

The Role of Propam in Law Enforcement Against Police Members Who Commit Crimes in The Aceh Regional Police

Ori Istiva¹, Dr. T. Riza Zarzani, S.H., M.H.^{2*}

Universitas Pembangunan Panca Budi, Indonesia

*Correspondence Email: tengkuriza@umsu.ac.id

Abstract

The Professional and Security Division (Propam) plays a crucial role in enforcing the law against police officers who commit criminal offenses in the Aceh Regional Police (Polda Aceh). This study examines the responsibilities of Propam in maintaining discipline and upholding the code of ethics among police officers. Propam's function is to ensure accountability and professionalism within the Indonesian National Police by handling internal violations and conducting disciplinary hearings. In addition to criminal proceedings, police officers are subject to internal disciplinary measures, which may result in double punishment for violations, including criminal sentences and disciplinary actions. This study also addresses the challenges faced by Propam, such as obtaining witness testimonies and interpreting internal regulations. Through its oversight, Propam contributes significantly to improving the professionalism of the police force, which is essential for maintaining public trust and security. The findings indicate that despite the strict enforcement of laws and ethics, additional efforts are needed to strengthen internal discipline and community involvement in monitoring police conduct.

Keywords: Propam, law enforcement, police discipline.

INTRODUCTION

After the enactment of the Second Amendment to the 1945 Constitution of the Republic of Indonesia, Chapter XII concerning State Defense and Security, Decree of the MPR RI Number VI/MPR/2000 and Decree of the MPR RI Number VII/MPR/2000, constitutionally there have been changes that confirm the formulation of the duties, functions, and roles of the National Police of the Republic of Indonesia and the institutional separation of the Indonesian National Army and the National Police of the Republic of Indonesia in accordance with their respective roles and functions.¹

The institutional separation of the police and the TNI has an influence and change in the treatment of police members who were previously subject to disciplinary law and military criminal law within the scope of the competence of the Military Court, but have now become subject to the General Court. There is a very essential change, where the Police are no longer military and have a civilian status. The change of the Police to civilians means that as a logical consequence, members of the Police are subject to and subject to civil law. There has been a change in the value and status of members of the Police, namely that the same law applies to civilians.

¹AA Ngurah Manik Oka, Made Sugi Hartono, Muhamad Jodi Setianto. "The Role of Propam in Enforcing the Code of Ethics of the Republic of Indonesia Police Based on the Provisions of Article 17 of the Regulation of the Chief of the Republic of Indonesia National Police Number 14 of 2011 Concerning the Code of Professional Ethics of the Republic of Indonesia National Police at the Buleleng Police Resort". *Journal of Yustisia Communication*. Volume 5 Number 2 August 2022, page 516

Based on the mandate of Law Number 2 of 2002 and to realize a professional and accountable Indonesian National Police, the Government has issued regulations that must be followed by every member of the Indonesian National Police (Polri) in carrying out their functions, duties and authorities to ensure legal balance in order to protect law enforcement officers, especially the Polri and guarantee the basic rights of the Community. In terms of fostering and enforcing discipline, Polri members must submit to and comply with Government Regulation Number 2 of 2003 concerning the Disciplinary Regulations of Polri Members and Regulation of the Head of the Indonesian National Police Number 14 of 2011 concerning the Code of Professional Ethics of the Indonesian National Police, while Polri Civil Servants must submit to and comply with Government Regulation Number 53 of 2010 concerning Civil Servant Discipline.

Consequently, unlawful acts within the scope of Polri disciplinary law or violations of the code of ethics, are resolved internally by the institution, namely through disciplinary hearings or hearings of the Professional Code of Ethics Commission, as regulated in Government Regulation Number 2 of 2003 concerning Disciplinary Regulations for Polri Members. The enactment of Government Regulation Number 3 of 2003 concerning the Implementation of Technical Institutions of General Courts for Polri Members, means that examinations for Polri members in criminal cases from the investigation level to the trial are based on the provisions of Law Number 8 of 1981 concerning the Criminal Procedure Code.²

The application of the Criminal Procedure Code for members of the Indonesian National Police is emphasized in Article 4 of Government Regulation Number 3 of 2003, the substance of which is that investigations of members of the Indonesian National Police who commit crimes are carried out by investigators as regulated by the criminal procedure law applicable in the general court environment, meaning according to Law Number 8 of 1981 concerning the Criminal Procedure Code. In addition, members of the Indonesian National Police are still subject to the disciplinary law regulations and professional code of ethics applicable in the police organization, so that it is very possible that there will be double punishment for members of the Indonesian National Police who commit crimes, namely receiving criminal sanctions (imprisonment) as well as disciplinary sanctions as regulated in Government Regulation Number 2 of 2003 concerning the Disciplinary Regulations of Indonesian National Police Members.³

The rules of the Police organization include disciplinary regulations, codes of ethics, and job codes. Disciplinary regulations are intended to form discipline among Police members. Discipline is honor, and honor is closely related to credibility and commitment. In this case, the credibility and commitment of Police members as state apparatus who are given

² Agung Kurniawan. "Law Enforcement Against Police Officers Who Conduct Extortion (Case Study in the Jurisdiction of the Bandar Lampung Police Department)". Faculty of Law, University of Lampung, Bandar Lampung. 2017, p.3

³Pudi Rahardi, Police Law (Professionalism and Police Reform), Surabaya: LaksbangMediatama, 2007, p. 19

the task and authority as protectors, guardians, and servants of the community, law enforcers and maintainers of security.⁴

Profession and Security (Propam) is one of the Polri organizational units in the form of a Division that is responsible for matters of professional development and security within the Polri organization, abbreviated as the Polri Propam Division as one of the implementing elements or Special Polri staff at the Headquarters level under the Chief of Police. While at the Polda level, it is in the form of a Division that is responsible to the Kapolda for cases of professional violations or violations of the code of ethics that occur. Therefore, the function and role of Propam within the Republic of Indonesia Police is very important because it will have an impact on enforcing discipline among Polri members, especially enforcing the Polri profession in order to create Polri professionalism both in the community and in the Police itself.⁵

The general task of the Propam Division is to foster and organize the function of professional accountability and internal security including enforcing discipline and order within the Police environment and serving public complaints regarding irregularities in the actions of Polri members, which in the organizational structure and working procedures of Propam consists of 3 (three) functional areas in the form of sub-organizations, namely Internal Security (Paminal), Professional Field, and Provost.⁶

The Propam Unit has found many irregularities committed by members and has also received many reports from members of the community who reported that members had violated the law and even reported members who had committed criminal acts. Based on these findings and reports, the Propam Polresta Deli Serdang carries out its duties and authorities to take action against these members by conducting an examination process and also a disciplinary hearing process and even a code of ethics hearing to take firm action against members who are proven to have committed a crime and have received a judge's verdict that has permanent legal force for the criminal acts committed.

The function and role of Propam in the Indonesian National Police environment is important because it will have an impact on the enforcement of discipline of Polri members and especially the enforcement of the Polri code of ethics. Polri professionalism is a dream not only for Polri members but also for all Indonesian people, because the function of protecting and protecting the community is supported by Polri professionalism and all of this cannot be separated from the role of Propam.⁷

As an extension of the Superior who gives the law, the Provost of the Indonesian National Police is tasked with fostering and enforcing discipline and maintaining the order of life of the Indonesian National Police members. The implementation of the law is not only against the community in general but also on the implementation of the law, especially

⁴AA Ngurah Manik Oka, Made Sugi Hartono, Muhamad Jodi Setianto.Op.Cit, p 517

⁵Sadjijono, Legal Professional Ethics: A Philosophical Concept and Implementation of the Indonesian National Police Professional Code of Ethics, Yogyakarta, Laks Bang Mediatama, 2008, page 87

⁶Puspita Nirmala "The Role of Propam Polres Jayapura City", Jurnal Legal Pluralism: Volume 3 Number 2, July 2013, page 214

⁷Soebroto, Police Authority in Police Law in Indonesia, Jakarta: PTIK, 2004, p.411

members of the Indonesian National Police, so that if there is a violation committed by law enforcement officers, the violators must be subject to a heavier penalty because as officers who should understand the law but commit acts that violate the law. This aims to make police officers who violate disciplinary regulations become deterred. Based on the background above, the author chose the title of this research, namely: "**The Role of Propam in Law Enforcement Against Police Members Who Commit Criminal Acts in the Aceh Police**"

Formulation of the problem

The main problems in this research are:

1. How The Role of Propam in Law Enforcement Against Police Members Who Commit Criminal Acts in the Aceh Police?
2. How Obstacles Propam in Enforcement Code of Ethics and Discipline Police Members at Aceh Police?

Research purposes

The objectives of this research are:

1. To know and study The Role of Propam in Law Enforcement Against Police Members Who Commit Criminal Acts at the Aceh Police
2. To Know and Study Obstacles Propam in Enforcement Code of Ethics and Discipline Police Members at Aceh Police

LITERATURE REVIEW

Disciplinary Violation

Discipline comes from the Latin word *Discipline*, which means instruction. Discipline is honor, honor is closely related to credibility and commitment. The credibility and commitment of members of the Indonesian National Police are as state officials who are given the task and authority as protectors, guardians, and servants of the community, law enforcers and maintainers of security.⁸

Discipline in Indonesian is often related and combined with the terms order and discipline. The term order means a person's obedience in following rules or regulations because they are driven or caused by something that comes from outside themselves. On the other hand, the term discipline as obedience and compliance that arises because of awareness and encouragement from within the person.⁹

Discipline can be defined as an attitude of respecting, appreciating, obeying and complying with applicable regulations, both written and unwritten, and being able to carry them out and not avoiding accepting sanctions if one violates the duties and authority given to him.¹⁰ Another opinion formulates that discipline is the awareness and willingness of a person to obey all applicable rules and social norms. Awareness is the attitude of a person

⁸ Momo Kelana, *Police Law*, Jakarta. PT. Gramedia Widia Sarana Indonesia, 2014, p. 10

⁹ Imam Alimaun, "The influence of discipline on the learning outcomes of fifth grade elementary school students in the RA Kartini area, Kutoarjo District, Purworejo Regency, Semarang: UNNES, 2015, p. 10

