

## **THE AUTHORITY OF POLICE INVESTIGATORS IN REVEALING CORRUPTION (STUDY AT THE BINJAI RESORT POLICE)**

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### **ABSTRACT**

*Police investigators have the authority to uncover corruption crimes, in accordance with Law Number 8 of 1981 concerning the Criminal Procedure Code (KUHAP) and other laws and regulations. This authority includes investigations and investigations, as well as other actions necessary in legal proceedings. Based on the results of the study, it is known that the obstacles for police investigators in uncovering corruption crimes are both internal and external aspects. Some of the internal obstacles include limited human resources, suboptimal legal understanding, and lack of coordination between agencies. Meanwhile, external barriers include political pressure, lack of public support, and obstacles in the collection of evidence.*

**Keywords:** Authority, Investigators, Corruption Crimes.

## **KEWENANGAN PENYIDIK KEPOLISIAN DALAM MENGUNGKAP TINDAK PIDANA KORUPSI (STUDI DI KEPOLISIAN RESOR BINJAI)**

### **ABSTRAK**

*Penyidik Kepolisian memiliki kewenangan untuk mengungkap tindak pidana korupsi, sesuai dengan Undang-Undang Nomor 8 Tahun 1981 tentang Hukum Acara Pidana (KUHAP) dan peraturan perundang-undangan lainnya. Kewenangan ini mencakup penyelidikan dan penyidikan, serta tindakan lain yang diperlukan dalam proses hukum. Berdasarkan hasil penelitian diketahui bahwa hambatan penyidik kepolisian dalam mengungkap tindak pidana korupsi adalah baik dari aspek internal maupun eksternal. Beberapa hambatan internal meliputi keterbatasan sumber daya manusia, pemahaman hukum yang belum optimal, dan kurangnya koordinasi antar instansi. Sementara itu, hambatan eksternal meliputi tekanan politik, kurangnya dukungan masyarakat, dan kendala dalam pengumpulan alat bukti.*

**Kata Kunci:** Kewenangan, Penyidik, Tindak Pidana Korupsi.

## INTRODUCTION

Indonesia is a country of law, in the 1945 Constitution it is emphasized that the Indonesian state is based on law (*Rechtstaat*), not based on mere power (*Machstaat*). This means that the Republic of Indonesia is a democratic legal state based on Pancasila and the 1945 Constitution, upholding human rights and government and is obliged to uphold the law and government without exception. The law stipulates what must be done or what is allowed to be done and what is forbidden. The law is not only aimed at people who are clearly against the law, but also against legal acts that may occur, and at the state's equipment to act according to the law. Such a system of law enforcement is a form of law enforcement. Law enforcement is currently faced with increasingly complex challenges with increasingly high and organized crime rates and modes. Judging from the side of the perpetrators and the wider scope of crime, it requires hard work from all parties, especially the government through the existing legal apparatus to answer the demands of the community. Talking about the crime of corruption, which is one of the crimes that has a wide impact and affects the lives of many people, it is a challenge for the government to be able to reduce the level of crime by putting rules or regulations and the ability of reliable law enforcement officials.

Corruption always receives more attention than other criminal acts. This phenomenon is understandable considering the negative impact caused by this criminal act. The impact can touch various areas of life. Corruption is a serious problem, this criminal act can endanger the stability and security of society, endanger socio-economic development, and also politics, and can damage democratic values and morality because gradually this act seems to become a culture. Corruption is a threat to the ideals of a just and prosperous society.

## RESEARCH METHODS

This research is descriptive analysis, namely research that describes, examines, explains and analyzes laws and regulations related to the purpose of this research. The purpose of descriptive research is to accurately describe the characteristics of a particular individual, state, symptom or group, or to determine the frequency or spread of a symptom or the frequency of a particular relationship between symptoms and other symptoms in society. The main purpose of the analysis of legal materials is to find out the meaning contained by the

terms used in the legal rules conceptually, as well as to know their application in legal practice and decisions.

## RESULTS AND DISCUSSION

Investigations into corruption cases in the jurisdiction of the Binjai Police are currently ongoing, especially related to allegations of abuse of authority in positions at the Binjai City Food Security and Agriculture Service (Ketapangtani). Investigators from the Corruption Crime Unit (Tipikor) of the Binjai Police Satreskrim have examined a number of related parties, including the former Head of Service. In addition, there are also cases of alleged corruption in the use of routine budgets and activities at the General Section of the Regional Secretary of Binjai City in 2022 and 2023 which were reported to the Binjai Police.

Some cases related to corruption investigations in the jurisdiction of the Binjai Police are:

**Former Head of the Agriculture Service:** The former Head of the Ketapang Agriculture Office, Ralasen Ginting, was questioned regarding alleged abuse of authority in the issuance of work orders (SPK) at the agency.

**Cases of Alleged Corruption of Routine Funds and General Section Activities:** Police reports related to alleged corruption of routine funds and activities at the General Section of the Regional Secretary of Binjai City in 2022 and 2023 are also being handled. The case of corruption in the jurisdiction of the Binjai Resort Police which is currently still under investigation is a case of alleged corruption that occurred at the Binjai City Food and Agriculture Security Service (Ketapangtani). The alleged corruption at the Binjai City Agriculture Service itself has developed and become public consumption since early May 2025. Initially, the investigation began with reports of alleged criminal acts of fraud and/or embezzlement by a number of partners whose work was not paid. Based on the results of interviews with the police through the Head of Public Relations of the Binjai Police AKP Junaidi, information was obtained that the investigation was carried out by summoning and examining several people, including the Binjai City Agriculture Office. It was stated that the former Head of the Binjai City Agriculture Office, Ralasen Ginting, had been summoned and his statement was taken by the police and was questioned about many questions about alleged unlawful acts, namely abuse of authority in office.

The investigation of this case was carried out by the Binjai Police Satreskrim Crime

Unit. Investigators also plan to call an audit expert to assist in the investigation process of corruption cases involving the Head of the General Section (KBU) of the Binjai City Government. Ralasen Ginting has been temporarily deactivated from his position related to the investigation. Looking at the facts by comparing *Das Sein* which is everything that is the implementation of everything whose events are regulated by *das sollen* and *mogen*, so that it can be understood that *das sein* is a concrete event that occurs with *Das Sollen* which is everything that requires thinking and behaving and can be interpreted that *das sollen* is a rule and norm as well as reality normative as to what should be done, makes an interesting study to be researched about the existence of prosecutors in their dual functions as investigators and also public prosecutors in accelerating the resolution of corruption cases.

As stated in Law Number 31 of 1999 concerning the Eradication of Corruption Crimes, the main consequences of corruption are detrimental to the State and the economy of the State so that other consequences will seep into chaos in the midst of society as a result of development activities that are not carried out and if compared to general crimes as regulated in realizing the state's ideals in equitable development and realizing society as outlined in the 1945 Constitution. Indonesia, which is a newly developed country, is a fertile field for corruption, corruption crimes can be said to occur every day, ranging from small to large-scale corruption. If we relate it, it is not impossible that there are many violations of the law as regulated in the Criminal Code such as theft, robbery and other crimes as a result of dissatisfaction and differences in social status in society due to corruption.

The things expressed above are just a few of the very prominent reasons why corruption crimes need to receive more serious attention and handling in efforts to resolve and eradicate the case as soon as possible. This is certainly inseparable from the skill and courage of law enforcement in improving professionalism and the country's mechanisms and economy. The implementation of criminal law enforcement involves bodies that each have their own functions. These agencies are the police, prosecutor's office, courts and correctional institutions. In this systematic framework, the actions of one body will affect the other. Each of these agencies stipulates the law in its field and authority. The view of the implementation of the criminal law system in Indonesia is an uninterrupted flow, which is carried out by the police with an investigation and forwarding the case to the prosecutor's office and the

prosecutor's office to prosecute in court. The above are parts of activities in the context of law enforcement, or in a criminological atmosphere called *crime control*, a principle in the management of this crime is that the actions must be in accordance with the values that live in society. The police is a public institution of law enforcement, which in the criminal justice system is actually the initial source of a judicial process. One of the ways of law enforcement carried out by law enforcers is to start with the Investigation and Investigation process, prosecution in front of a court session and so on.

The activities to conduct investigations and investigations are generally carried out by state officials known as the Police. The duties and authorities of the police as law enforcers are regulated in articles 13, 14 and 16 of Law Number 2 of 2002, the National Police of the Republic of Indonesia in the field of criminal law enforcement processes is authorized as a general investigator for all types of criminal acts. In law enforcement, corruption must be carried out through a special Criminal Law, namely Law No. 31 of 1999 as amended by Law No. 20 of 2001 concerning the Eradication of Corruption. It is clearly found that in the formulation of Article 26 it is affirmed that: Investigation, prosecution, and examination in the Court session of the criminal act of corruption shall be carried out in accordance with the applicable criminal procedure law, unless otherwise specified in this law.

The police are authorized to investigate corruption crimes, but this authority is shared with the KPK and the Prosecutor's Office. Investigations by the police in corruption cases follow the general provisions in the Criminal Procedure Code (KUHAP). The Indonesian National Police (Polri) has a vital role in law enforcement in Indonesia, including in the investigation of corruption crimes. This is in accordance with its duties and functions regulated in Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia. Based on the provisions of Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 concerning the Eradication of Corruption, it is stated that the National Police of the Republic of Indonesia (Polri) has the authority to conduct investigations into corruption crimes. This authority is affirmed by Article 7 of the Criminal Procedure Code (KUHAP) which stipulates that investigators are officials of the National Police of the Republic of Indonesia who are authorized by law to conduct investigations. Furthermore, Article 14 paragraph (1) of Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia states that the

police are tasked with investigating and investigating all criminal acts in accordance with the criminal procedure law and other laws and regulations. Based on the provisions of Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 concerning the Eradication of Corruption, it is stated that the National Police of the Republic of Indonesia (Polri) has the authority to conduct investigations into corruption crimes. This authority is affirmed by Article 7 of the Criminal Procedure Code (KUHAP) which stipulates that investigators are officials of the National Police of the Republic of Indonesia who are authorized by law to conduct investigations. Furthermore, Article 14 paragraph (1) of Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia states that the police are tasked with investigating and investigating all criminal acts in accordance with the criminal procedure law and other laws and regulations.

An investigation, which according to the Criminal Procedure Code (KUHAP) is defined as a series of actions by investigators in the event and in the manner regulated in the law to search and collect evidence that with that evidence sheds light on the criminal act that occurred and to find the suspect. Thus, the investigation of corruption crimes is an effort to collect evidence regarding the occurrence of corruption crimes. The process of collecting evidence has been regulated in the provisions of the applicable laws, especially in the Criminal Procedure Code (KUHAP). With the evidence that has been collected, the corruption that occurred will become clear, and it will be possible to identify who the suspect is of the crime.

The stage of implementing investigation activities is then carried out according to the plan that has been prepared, followed by filing to compile and organize the investigation documents. The submission of the Phase I case file was carried out to the public prosecutor for evaluation. If there are shortcomings in the results of the prosecutor's evaluation, the investigator responds to it by correcting and completing the requested evidence or documents (responding to the prosecutor's instructions). The final stage is the submission of the Phase II case file, in the form of the submission of the suspect and evidence to the prosecutor for further proceedings in court. The steps to investigate corruption crimes by investigators of the Binjai Police Corruption Unit include several stages that are closely related to criminal theory. Investigation preparation is the initial stage in which the investigator prepares everything necessary to start the investigation. In the context of criminal theory, this stage is included in

ensuring legality and procedural validity. This preparation ensures that all legal and administrative tools are ready so that the investigation process can take place in accordance with applicable legal principles.

The steps to investigate corruption crimes by investigators of the Binjai Police Corruption Unit, as explained by AKP Junaidi, Head of Public Relations of the Binjai Police include several stages that are closely related to criminal theory. Investigation preparation is the initial stage in which the investigator prepares everything necessary to start the investigation. In the context of criminal theory, this stage is included in ensuring legality and procedural validity. This preparation ensures that all legal and administrative devices are ready so that the investigation process can take place in accordance with applicable legal principles, namely: Investigation Preparation, In the investigation of corruption crimes by the Binjai Police Corruption Unit, the first step outlined by AKP Junaidi, Head of Public Relations of the Binjai Police in the investigation preparation category includes several important activities: The Binjai Police Corruption Unit will collect initial information related to alleged corruption. This information can come from community reports, monitoring results, or other sources. After that, our investigative team in the field of corruption crimes conducts an initial analysis to determine whether the information has a strong enough basis to proceed to the further investigation stage. The next step is to prepare an investigation plan. This plan serves as a guide for the investigative team in handling the case. The investigation plan includes determining the techniques and methods to be used, as well as the division of tasks among the members of the investigation team. All of this is based on applicable legal and ethical considerations.

In law enforcement theory, the preparatory steps taken by the Binjai Police Corruption Unit in the investigation of corruption crimes are in line with the basic principles of effective law enforcement. The collection of preliminary information is a manifestation of the principle of preliminary investigation, which aims to ensure that there is a solid basis for continuing the investigation. This is explained by the theory of "*due process of law*," which emphasizes the importance of legal certainty and justice for all parties involved. Initial analysis of the information obtained is part of responsible law enforcement. It aims to minimize abuse of authority and errors in investigations, demonstrating the principles of justice and truth. The

preparation of the investigation plan and the division of tasks between the members of the investigation team emphasizes the principles of efficiency and effectiveness, where good coordination between investigators is essential to achieve maximum results.

Based on the results of the interview, it was stated that the Binjai Police Corruption Unit had prepared the necessary tools and equipment. This includes electronic equipment for supervision and recording, legal documents, and transportation facilities for the mobility of the internal corruption investigation team of the Binjai Police Corruption Unit in handling corruption crimes. In law enforcement theory, there are several important components that must be considered, such as substantive law, law enforcement officials, and supporting infrastructure. AKP Junaidi, Head of Public Relations of the Binjai Police explained that the Binjai Police Corruption Unit has prepared various electronic equipment for supervision and recording, legal documents, and transportation facilities necessary for the mobility of the investigation team. This is particularly relevant to law enforcement theory that emphasizes the importance of adequate facilities and infrastructure.

## CONCLUSION

The legal regulation of the authority of police investigators in uncovering corruption crimes is in accordance with Law Number 8 of 1981 concerning the Criminal Procedure Law (KUHAP) and other laws and regulations. This authority includes investigations and investigations, as well as other actions necessary in legal proceedings. Police investigators have an important role in uncovering corruption crimes, and their authority is regulated in various applicable laws and regulations. The police's efforts in tackling corruption crimes in the jurisdiction of the Binjai Resort Police include anti-corruption enforcement, prevention, and education. In taking action, the National Police is authorized to conduct investigations and investigations into corruption crimes. In addition, the National Police also plays a role in preventing corruption through various activities, such as patrols in vulnerable areas, counseling, and increasing cooperation with the community. Anti-corruption education is also a focus to instill integrity values from an early age.

The obstacles for police investigators in uncovering corruption crimes are both internal and external aspects. Some of the internal obstacles include limited human resources, suboptimal

legal understanding, and lack of coordination between agencies. Meanwhile, external barriers include political pressure, lack of public support, and obstacles in the collection of evidence

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