

The Role of The Criminal Investigation Unit (Satreskrim) of The Deli Serdang Police Region in Identifying Victims of Criminal Acts

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Abstract

The rapid development of various aspects of social, political, economic, security, and cultural life has led to an increase in the quantity and quality of criminal acts, which significantly disrupts society. Criminal acts are unlawful acts committed either intentionally or unintentionally by an individual who can be held accountable for their actions and which are punishable by law. The primary objective of formal criminal law is to seek material truth, and the process of investigation is essential in this regard. The Indonesian National Police, under Law Number 2 of 2002, play a crucial role in conducting investigations using Scientific Crime Investigation (SCI) methods, which integrate science and technology in forensic functions. Scientific Crime Investigation involves gathering and processing evidence with scientific methods, making it one of the most reliable tools in criminal investigations. The role of police identification units in processing crime scenes (TKP) is vital, as even the smallest evidence can be crucial for solving crimes. This research examines the role of the Criminal Investigation Unit (Satreskrim) of the Deli Serdang Police in identifying victims of criminal acts. The findings highlight the importance of forensic evidence in criminal investigations and the crucial role of police units in uncovering the truth.

Keywords: Scientific Crime Investigation, Forensic Evidence, Criminal Investigation Unit

INTRODUCTION

The rapid development of people's lives in all areas of social, political, economic, security and cultural life has also brought negative impacts in the form of increasing quality and quantity of various types of criminal acts that are very detrimental and disturbing to society. A criminal act is an unlawful act that has been done intentionally or unintentionally by someone who can be held responsible for his actions and which has been declared by law as an act that can be punished.

Formal criminal law has the main objective of seeking material truth. The level of examination of a case in criminal procedure in terms of seeking material truth, at the stage of investigation and inquiry by the Indonesian National Police where the first stage is the stage to seek material truth with a scientific investigation method or Scientific Crime Investigation (SCI). This is based on Article 14 of Law Number 2 of 2002 concerning the Indonesian National Police stating that one of the functions of the police is to conduct investigations. Investigations are regulated in Article 1 paragraph (2) of the Criminal Procedure Code which contains investigations are a series of investigative activities according to the circumstances and according to the methods determined in this law to seek, search for, and collect evidence that occurs and to find suspects (Prastowo, 2006).

Scientific Crime Investigation or scientific criminal investigation is an investigation process where the evidence system uses science and technology implemented in forensic functions (Labfor, Dokfor, Identification, Forensic Psychology and others). Evidence according to scientific procedures in the steps of criminal investigation is useful as a tool that can be prioritized and can even be the main foundation at the criminalization stage, especially when disclosing criminal cases in other words disclosing criminal suspects at the

investigation stage itself. This stage is believed by forensic experts that at the time the evidence is carried out in court but the results of the evidence from the witness itself have not been found, then the evidence will be changed to become the main evidence. (Susanto, 2003).

The police as one of the frontline agencies in law enforcement has an important role in combating crime. With the existence of Law Number 2 of 2002 concerning the Indonesian National Police, each member of the police must equip themselves with both skills and knowledge in accordance with their duties, in this case police members have a very important role in revealing a crime. If an incident occurs that is suspected of being a crime, the police as law enforcement officers are tasked with investigating all incidents suspected of being crimes in accordance with criminal procedure law and other laws and regulations.

Finding the truth or an event suspected of being a crime is not easy because in an event there is often a lack of evidence and incomplete witnesses, so that investigators must work harder in collecting valid evidence to obtain the most complete truth in investigating or investigating a real crime in preparation for examination in court (Amelia, 2019).

Article 14 Paragraph (1) letter h of Law Number 2 of 2002 concerning the Republic of Indonesia National Police explains that one of the duties of the police is to organize police identification, police medicine, forensic laboratories and police psychology for the interests of police duties. The implementation of police identification is carried out by the identification unit in the interests of investigation, criminal investigation and non-criminal services for the community and other agencies in the context of implementing police functions.

Criminal Investigation Unit (Satreskrim) In its function as a law enforcer, it has an important role in revealing perpetrators of criminal acts, because legally all activities carried out and results obtained in the crime scene processing process (TKP) are used to complete the criminal investigation files until they are completed at the court level. The Police Identification Unit is the front line in processing the crime scene in the Investigation Unit. Identification is useful in revealing a crime that requires carefulness and precision of the evidence at the TKP (Crime Scene) where the evidence is related to the incident at the location. No matter how small the evidence at the TKP is, it is very important in the disclosure process. By knowing the identity of the victim, investigators will find it easier to make a list of people who should be suspected in a case.