¹⁰ Siswanto Sastrohadiwiryo. *Indonesian Workforce Management*. Bumi Aksara: Jakarta 2011. page 291

who voluntarily obeys all rules and is aware of his duties and responsibilities, willingness is an attitude, behavior, and company regulations, both written and unwritten.¹¹

Discipline is the ability to control oneself in the form of not carrying out actions that are inappropriate or contrary to something that has been determined.¹² Discipline is also defined as the ability to obey, comply and commit to complying with what is considered good and right in social, cultural and legal constructions.¹³

In Article 1 of the General Provisions Chapter of Government Regulation Number 2 of 2003 concerning Disciplinary Regulations for Members of the Republic of Indonesia National Police, it is explained that:

- a. Discipline is the true obedience and compliance with the disciplinary regulations of members of the Republic of Indonesia National Police (point 2)
- b. The Disciplinary Regulations for Members of the Republic of Indonesia National Police are a series of norms to foster, enforce discipline and maintain order in the lives of members of the Republic of Indonesia National Police (Point 3).
- c. Violation of Disciplinary Regulations is the words, writings or actions of members of the Republic of Indonesia National Police which violate disciplinary regulations (point 4)
- d. Disciplinary action is a series of verbal warnings and/or physical actions of a constructive nature, which are imposed directly on members of the Republic of Indonesia National Police (Item 5)
- e. Disciplinary punishment is a punishment imposed by a superior who has the right to punish members of the Republic of Indonesia National Police through a Disciplinary Hearing (Point 6)
- f. A disciplinary hearing is a hearing to examine and decide on cases of disciplinary violations committed by members of the Republic of Indonesia National Police (Item 8)

The purpose of discipline is to train a person to act and behave according to the established rules. In other words, discipline aims to train a person to always work and act on time, effectively and efficiently and follow the rules or regulations that have been established because discipline is one of the keys to the success of an activity.¹⁴

According to Sinambela, there are two goals of discipline, namely:¹⁵

- a. Corrective discipline

It is an effort to implement discipline that has been proven to violate regulations or does not meet the standards that have been set and is subject to sanctions in stages. While the purpose of corrective discipline is to provide corrections to behavior whether it is in accordance with the rules or not.

- b. Preventive discipline

¹¹ Malayu Hasibuan. Human Resource Management.. Jakarta, Bumi Aksara, 2010. page 193

¹² Barnawi and Mohammad Arifin, Instruments for Coaching, Improving and Assessing Professional Teacher Performance. Yogyakarta: Ar Ruzz Media, 2012, p.110.

¹³ Damsar, Introduction to the Sociology of Education. Jakarta: Kencana, 2011, p. 111.

¹⁴ Siti Kholijah Tanjung, "Discipline Development for Students of State Senior High School 5 Padang Sidempuan", Medan: Dharmawangsa University Medan, 2018, page 1

¹⁵ Conny R. Semiawan, Implementation of Learning in Children. Jakarta: Index, 2008, p. 93.

It is an effort to move someone to obey the rules that have been set. While the goal is to prevent someone from committing a violation.

Code of Ethics and Professional Ethics

Ethics comes from the ancient Greek word Ethos, which in the singular form means customs, good morals. The plural form of Ethos is Ta etha, meaning customs. From this plural form, the term ethics was formed, which the Greek philosopher Aristotle used to indicate moral philosophy. Based on the origin of this word, ethics means what is usually done or customs.¹⁶

Ethics is related to efforts to determine human behavior. Ethics essentially observes moral reality critically, ethics does not provide teachings, but rather examines habits, values, norms, and moral views critically. Ethics is a reflection of what is called "self-control", because everything is made and applied from and for the interests of the social group (profession) itself.¹⁷

Professionalism without ethics makes it "free-winged" in the sense of being without control and without direction. On the other hand, ethics without professionalism makes it "paralyzed-winged" in the sense of not advancing or even standing upright. Professional ethics is part of social ethics, namely philosophy or rational critical thinking about the obligations and responsibilities of humans as members of the human race. The code of ethics is actually not something new. Efforts have long been made to regulate the moral behavior of a special group in society through written provisions so that they can become the main guideline for members of the profession to continue to carry out the moral essence of their professional activities.¹⁸

In the Regulation of the Head of the Division of Profession and Security of the Republic of Indonesia National Police Number 1 of 2015 concerning Standard Operating Procedures for Internal Security Investigations within the Republic of Indonesia National Police, Article 1 point 6 states that Violations of the Police Professional Code of Ethics, hereinafter referred to as Violations of the KEPP, are any actions carried out by members of the Police that are contrary to the KEPP.

In the Chief of Police Regulation Number 14 of 2011, which contains moral content for police members, which relates to:

- a. State Ethics contains guidelines for the behavior of Polri members in relation to upholding the Unitary State of the Republic of Indonesia (NKRI), Pancasila, the 1945 Constitution of the Republic of Indonesia and Unity in Diversity.
- b. Institutional Ethics contains guidelines for the behavior of Polri members in tribrata relations as a guideline for life, Catur Prasetya as a guideline for work, the oath/promise

¹⁶Bertens, Ethics, Gramedia Pustaka Utama, Jakarta, 2014, p. 4

¹⁷Frans Magnis Suseno, Basic Ethics, Main Problems of Moral Philosophy, Yogyakarta: Kanisius, 2017, p. 18

¹⁸I Gede AB Wiranata, Basics of Ethics and Morality: Introduction to the Study of Ethics and the Legal Profession. Bandung: PT Citra Aditya Bakti, 2005, p. 84.

of Polri members, the oath/promise of office and ten moral commitments and changes in mindset.

