



## THE ROLE OF THE POLICE IN LAW ENFORCEMENT AGAINST PERPETRATORS CORRUPTION CRIMES THAT OCCURRED IN INDONESIA

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### ABSTRACT

*The police are authorized to investigate corruption crimes, but this authority is shared with the KPK and the Prosecutor's Office. Law enforcement against perpetrators of corruption crimes that occur in the jurisdiction of the Serdang Bedagai I Resort Police is to conduct investigations into corruption cases that are not eligible to be investigated by the Corruption Eradication Commission. The Corruption Eradication Commission can only investigate corruption cases involving state apparatus and resulting in state financial losses of at least Rp.1,000,000,000.00 (one billion rupiah), for this reason the role of the prosecutor is needed as an investigator for corruption cases that are not eligible to be investigated by the Corruption Eradication Commission.*

**Keywords:** Police, Law Enforcement, Corruption.

## PERANAN KEPOLISIAN DALAM PENEGAKAN HUKUM TERHADAP PELAKU TINDAK PIDANA KORUPSI YANG TERJADI DI INDONESIA

### ABSTRAK

*Kepolisian berwenang melakukan penyidikan tindak pidana korupsi, namun wewenang ini dibagi dengan KPK dan Kejaksaan. Penegakan hukum terhadap pelaku tindak pidana korupsi yang terjadi di wilayah hukum Kepolisian Resor Serdang Bedagai i adalah melakukan penyidikan terhadap perkara tindak pidana korupsi yang tidak memenuhi syarat untuk disidik oleh Komisi Pemberantasan Korupsi. Komisi Pemberantasan Korupsi hanya dapat melakukan penyidikan terhadap perkara tindak pidana korupsi yang melibatkan aparatur negara dan mengakibatkan kerugian keuangan negara minimal Rp.1.000.000.000,00 (satu milyar rupiah), untuk itu dibutuhkan peran jaksa sebagai penyidik perkara tindak pidana korupsi yang tidak memenuhi syarat untuk disidik oleh Komisi Pemberantasan Korupsi.*

**Kata Kunci:** Kepolisian, Penegakan Hukum, Tindak Pidana Korupsi.



## **INTRODUCTION**

Today's development process not only has an impact on the rapid progress of people's lives, but also has an impact on the rapid development of criminal acts that are increasingly troubling the community. One of the criminal acts that is in the spotlight and discussed by all circles of society is corruption, because corruption not only harms the state's finances but also violates the social rights of the community and hinders national development and disrupts the stability of the country's economy which should be used as much as possible for the welfare of the community. One of the phenomenal criminal acts is corruption. This phenomenon is understandable considering that the negative impact caused by this crime can touch various areas of life. Corruption in Indonesia has become increasingly widespread and uncontrolled among the Indonesian people which will bring disaster to the life of the nation and state. The increase in cases of corruption is a very serious problem, because corruption can endanger the stability and security of the state and its society, endanger the social and economic development of society, politics, and can even damage the values of democracy and the morality of the nation because of the culture of corruption.

A social phenomenon called corruption is the reality of human behavior in social interactions that are considered deviant, and endanger society and the state. Therefore, this behavior in all forms is reproached by the public, even including by the corruptors themselves in accordance with the phrase "corruptors shout corruptors". Public denunciation of corruption according to the juridical conception is manifested in the formulation of the law as a criminal act that needs to be approached specifically, and threatened with quite severe penalties.

## **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**

For most of the wider community or academics, the problems in accelerating the eradication of corruption crimes carried out by law enforcement institutions have not been understood in depth so that the opinions or opinions that develop actually consider law enforcement officials to be negligent or unprofessional in their work, far behind it all where there are a series of problems that occur have not been understood in depth so that maximum efforts in the internal body Each law enforcement officer to realize public expectations for efforts to accelerate the eradication of corruption has not been socialized.

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).