Scientific evidence in the criminal case investigation process will be the most reliable evidence and even become the backbone in the criminal justice process, especially in revealing cases/perpetrators in the investigation process. This is recognized by several forensic experts where if evidence in court does not find witnesses, then the results of the examination of evidence become the main evidence (Susanto 2003)

Based on the background above, the author chose the title of this research, namely: "The Role of the Criminal Investigation Unit (Satreskrim) of the Deli Serdang Police in Identifying Victims of Criminal Acts".

Formulation of the problem

The main problems in this research are:

1. What is the role of the Criminal Investigation Unit? Deli Serdang Police in identifying victims of criminal acts?
2. What are the obstacles in identify victims of criminal acts by Criminal Investigation Unit Deli Serdang Police Station?

Research purposes

The objectives of this research are:

1. To find out the role of SatreskrimDeli Serdang Police in identifying victims of criminal acts?
2. To find out the obstacles in identify victims of criminal acts byCriminal Investigation UnitDeli Serdang Police Station.

LITERATURE REVIEW

Definition of Identification

Article 14 Paragraph (1) letter h of Law Number 2 of 2002 concerning the Republic of Indonesia National Police explains that one of the duties of the police is to organize police identification, police medicine, forensic laboratories and police psychology for the interests of police duties. The implementation of police identification is carried out by the identification unit for the interests of investigation, criminal investigation and non-criminal services for the community and other agencies in the context of implementing police functions.

Identification is defined as any effort to carry out work and activities to re-identify the characteristics of a person or living creature or goods/objects/other materials through the method of dactyloscopy (fingerprints), photography, signals and other means to assist the police, especially the criminal investigation function to find the identity of the perpetrator of a crime. Identification is also the determination or confirmation of a person who is alive or dead, based on the characteristics found in that person. Forensic identification is an effort to find out a person's identity which is intended for forensic purposes, namely the interests of the judicial process. In its implementation, identification is the forefront in processing the crime scene (TKP) in the Investigation Unit (Agung, 2023).

The identification unit also plays an important role in identifying a person through scientific fingerprint examination. In the interests of revealing crimes, the purpose of involving the identification unit is to conduct identification at the scene of the crime (TKP) to search for and find a person's identity. The role of the identification unit in supporting the duties of the Police, namely:

1. In terms of law enforcement, it consists of:
 - a. Identify or reveal perpetrators, track Wanted Persons List (DPO);
 - b. Identification of unidentified victims;
 - c. Preventing suspects from leaving or entering Indonesia;
 - d. Preventing fake documents and exchanging criminal information between regional police units, police precincts, police stations, and even overseas, which in this case is carried out directly by the National Police Headquarters.
2. In terms of service to the community, it consists of the following:
 - a. Identifying missing persons;
 - b. Identification of Female Migrant Workers (TKW) / Indonesian Migrant Workers (TKI);
 - c. Banking or insurance transactions, regional or general elections and issuance of identity documents (Agung, 2023).

Definition of Criminal Acts

Our lawmakers use the word *strafbaarfeit* to refer to what we know as a "criminal act" in the Criminal Code (KUHP) without providing any explanation regarding what is actually meant by the word *strafbaarfeit*, so various opinions arise in doctrine about what is meant by *strafbaarfeit*. The monistic school of thought in formulating the definition of a criminal act is done by looking at "all the conditions for the existence of a crime, all of which are the nature of the act". So in formulating the definition of a criminal act, it does not separate the elements of a criminal act. While the dualistic school of thought in providing the definition of a criminal act separates between criminal acts and criminal responsibility. (Gustiniati, 2014).

SR Sianturi in the book *Principles of Criminal Law in Indonesia and its Application*, in Indonesian terminology, the term crime or *het strafbare feit* has been translated by scholars and has also been used in various formulations of laws with various Indonesian terms as:

- a. Actions that can/may be punished;
- b. Criminal events;
- c. Criminal acts;
- d. Criminal acts. (Sianturi, 2002).

According to SR Sianturi, in summary the elements of a criminal act are:

1. The existence of a subject;
2. There is an element of error;
3. Acts that are unlawful;
4. An action that is prohibited or required by law/legislation and those who violate it are subject to criminal penalties;
5. In a certain time, place, and circumstances. (Sianturi, 2002).

Referring to the elements of the criminal act above, SR Sianturi formulated the definition of a criminal act as an action in a certain place, time and circumstances, which is prohibited (or violates the requirement) and is threatened with punishment by law and is unlawful and contains an element of error committed by a person who is capable of being responsible (Sianturi, 2002).

Every crime contained in the Criminal Code can generally be described into elements that we can basically divide into two types of elements, namely subjective elements and objective elements. What is meant by subjective elements are elements that are inherent in the perpetrator or related to the perpetrator and include everything contained in his heart. While what is meant by objective elements are elements that are related to circumstances, namely in which circumstances the actions of the perpetrator must be carried out (Lamintang, 2013).

The subjective elements of a crime are:

- a. Intention (*dolus*) or unintentional (*culpa*);
- b. The purpose or intention of an attempt or attempt as referred to in Article 53 paragraph (1) of the Criminal Code or Article 17 paragraph (1) of Law 1/2023;
- c. Various purposes or brands, such as those found in the crimes of theft, fraud, extortion, forgery, etc.;
- d. Planning in advance or *voorbedachte raad*, as contained in the crime of premeditated murder in Article 340 of the Criminal Code or Article 459 of Law 1/2023;
- e. Feelings of fear or *vrees*, as contained in the formulation of criminal acts according to Article 308 of the Criminal Code or Article 430 of Law 1/2023. (Lamintang, 2002).

The objective elements of a crime are:

1. Unlawful nature or illegality;

2. The quality of the perpetrator, for example “condition as a civil servant” in crimes of office or “condition as a manager or commissioner of a limited company” in crimes under Article 398 of the Criminal Code or Article 516 of Law 1/2023;
3. Causality, namely the relationship between an action as a cause and a reality as a result. (Lamintang, 2002).

To find out whether an act in a legal event is a crime, an analysis can be carried out to see whether the act has fulfilled the elements of a crime regulated in a specific criminal law article. For this reason, adjustments or matching (parts/incidents) of the event must be made to the elements of the charged crime. If it turns out to be suitable, then it can be determined that the event is a crime that has occurred for which the perpetrator can be held criminally responsible. However, if one of these elements is absent or not proven, then it must be concluded that the crime has not or has not occurred.

Understanding Investigation and Inquiry

The term investigation was used as a legal or legal term in 1961, namely since it was included in Law Number 13 of 1961 concerning the Main Provisions of the State Police. Investigation comes from the word "sidik" which means clear. So investigation means making clear or obvious. Although both terms "investigation" and "investigation" come from the same word, the Criminal Procedure Code distinguishes the two in different functions.

Investigations are conducted before the start of an investigation. Investigations are a series of investigator actions to search for and find an event suspected of being a crime in order to determine whether or not an investigation can be carried out according to the methods regulated by law. Article 1 point (2) of the Criminal Procedure Code states that what is meant by investigation is a series of investigator actions in terms of and according to the methods regulated by this law to collect evidence with which the evidence makes clear the crime that occurred and in order to find the suspect. (Marpaung 2009)

Investigation is the first stage of the initial investigation. Investigation is not an independent action separate from the investigation function. So, before the investigation is carried out, an investigation is first carried out by the investigating officer, with the intent and purpose of collecting "initial evidence" or "sufficient evidence" so that further investigation can be carried out. When it is known that a crime has occurred, that is when an investigation can be carried out based on the results of the investigation. In the investigation, the emphasis is placed on the action of "searching for and finding" an "event" that is considered or suspected to be a criminal act. While in the investigation, the emphasis is placed on the action of "searching for and collecting evidence". The investigation aims to clarify the crime that was found and also determine the perpetrator.

The authority of the police to investigate also includes determining policies. This is very difficult to implement because it must consider what actions will be taken at a short time when first handling a crime in addition to having to know the criminal law. Before the investigation begins, the investigator must be able to estimate what crime has occurred. Which criminal laws regulate it so that the investigation can be directed at events that are in accordance with the formulation of the crime. The investigation is of course directed at evidence that can result in the suspect being charged and punished. However, it is not uncommon in the criminal justice process, the investigation has been carried out and ends with the acquittal of the defendant.

In carrying out their duties, investigators must have supporting knowledge because the implementation of investigations aims to obtain complete truth. To achieve this goal, it is

necessary to master some additional knowledge besides knowledge of criminal law and criminal procedure law (Bawengan 2007).

METHOD

Types of research

In this study, the author uses normative and empirical legal methods. Normative legal is by examining the rules, norms and/or regulations related to the problem to be studied through library research. This approach is intended to collect various kinds of laws and regulations, theories and literature that are closely related to the problem to be studied. Empirical legal is an approach carried out by digging up information and conducting research in the field in order to find out the problems discussed.

Problem Approach

The problem approach used in this study is the statutory regulatory approach. The statutory regulatory approach is used because what will be studied is the legal rules related to this study. This approach is carried out by examining all laws and regulations related to police discretion through penal mediation. This approach requires understanding the hierarchy and principles of laws and regulations.

Source of Legal Material

Primary legal materials consist of laws and government regulations, court decisions that have permanent legal force, other related regulations such as the Criminal Code, Criminal Procedure Code. Secondary legal materials are materials that provide explanations regarding primary legal materials such as research, proceedings related to research. Tertiary legal materials are materials that provide instructions or explanations for primary legal materials and secondary materials such as dictionaries, encyclopedias (wikipedia) and tables related to the object of research.

RESULT AND DISCUSSION

The Role of the Criminal Investigation Unit Deli Serdang Police in Identifying Victims of Criminal Acts

The role of Satreskrim Polresta Deli Serdang in identifying victims of crime is a fundamental aspect of the law enforcement system in Indonesia. As explained by Bawengan (2007), the success of the investigation process is highly dependent on the ability of investigators to collect and analyze existing evidence. In this context, victim identification is a crucial initial step in revealing the material truth in every criminal case.

In dealing with cases where victims are found without identification, the Criminal Investigation Unit of the Deli Serdang Police applies a series of systematic procedures that refer to police operational standards. Hamzah (2008) emphasized that the victim identification process is a critical stage that requires high precision and professionalism from law enforcement officers. This is in line with the opinion of Marpaung (2009) who stated that the success of revealing a case is highly dependent on the initial stage of handling, including the victim identification process.

The first method applied in the identification process is fingerprint analysis. Soekanto (2011) explains that fingerprints are a unique biological characteristic of each individual and will not change throughout life, unless there is permanent damage to the skin tissue. The Criminal Investigation Unit of the Deli Serdang Police utilizes this uniqueness

as the main method in the victim identification process. The process of taking and analyzing fingerprints is carried out very carefully considering that the identification results will be the basis for the next investigation process.

Technological advances in forensics have brought significant changes in the victim identification process. The Criminal Investigation Unit of the Deli Serdang Police adopted the use of the INAFIS (Indonesia Automatic Fingerprint Identification System) system which allows the identification process to be carried out digitally and more efficiently. As stated by Prakoso (2010), the use of modern technology in the investigation process can increase the accuracy and speed in revealing cases. INAFIS allows police officers to compare the victim's fingerprints with the national database in real-time.

Despite using modern technology, Satreskrim Polresta Deli Serdang still conducts manual verification as a confirmation step. This process involves comparing the victim's fingerprints with official documents such as e-KTP and diplomas. Rahardjo (2012) emphasized the importance of double verification in the identification process to ensure that no errors occur that could affect the course of the investigation. This manual method, although it takes longer, provides a higher level of certainty.

In practice, the Deli Serdang Police Criminal Investigation Unit also faces various challenges in the victim identification process. The condition of the victim's body that has experienced decomposition or damage can complicate the process of taking fingerprints. In situations like this, the use of alternative identification methods such as DNA analysis or dental records. The Deli Serdang Police Criminal Investigation Unit has developed cooperation with forensic laboratories and forensic doctors to overcome these challenges.

Another important aspect in the identification process is comprehensive documentation. Each stage of identification must be well documented for the sake of evidence in court. Mulyadi (2012) emphasized that good documentation is not only useful for the interests of current investigations but can also be a reference for similar cases in the future.

Coordination with related agencies is also key to the success of the identification process. The Criminal Investigation Unit of the Deli Serdang Police is actively cooperating with the Population and Civil Registration Service to verify the victim's population data. In addition, coordination with hospitals and forensic installations is also carried out to obtain medical data that can assist the identification process.

The capacity building of Satreskrim personnel in the field of forensic identification continues to be carried out through various training and workshops. This is in line with the opinion of Sutanto (2009) who emphasized the importance of developing the competence of law enforcement officers in dealing with the complexity of modern crime. This training includes fingerprinting techniques, the use of INAFIS technology, and alternative identification methods.