- c. Community Ethics contains guidelines for Polri members in relation to maintaining public security and order (kamtibmas), law enforcement, protection (protection and service of the community), and local wisdom including (mutual cooperation, loyalty and tolerance).
- d. Personality Ethics contains guidelines for Polri members in relation to religious life, obedience and compliance with the law, politeness in family, community, national and state life.

Propam Review

Since 1998, there has been a fundamental change in the state system with the reform that has had a very important influence on the Indonesian National Police. The reform carried out by the Indonesian nation aims to achieve a national, state and social life in the form of a civil society or often referred to as a civil society. Along with this development, the Indonesian Police have undergone reform, namely by freeing the Indonesian Police from the ranks of ABRI (now TNI). Now the Police must return to their original function as law enforcers, crime fighters and protectors of the community who are given the authority to regulate and maintain order and the welfare of their citizens.

Previously Propam was known as the Provost Service or Provost Unit of the Police whose organization was still united with the TNI/Military as ABRI, where the Provost Police was a functional unit of guidance from the Military Organization Police / POM or the term Military Police / PM. Propam is one of the Polri organizational units in the form of a Division that is responsible for matters of professional development and security within the internal environment of the Polri organization abbreviated as the Propam Polri Division as one of the implementing elements of the Polri special staff at the Headquarters level which is under the Chief of Police and the Profession and Security Division of the Regional Police at the Regional Police Level which is responsible to the Chief of Police.¹⁹

The general task of Propam is to foster and organize the function of professional accountability and internal security including the enforcement of discipline and order in the Polri environment and public complaint services regarding irregularities in the actions of Polri members/PNS. In the organizational structure and working procedures, Propam consists of 3 (three) fields/functional containers in the form of sub-organizations called Bureaus (Paminal Bureau, Wabprof Bureau, and Provos Bureau) with the following functions:²⁰

¹⁹ Siharma Hasiholan Dominicus Rajagukguk. "The Role of the Profession and Security (Propam) of the Regional Police in Enforcing the Professional Code of Ethics of the Police in the Special Region of Yogyakarta". Faculty of Law, Atma Jaya University, Yogyakarta, 2015, p.6

²⁰ Ismunita. "The Role of Propam in Law Enforcement Against Police Officers Who Commit Crimes in the Jurisdiction of the Makassar Harbor Police". Faculty of Sharia and Law, Alauddin State Islamic University (Uin) Makassar 2018, page 17

- a. The security function within the internal environment of the Indonesian National Police organization is the responsibility of the Praminal Bureau.
- b. The function of professional accountability is delegated to the Professional Counseling Bureau
- c. The function of enforcing discipline and order within the Police is the responsibility of the Provost Bureau.

METHOD

Types of research

This type of research is normative legal research, namely the normative legal approach is an approach that refers to applicable laws and regulations, as a set of normative legal regulations.²¹

Problem Approach

The approach used in this research is the statute approach and analytical descriptive. Descriptive research analytical which describes the condition of the object being studied and a number of factors which influence the data obtained are collected, arranged, explained and then analyzed.²²

Source of Legal Material

Primary legal materials consisting of laws and government regulations, court decisions that have permanent legal force, other related regulations such as the Criminal Code, Law of the Republic of Indonesia Number 2 of 2002 concerning the Indonesian National Police, Secondary legal materials, namely materials that provide explanations regarding primary legal materials such as research, proceedings related to research. Tertiary legal materials, namely materials that provide instructions or explanations for primary legal materials and secondary materials such as dictionaries, encyclopedias and tables related to the object of research.

RESULT AND DISCUSSION

The function and role of Propam in the Indonesian National Police environment is important because it will have an impact on the enforcement of discipline of Polri members and especially the enforcement of the Polri code of ethics. Polri professionalism is a dream not only for Polri members but also for all Indonesian people, because the function of protecting and protecting the community is supported by Polri professionalism and all of this cannot be separated from Propam's role in enforcing the Polri professional code of ethics.

The role of Propam in the Indonesian National Police Institution is very important, especially in supervising and enforcing every action of police members so that they do not

²¹Ronny Hanitijo Soemitro, *Legal Research Methodology and Jurimetrics*, Jakarta: Ghalia Indonesia, 2010, p. 20

²²Sri Mamudji, et al. *Research Methods and Legal Writing*, Jakarta: Publishing Agency of the Faculty of Law, University of Indonesia, 2005, p. 4

take actions outside the function and authority of the police, in the Police institution. Propam is tasked with providing guidance and carrying out the function of professional accountability for actions taken and internal security, especially in enforcing discipline and order in the Polri environment, and providing public services if there are legal problems for police members, therefore the public must be sensitive if there are deviations carried out by Polri members/PNS.²³

There are several causes of violations committed by police officers, including:²⁴

a. Influenced by Friends

The reason why perpetrators of police discipline violations commit acts that violate police discipline is because they see their friends enjoying the activity so that they gradually follow the activity and there are friends in their environment who invite them to do the act.

b. The assumption that the police, like other human beings, have free will.

That the offenders committed their acts because of one of the reasons being the freedom of the offender to act as a human being. The offender believes that his actions are in pursuit of pleasure, happiness, and the desire to seek freedom.

c. Feeling Less Than Official Income as a Policeman

Committing an act due to family economic pressure. That someone who commits an act that is not in accordance with the rules is caused by unequal economic pressure.

d. Biological Needs Not Met

Disciplinary violators commit disciplinary violations because their biological needs are not met. They commit these violations because the supportive environment and the partner cannot fulfill their biological needs.

e. Not Disciplined in Carrying Out Duties

Not focused or negligent in carrying out duties as a police officer. The form of action carried out by the police officer that violates the police officer's disciplinary regulations is falling asleep while on guard.

The Role of Propam in Law Enforcement Against Police Members Who Commit Criminal Acts at the Aceh Police

Efforts to enforce discipline and the Police Code of Ethics are very much needed in order to realize the implementation of the assigned tasks and achieve police professionalism. It is very unlikely that law enforcement can run well if the law enforcers themselves, in this case the police, are not disciplined and unprofessional. The indiscipline and unprofessionalism of police members will have a major impact on law enforcement or the disclosure of crimes that occur in society. Therefore, the function and role of the Profession and Security (Propam) in the Republic of Indonesia Police environment is important because

²³AA Ngurah Manik Oka, Made Sugi Hartono, Muhamad Jodi Setianto. Op.Cit, p. 520

²⁴Mulida Hayati, Syaifullah. "Law Enforcement on Disciplinary Violations of Police Members at the Central Kalimantan Regional Police Headquarters". Tambun Bungai Journal of Legal Studies Vol. 4 No. 2, September 2019, p.611

it will have an impact on the enforcement of discipline of police members and especially the enforcement of the police code of ethics²⁵

In carrying out its main tasks and functions, Propam for the Aceh Regional Police level is implemented in the Complaints and Disciplinary Action Service Unit at the Aceh Regional Police, which is a work unit that assists the Regional Police Chief to carry out security and supervision within the Polri organization. This Propam Unit is led by a Propam Unit Head who is directly responsible to the Regional Police Chief.

Procedures for resolving disciplinary violations of members of the Republic of Indonesia National Police, as stated in the Decree of the Chief of the Republic of Indonesia National Police Number Pol.: Kep/43/IX/2004, are as follows:²⁶

1) Receipt of Report

A report is a notification submitted by a person due to rights or obligations under the law to an authorized official about a disciplinary violation that has occurred or is occurring or is suspected of occurring. Every report of a disciplinary violation by a member of the Indonesian National Police is stated in a police report (LP). This police report is then followed up by issuing an Examination Warrant (SPP). Based on the SPP, witnesses and violators are summoned for examination and for any reports that are not clear, an investigation needs to be carried out. This is carried out by members of the Indonesian National Police Provost or officers appointed by the Ankum to determine whether or not a disciplinary violation has occurred and to collect sufficient preliminary evidence for further examination.

The summons is carried out by the Provost or an official appointed by the Ankum or the superior of the Ankum. The officer who delivers the summons letter is every member of the Police. In the event that a person who is summoned is not present, the summons letter can be delivered to his family or the RT head or RW head or Environmental head or Village Head or other person who can be guaranteed that the summons letter will be delivered to the person concerned. For the person being examined, namely every member of the Police who is suspected of committing a disciplinary violation and is being examined at the preliminary examination level up to the disciplinary hearing level, who does not comply with the summons without a valid reason or refuses to accept and sign the summons letter and does not comply with the summons for the third time, then the officer can bring him along with a warrant. The person being examined who does not comply with the summons due to illness as evidenced by a doctor's certificate and because of official duties that can be accounted for by his superior, the Provost can conduct an examination at the Regional Police Headquarters.

2) Inspection

Disciplinary violation examination is a follow-up to the receipt of reports, being caught red-handed, and findings by officers in the form of activities such as summoning the person being examined and witnesses, making minutes of the examination, and

²⁵Soebroto. Op.Cit, p.41

²⁶Mulida Hayati, Syaifullah. Loc. Op. Cit., p. 614

examining expert witnesses. Disciplinary violation examination is a process of activities that begins with an examination by the National Police provost or appointed official until the examination in front of a disciplinary hearing. Examination of members of the National Police who commit disciplinary violations is carried out by considering the following ranks:

- a) Privates and non-commissioned officers are examined by members of the Indonesian National Police with the lowest rank of non-commissioned officer.
- b) The First Officer is examined by members of the Indonesian National Police with the lowest rank of Non-Commissioned Officer.
- c) Middle ranking officers are examined by members of the Indonesian National Police with the lowest rank of First Officer.
- d) High ranking officers are examined by members of the Indonesian National Police with the lowest rank of Middle Ranking Officer.