Police Authority in Corruption Investigation:

- Receiving reports/complaints: Hearing and receiving reports or complaints related to alleged corruption crimes.
- First action at the crime scene: Perform the first action at the scene of the crime.
- Arrest, detention, search, seizure: Has the authority to arrest, detain, conduct searches, and confiscation of evidence.
- Mail check: Examines and seizes letters relevant to the case.
- Examination of persons: Calling, examining and taking fingerprints and photographs of suspects or witnesses.
- Holding a termination of investigation: Stopping an investigation if there is not enough



evidence or does not meet the formal requirements.

- Other actions according to the law: Taking other necessary actions in accordance with laws and regulations.
- 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 Serdang Bedagai Resort 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 tools are ready so that the investigation process can take place in accordance with applicable legal principles. The steps for investigating corruption crimes by Ipda Cardio S Butarbutar, the Corruption Crime Unit of the Serdang Bedagai Resort Police, explained that they 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.

In the case of corruption crimes handled by the Serdang Bedagai Resort Police, the use of electronic equipment in surveillance and recording becomes very relevant to ensure that the evidence collected is legitimate and reliable. This is in line with the theory of punishment because strong and accurate evidence ensures that corrupt perpetrators get the appropriate punishment based on the principles of justice. In addition, advanced technology in evidence collection also supports utilitarian theories. With irrefutable evidence, the legal process can run more smoothly and quickly, reducing the opportunity for perpetrators to evade punishment. This will increase the deterrent effect for the wider community and prevent others from



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committing corruption crimes in the future. The Criminal Code as a law does not provide for the understanding of case files and procedures for compiling the results of investigations into a case file. Regarding this, according to Hamrat Hamid and Harun M. Husein, it is natural because everything related to the filing of investigation results is already a technical field of the Police. Because this problem is related to administrative techniques and does not include juridical techniques. Matters related to administrative technical aspects in the police/investigators, in the Prosecutor's Office/Public Prosecutor's Office and in the Court are regulated by implementation instructions/technical instructions in each agency leader.

## **CONCLUSION**

The regulation of law enforcement of corruption crimes in Indonesia is regulated in Article 14 paragraph (1) letter g of Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia that the National Police conducts investigations and investigations of all criminal acts in accordance with the criminal procedure law and other laws and regulations, including corruption crimes. Law enforcement against perpetrators of corruption crimes that occur in Indonesia is to investigate corruption cases that are not eligible to be investigated by the Corruption Eradication Commission. The Corruption Eradication Commission can only investigate corruption cases involving state apparatus and resulting in state financial losses of at least Rp.1,000,000,000.00 (one billion rupiah), for this reason the role of the prosecutor is needed as an investigator for corruption cases that are not eligible to be investigated by the Corruption Eradication Commission. Obstacles to law enforcement against perpetrators of corruption crimes that occur in Indonesia are limited human resources, lack of synergy with other institutions, and the potential for a conflict of authority with the KPK. Efforts to overcome these obstacles include increasing the capacity of human resources, strengthening coordination with other institutions, and ensuring consistent legal implementation. Efforts to overcome these obstacles include increasing human resources, improving coordination, using technology, and increasing community participation.

## **BIBLIOGRAPHY**

Abdussalam, R. and DPM Sitompul, *Criminal Justice System*, Restu Agung, Jakarta, 2017.



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Published : 01-01-2025, Page : 291-301

- Amiruddin and Zainal Asikin, *Introduction to Legal Research Methods*, Raja Grafindo Persada, Jakarta, 2014.
- Arief, Barda Nawawi, *Kapita Selekta Criminal Law*, Citra Aditya Bakti, Bandung, 2016.
- Atmasasmita, Romli, *Criminal Justice System*, Binacipta, Bandung, 2006
- Bakhri, Syaiful, *Criminal Policy in the Perspective of Reform of the Indonesian Criminal Justice System*, Total Media, Jakarta, 2010.
- Nst, V. F. H., