administration) as well as monitoring, assisting the process of implementing sentences and preparing decisions to terminate sentences for personnel who are currently /has carried out the sentence (convict).
- c. Guidance and implementation of professional supervision and accountability functions which include the formulation/development of professional standards and codes of ethics, assessment/accreditation of the application of professional standards, as well as the development and enforcement of professional ethics, including investigative audits.
- d. Development and implementation of internal security functions, which include: security of personnel, materials, activities and information, including investigations into cases of violations/suspected violations/irregularities in the implementation of Polri's duties at the central level within the limits of established authority.

- e. Development and implementation of the provost's functions which include the development/maintenance of discipline/order, as well as law enforcement and resolving cases of disciplinary violations at the central level within the limits of established authority.

## **B. Law Enforcement**

According to Sudarto: "Law enforcement is a very broad field, not only relating to actions when a crime has occurred or there is a suspicion that a crime has occurred, but also guarding against the possibility of a crime occurring. The latter is the problem of crime prevention. If prevention is interpreted broadly, there are many bodies or parties involved in it, namely law makers, police, prosecutors, courts, civil service and criminal execution apparatus as well as ordinary people. The process of administering punishment in which these bodies each have a role can be seen as an effort to ensure that the person concerned and society in general do not commit criminal acts. However, the body that directly has the authority and obligation to prevent this is the police.<sup>1</sup>

Law enforcement is the activity of harmonizing the relationship between values that are described in stable and embodied rules and attitudes of action as a series of value translations at the final stage to create, maintain and maintain peaceful social life.<sup>2</sup> Furthermore, according to Satjipto Rahardjo: "Law enforcement is a series of processes to describe fairly abstract values, ideas and ideals which are the objectives of the law.<sup>3</sup>

The conclusion is that law enforcement is a rule that must be implemented in social life. So law enforcement must be carried out against everyone who commits violations. Role of Div. The National Police's Propam in enforcing the Law and Code of Ethics for members of the National Police who commit crimes in the jurisdiction of the Rokan Hilir Police can be seen from one of the cases that recently went viral in the mass media regarding members of the National Police who hoarded fuel at their residence. A police officer named Aipda RM was arrested by Propam Polres Rokan Hilir, Riau because he was suspected of illegally stockpiling fuel near his house. The Bhabinkamtibmas officer is now stationed at the special guard. In settlement and law enforcement by Div. Propam Polri is based on National Police Chief Regulation Number 7 of 2022 concerning KEPP and KKEP.

## **C. Kode Etik;**

As in the Police Regulations Article 1 point 1, it is stated: "The Code of Professional Ethics for the National Police of the Republic of Indonesia, hereinafter abbreviated to KEPP, are norms or moral rules, both written and unwritten, which guide the attitudes, behavior and actions of officials of the National Police of the Republic of Indonesia in carrying out their duties and authority. , responsibilities and daily life." Furthermore, in number 2 it is stated: "The Commission on the Code of Ethics of the Republic of Indonesia National Police, hereinafter abbreviated to KKEP, is a commission formed within the State Police of the Republic of Indonesia to enforce KEPP." Police members who violate the code of ethics and criminal acts will be tried through the KKEP Session. Article 1 point 5 states that the KKEP trial is a trial to carry out KEPP enforcement against violations committed by National Police officials.

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<sup>1</sup> Sudarto, 2010, Kapita Selekta Hukum Pidana, Penerbit P.T. Alumni, Bandung, hlm.113

<sup>2</sup> Soerjono Soekanto, Faktor- Faktor Yang Mempengaruhi Penegakan Hukum, Penerbit UI Press, Jakarta, hlm. 35

<sup>3</sup> Satjipto Rahadjo, 2009, Penegakan Hukum Suatu Tinjauan Sosiologis, Penerbit Genta Publishing, Yogyakarta, hlm. vii

Police code of ethics hearings are held to examine and decide cases of violations of Article 12, Article 13 and Article 14 of Government Regulation Number 1 of 2003 concerning the Dismissal of Police Members and Article 13 of Government Regulation Number 2 of 2003 concerning Disciplinary Regulations for Police Members.

The National Police code of ethics hearing consists of 2 categories, namely:

- a. Trial with rapid examination: carried out for minor violations of the National Police code of ethics.
- b. Trial with normal examination procedures: carried out for serious violations of the National Police code of ethics.

#### **D. Procedures for Police Code of Ethics Hearings**

The procedures for hearing the Police code of ethics are regulated in Article 58 of Perpol no. 7 of 2022 regarding the time, place and implementation of the National Police code of ethics trial. The Police ethics hearing is held no later than 14 working days from the publication of the decision to establish the KKEP and is held in the courtroom at Police Headquarters.

The following is the mechanism for the Police ethics hearing, namely the procedures for hearing the Police code of ethics for quick examinations and ordinary examinations, as contained in Article 61 and Article 62 of Perpol No. 7 of 2022. Procedures for hearing the Police code of ethics for minor investigations:

1. The Prosecutor, Secretary and Alleged Violator are already in the courtroom before the trial begins
2. The Chair of the KKEP opens the session
3. The prosecutor reads the charges
4. The Chair of the KKEP reads the decision.

Procedures for hearing the Police code of ethics for ordinary examinations:

1. The Prosecutor, Secretary and Companion are already in the courtroom before the trial begins;
2. KKEP equipment takes a designated place in the courtroom;
3. Chairman of KKEP opens the session;
4. The secretary reads the court rules;
5. The Chair of the KKEP orders the Prosecutor to bring the Alleged Violator before the court;
6. The Chairman of the Commission Session asks for the identity of the Suspected Violator, inquires about the health and willingness of the Suspected Violator to be examined;
7. The Chair of the KKEP orders the prosecutor to read out the allegations against the Suspected Violator;
8. The Chair of the KKEP orders the prosecutor to present witnesses and evidence for examination;
9. The Chairperson of the KKEP orders the prosecutor to present the Alleged Violator for examination;

10. Witnesses and/or experts take an oath according to their religion;
11. Chairman, Deputy Chairman and KKEP members conduct examinations of witnesses and suspected violators;
12. The Chairperson provides the prosecutor with the opportunity to conduct examinations of witnesses and Alleged Violators;
13. The Chairperson provides the companion with the opportunity to conduct examinations of witnesses and suspected Violators;
14. Chair, Deputy Chair and KKEP Members request expert information;
15. The Chair of the KKEP asks the Suspected Violator/Guide about the presence of favorable witnesses or evidence;
16. The prosecutor reads the charges;
17. Suspected Violator or Companion submits a defense;
18. Chairman of KKEP reads the Decision;

The final results of the KEPP and KKEP trials conducted by Div. Propam Polri, usually perpetrators of violations or perpetrators of criminal acts, in this case police officers, receive at least a temporary suspension, or postponement of promotion, up to dishonorable dismissal from their unit, depending on the severity of the violation committed..

## **2. Obstacles for Propam in implementing Law Enforcement and the Code of Ethics for Police Members who commit Crimes in the Legal Area of the Rokan Hilir Police;**

The obstacles faced by Propam in implementing Law Enforcement and the Code of Ethics for Police Members who commit Crimes in the Legal Area of the Rokan Hilir Police are:

- a. Obstacles in implementing firm action against members of the National Police carried out by Propam are due to weak mentality and lack of initiative, resulting in law enforcement not running as it should.
- b. There is intervention from other parties who deliberately hinder the process of enforcing legal sanctions against perpetrators of violations. Intervention from other parties, whether from outside or within the police unit, can hamper the law enforcement process for perpetrators of violations. So that the cases handled cannot be resolved effectively.
- c. The lack of propam personnel means it is not proportional to the number of Brimob members who must be supervised. This obstacle seems reasonable, because the number of existing Propam personnel and Polri members is not comparable. If the personnel are too minimal then the resolution of cases and the implementation of law enforcement for perpetrators of violations cannot be resolved properly.

## **CONCLUSION**

The factors that cause the crime of motor vehicle theft include: 1. Economic factors, this factor occurs because of pressure on meeting basic daily needs; 2. Habit factor, this factor is influenced by behavior that occurs repeatedly and continuously so that it is difficult to stop it; 3. Environmental/Social Factors, Environmental/social factors really influence a person to do or not do something. Doing something because the environment is used to committing criminal acts

such as car theft, then that environment really influences the perpetrator of the crime to commit the same crime because the environment is very supportive; 4. Lifestyle Factor, This factor is caused by the fulfillment of additional needs, apart from the general needs to improve the lifestyle in society. Efforts to overcome the criminal act of motor vehicle theft (curanmor) in the Rokan Hilir legal area are carried out in 2 ways, namely preventive and regressive efforts.

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