The examination by the Provost is carried out based on the order of the Ankum Superior. The results of the examination of disciplinary violations are made in one case file and submitted to Ankum to be resolved through a disciplinary hearing. The results of the examination of witnesses, the person being examined, expert witnesses, and administration related to disciplinary violations are compiled into one examination file in the form of a disciplinary violation case file. The disciplinary violation case file as referred to consists of disciplinary violations, resumes, police reports, examination warrants, summonses, minutes of examination of the person being examined, witnesses and expert witnesses, lists of evidence, and minutes of submission and receipt of evidence. The disciplinary violation case file is transferred by the provost to Ankum. After receiving the disciplinary violation case file, a legal opinion is requested from the legal development function unit. The legal opinion must be submitted to Ankum no later than 7 days later.

3) Examination in Disciplinary Hearing

No later than 30 (thirty) days after receiving the case file of violation from Provos, Ankum must hold a disciplinary hearing. To hold a disciplinary hearing, Ankum determines the hearing apparatus and the time of the hearing. The composition of membership, and hearing apparatus, as well as the procedures for disciplinary hearings are carried out based on the Decree of the Chief of Police concerning Disciplinary Hearings for Polri Members.

4) Sentencing

After listening to and/or observing the testimony of witnesses, the examinee, expert witnesses, the examinee's companion, and evidence, Ankum issues a disciplinary sentence. The sentence imposed by Ankum does not remove the criminal charges for the criminal violations committed by the Convict.

5) Implementation of Punishment

Disciplinary punishment is stated in the disciplinary punishment decision letter. The original is given to the convict and a copy is given to the Personnel Officer, Provost and Ankum Superior. The disciplinary hearing decision must be followed up with a decision letter by the authorized official no later than 30 (thirty) days, a copy of which is submitted

to Ankum. The implementation of the disciplinary hearing decision is submitted to the Provost.

In accordance with Article 13 of Regulation of the Chief of Police Number 19 of 2012 concerning the Indonesian National Police Code of Ethics Commission, in carrying out its duties it has the authority to summon members of the Indonesian National Police to be heard as witnesses:²⁷

- a. Summoning the alleged violator to hear his statement in court
- b. Present a companion appointed by the alleged violator or appointed by KKEP as a companion.
- c. Presenting witnesses and experts to provide information for the purposes of examination in court.
- d. Visiting certain places related to the trial
- e. Examine preliminary examination files before the trial and prepare an examination plan during the trial.
- f. Asking questions directly to the alleged offender, witnesses, and experts regarding anything that is necessary or related to the violation committed by the alleged offender.
- g. Ask questions directly to the assistant regarding administrative completeness as an assistant.
- h. Making legal considerations to make decisions
- i. Submitting recommendations for administrative KKEP decisions to the KKEP formers.

The implementation of the Ethics Commission hearing against First Officers and Middle Officers of the Indonesian National Police at the Polwil/tabs/Poltabs/Polres/tro/ta levels can be carried out at the Regional Police Headquarters of the Examined Unit or other designated places. The membership of the Commission to examine Middle Officers of the Indonesian National Police consists of:

- 1) Chairman : Deputy Chief of Police
- 2) Deputy Chairperson : Irwasda
Appointed Middle Ranking Police Officers
- 3) Secretary : Head of Propam Division
Appointed Middle Ranking Police Officers
- 4) Members : Appointed Middle Ranking Police Officer
- 5) Reserve Members: Appointed middle-ranking Polri officers

The membership of the Commission to examine the First Police Officers at the Aceh Regional Police consists of:

- a. Chairman : Inspectorate of Regional Supervision
- b. Vice Chairman : Head of Propam Division
Appointed Middle Ranking Police Officers
- c. Secretary : Head of Sub-Division of Bin Prof.
Appointed Middle Ranking Police Officers

²⁷Article 13 of Regulation of the Chief of Police Number 19 of 2012 Concerning the Indonesian Police Code of Ethics Commission

d. Member : Appointed Middle Ranking Police Officer

e. Reserve Members: Appointed Middle Ranking Police Officers

Members of the Commission to examine Bintara and Tamtama Polri at the Aceh Police consist of:

1) Chairman : Head of Propam Division

2) Vice Chairman : Head of Sub-Division of Bin Prof.

Appointed officer

3) Secretary : Head of Ethics

Appointed officer

4) Member : Appointed officer

5) Reserve Members : Appointed officers

According to the Head of Propam of the Aceh Police, The Procedures and Mechanisms for Reporting and Enforcement of the Code of Professional Ethics by Bidpropam Polda Aceh are as follows:

a. Reporters/Complainants, both from the public and members of the Police, come to the Polda Propam service center room.

b. The report is received by the service center operator in the form of a police report and the reporter is given a letter of receipt of the report as proof of the report.

c. Next, the reporter was asked for information by the provost investigator which was stated in the form of an initial BAP.

d. The Police Report along with the initial BAP was reported to the Head of Propam Division of the Aceh Police to determine the next steps.

e. If the case requires further investigation, it will be delegated to the Paminal function.

f. If the case is a disciplinary violation, the case will be transferred to Sub-Bid Provost A.

g. If the case is a violation of the Police Professional Code of Ethics (KEPP), the case will be transferred to the Deputy Prof. Sub-Bid.

h. If the case is a criminal act, it will be transferred to the Criminal Investigation (Reskrim) function.

According to the Head of the Deputy Profession Sub-Division of the Aceh Police, members of the Police who commit crimes will be dishonorably discharged as stated in the Regulation of the Chief of Police Number 14 of 2011 concerning the Code of Ethics of the Police Profession, Government Regulation Number 1 of 2003 concerning Dismissal of Members of the Police, Government Regulation Number 3 of 2003 concerning Disciplinary Regulations for Members of the Indonesian Police and Law of the Republic of Indonesia Number 43 of 1999 concerning Amendments to Law Number 8 of 1974 concerning the Principles of Personnel.

The Aceh Regional Police (Polda) dishonorably discharged 22 police officers during 2022. Several other violations of the code of ethics committed by members during 2022

were, five Middle Officers (Pamen), 18 First Officers (Pama), and 19 Non-Commissioned Officers (Bintara).²⁸

Obstacles Propam in Enforcement Code of Ethics and Discipline Police Members at Aceh Police

According to the Head of Propam of the Aceh Police that the obstacles to Banda Aceh Propam in enforcing discipline and ethics of police members at the Aceh Police are:

- a. It is difficult to obtain information from the public/public witnesses in the process of summoning Polri members who violate Polri member disciplinary regulations. In the examination process, witnesses and victims cannot be forced to provide information.
- b. The difficulty in making a clear understanding between various internal Polri regulations such as between disciplinary regulations and professional code of ethics. The interpretation ability of HR in the DIY Regional Police Propam tends to be limited.
- c. The Head of the Police Organizational Unit as the Ankum at all levels who has not been able to provide sanctions to police members who commit violations through the Police Code of Ethics Commission hearing.
- d. Factors of facilities or infrastructure where in carrying out their duties, both Subbidpaminal, Subbidprovos, and Subbidwabprof as the main implementing elements of Bidpropam Polda Aceh often face problems with inadequate facilities and infrastructure and limited budget support, cultural factors such as the continued feeling of reluctance, namely the reluctance of examiners from Bidpropam Polda Aceh to examine Polri members who are suspected of violating the code of ethics.
- e. There are still some Unit Leaders as Ankum who have not fully paid attention to the implementation of the task of enforcing disciplinary law for Polri members, including Polri Provost officers.
- f. The level of discipline, awareness and compliance of Polri members with the disciplinary regulations that are binding and applicable to them is still relatively low so that disciplinary violations continue to occur.
- g. The slow economic recovery of the government has resulted in the welfare of Polri members not being felt, triggering the growth of illegal legal actions by Polri members.
- h. Lack of public concern in monitoring and reporting negative behavior of police officers

According to the Head of Propam of the Aceh Police Efforts made to enforce discipline and the code of ethics of the police profession within the Aceh Regional Police are as follows:

1. Conducting Legal Socialization and Counseling

²⁸Tati Firdiyanti. During 22, Aceh Police Dishonorably Dismissed 22 Police Officers. <https://www.ajnn.net>. Retrieved December 26, 2023

The implementation of legal counseling is carried out by Polri personnel in the jurisdiction of the Aceh Regional Police. With socialization, it is hoped that it will be able to increase the awareness and understanding of Polri personnel about the process and implementation of these regulations so that by understanding Polri personnel regarding the binding regulations, members will understand the regulations in the Polri environment so that Polri personnel will avoid committing criminal acts and minimize the number of criminal acts.

2. Performing Sympathetic Operations

Operation Simpatik carried out by the Aceh Police Propam Unit is a program to supervise all members of the Police in the jurisdiction of the Aceh Police to prevent violations that are considered not to comply with the code of professional ethics, and can also carry out further prevention by coordinating with regional units to minimize violations committed by members of the Police.

3. Conducting Technical Working Meetings (Rakernis), Regional Supervision and Evaluation of the Performance of Polri Members

Rakernis was held to align perceptions in terms of enforcing the law against Polri Members who commit crimes based on the regulation of the Chief of Police Number 14 of 2011 concerning the Code of Ethics of the Police Profession. So that with the similarity in handling, there will be no gaps between Polri members so that when there are Polri members who commit theft, Bidpropam and Sipropam Polres in the ranks of the Aceh Police will give the same punishment in accordance with the regulations in force within the police.

Supervision is carried out to see to what extent the existing regulations are implemented by the function of the professional and security sector in the police environment, while evaluation is carried out to see the performance of police members and to complete inadequate facilities and infrastructure so that the process of implementing the Code of Ethics against violations committed by Police Members runs in accordance with existing regulations.

4. Legal Enforcement (Repressive Efforts)

Repressive efforts are actions taken by law enforcement officers after a violation or criminal act has occurred. Repressive efforts taken against members of the police who commit crimes include supervising the judicial process by the Aceh Police Regional Supervision Inspectorate (Itwasda) work unit, which is carried out regarding criminal justice, discipline and code of ethics.

5. Mental Coaching

The coaching effort carried out as a form of post-repressive action is mental coaching. Mental coaching includes every day during the morning and afternoon roll call and marching training. Then after there is a change in the level of discipline, the spiritual and physical fields place the personnel in the nearest Islamic boarding school to be re-trained in their religious aspects to get closer to Allah SWT and be enthusiastic and far from despair in carrying out the duties of the Indonesian national police, especially the Aceh Police.

CONCLUSION

The law enforcement mechanism for violations of the code of professional ethics in the Republic of Indonesia Police is regulated in Police Regulation Number 7 of 2022 concerning the Code of Professional Ethics. The implementation of the enforcement of the code of ethics against members of the police who commit crimes is through the application of administrative sanctions in the form of PTDH recommendations imposed through the KKEP Hearing against violators who intentionally commit crimes with a threat of imprisonment of 4 (four) years or more and have been decided by a court that has permanent legal force and violators who commit.

Efforts to combat criminal acts carried out by members of the Indonesian National Police include conducting socialization and legal counseling, police sympathy operations, legal action (repressive efforts) and providing mental guidance for individuals who have committed theft but have not been dismissed from the Indonesian National Police Service.

REFERENCES

- A.A. Ngurah Manik Oka, Made Sugi Hartono, Muhamad Jodi Setianto. "Peran Propam Dalam Penegakan Kode Etik Kepolisian Republik Indonesia Berdasarkan Ketentuan Pasal 17 Peraturan Kepala Kepolisian Negara Republik Indonesia Nomor 14 Tahun 2011 Tentang Kode Etik Profesi Kepolisian Negara Republik Indonesia Di Kepolisian Resor Buleleng". *Journal Komunikasi Yustisia*, Volume 5, Nomor 2, Agustus 2022.
- Agung Kurniawan. "Penegakan Hukum Terhadap Anggota Kepolisian Yang Melakukan Pungutan Liar (Studi Kasus Di Wilayah Hukum Polresta Bandar Lampung)". Fakultas Hukum Universitas Lampung, Bandar Lampung, 2017.
- Barnawi, & Mohammad Arifin. 2012. *Instrumen Pembinaan, Peningkatan dan Penilaian Kinerja Guru Profesional*. Ar Ruzz Media, Yogyakarta.
- Bertens. 2014. *Etika*. Gramedia Pustaka Utama, Jakarta.
- Conny R. Semiawan. 2008. *Penerapan Pembelajaran pada Anak*. Index, Jakarta.
- Damsar. 2011. *Pengantar Sosiologi Pendidikan*. Kencana, Jakarta.
- Frans Magnis Suseno. 2017. *Etika Dasar Masalah-Masalah Pokok Filsafat Moral*. Kanisius, Yogyakarta.
- I Gede A.B. Wiranata. 2005. *Dasar-Dasar Etika dan Moralitas: Pengantar Kajian Etika dan Profesi Hukum*. PT Citra Aditya Bakti, Bandung.
- Imam Alimaun. 2015. "Pengaruh Kedisiplinan Terhadap Hasil Belajar Siswa Kelas V Sekolah Dasar Se-Daerah Binaan R.A. Kartini Kecamatan Kutoarjo Kabupaten Purworejo". Semarang: UNNES.
- Ismunita. "Peranan Propam Dalam Penegakan Hukum Terhadap Anggota Kepolisian Yang Melakukan Tindak Pidana Di Wilayah Hukum Polres Pelabuhan Makassar". Fakultas Syari'ah dan Hukum Universitas Islam Negeri (UIN) Alauddin Makassar, 2018.
- Malayu Hasibuan. 2010. *Manajemen Sumber Daya Manusia*. Bumi Aksara, Jakarta.
- Momo Kelana. 2014. *Hukum Kepolisian*. PT. Gramedia Widia Sarana Indonesia, Jakarta.

- Mulida Hayati, & Syaifullah. 2019. "Penegakan Hukum Pelanggaran Disiplin Anggota Polri di Mapolda Kalimantan Tengah". *Jurnal Ilmu Hukum Tambun Bungai*, Vol. 4, No. 2, September 2019.
- Pudi Rahardi. 2007. *Hukum Kepolisian (Profesionalisme dan Reformasi Polri)*. Laksbang Mediatama, Surabaya.
- Puspita Nirmala. "Peranan Propam Polres Jayapura Kota". *Jurnal Legal Pluralism*, Volume 3, Nomor 2, Juli 2013.
- Ronny Hanitijo Soemitro. 2010. *Metodologi Penelitian Hukum dan Jurimetri*. Ghalia Indonesia, Jakarta.
- Sadjijono. 2008. *Etika Profesi Hukum: Suatu Filosofis terhadap Konsep dan Implementasi Kode Etik Profesi POLRI*. Laks Bang Mediatama, Yogyakarta.
- Siharma Hasiholan Dominicus Rajagukguk. "Peran Profesi dan Pengamanan (Propam) Polda Dalam Penegakan Kode Etik Profesi Kepolisian Di DIY". *Fakultas Hukum Universitas Atma Jaya Yogyakarta*, 2015.
- Siswanto Sastrohadiwiryono. 2011. *Manajemen Tenaga Kerja Indonesia*. Bumi Aksara, Jakarta.
- Siti Kholijah Tanjung. "Pembinaan Disiplin pada Siswa SMA Negeri 5 Padang Sidempuan". Medan: Universitas Dharmawangsa Medan, 2018.
- Soebroto. 2004. *Wewenang Kepolisian dalam Hukum Kepolisian di Indonesia*. PTIK, Jakarta.
- Sri Mamudji. 2005. *Metode Penelitian dan Penulisan Hukum*. Badan Penerbit Fakultas Hukum Universitas Indonesia, Jakarta.