In an effort to improve the effectiveness of the identification process, Satreskrim Polresta Deli Serdang also conducts periodic evaluations of the procedures implemented. This evaluation is important to identify the obstacles faced and find solutions to improve the performance of the identification team. As stated by Prodjohamidjojo (2011), continuous evaluation is the key to improving the quality of law enforcement.

Internal Obstacles Identifying Victims of Criminal Acts By Criminal Investigation Unit Deli Serdang Police Station

In carrying out the task of identifying victims of crime, the Criminal Investigation Unit of the Deli Serdang Police faces various obstacles that can affect the effectiveness of

the identification process. As stated by Bawengan (2007), the investigation process aimed at obtaining complete truth often faces technical and non-technical obstacles that require special handling.

1. Technical Constraints in the Identification Process

One of the main obstacles faced is the physical condition of the victim who has experienced damage or decomposition. Soekanto (2011) explains that the decomposition process can cause significant changes in skin tissue, which makes it difficult to take fingerprints. This condition often occurs in cases where the victim is found several days after the incident, or in locations with environmental conditions that accelerate the decomposition process.

Limited equipment and technology are also serious obstacles in the identification process. Despite having the INAFIS system, not all Satreskrim units have direct access to this sophisticated equipment. Hamzah (2008) emphasized that the availability of adequate facilities and infrastructure is a critical factor in the success of the investigation process. This limitation often results in delays in the identification process or forces the use of manual methods that take longer.

2. Administrative and Coordination Constraints

The identification process is often hampered by administrative problems, especially in terms of coordination between agencies. Marpaung (2009) stated that complicated bureaucracy and slow response from related agencies can hamper the identification process. This is seen when Satreskrim requires comparative data from Disdukcapil or other agencies that have population databases.

The limited comparative data is also a significant obstacle. Not all residents have fingerprint records recorded in the e-KTP system, especially for residents in remote areas or those who have not recorded their data. Rahardjo (2012) highlighted the importance of a comprehensive database to support the victim identification process.

3. Human Resource Constraints

The limited number of personnel with special expertise in forensic identification is a challenge in itself. Atmasasmita (2010) emphasized that the quality of human resources is a key factor in handling criminal cases. The lack of officers trained in the use of INAFIS technology and modern forensic identification techniques can slow down the identification process.

High workload also affects the performance of the identification team. Prakoso (2010) explains that time pressure and the number of cases to be handled can affect the accuracy of the identification process. This is especially evident when several serious cases occur simultaneously.

4. Time and Environmental Constraints

Time factor is a critical constraint in the victim identification process. Sutanto (2009) stated that the speed of case handling greatly affects the success of identification, especially in cases involving decomposing bodies. Delays in finding victims or reporting incidents can complicate the identification process.

The environmental conditions where the victim was found can also affect the identification process. Extreme weather, hard-to-reach locations, or unfavorable environmental conditions can hinder the collection of fingerprints and other evidence. Prodjohamidjojo (2011) emphasized the importance of fast and precise handling of the crime scene to secure evidence that can help the identification process.

5. Budget and Operational Constraints

Operational budget limitations are an equally important obstacle. Mulyadi (2012) explains that the identification process involving sophisticated technology and requiring coordination with various parties requires considerable financial support. Budget limitations can affect the speed and quality of the identification process.

In facing these various obstacles, Satreskrim Polresta Deli Serdang has taken several strategic steps. Improving personnel competence through continuous training, optimizing the use of available technology, and strengthening coordination with related agencies are the main priorities. In addition, the submission of additional budget and equipment continues to be carried out to increase the capacity of the identification unit.

CLOSING

Based on the discussion above, it can be concluded that the Satreskrim Polresta Deli Serdang has a vital role in identifying victims of crime through various methods, ranging from fingerprint analysis using the INAFIS system to manual verification with official documents such as e-KTP and diplomas. However, in its implementation, Satreskrim faces various obstacles such as the physical condition of victims who have experienced decomposition, limited equipment and technology, administrative obstacles in coordination between agencies, limited human resources with forensic expertise, time and environmental constraints, and limited operational budgets, all of which can affect the effectiveness of the victim identification process.

To improve the effectiveness of the performance of the Deli Serdang Police Criminal Investigation Unit in identifying victims of crime, it is recommended to strengthen the institutional capacity by increasing the operational budget, procuring adequate forensic equipment, intensive training for personnel in the field of forensic identification, and strengthening coordination with related agencies such as the Population and Civil Registry Office, hospitals, and forensic laboratories. In addition, it is necessary to periodically update the population database to facilitate the process of identifying victims in the future.

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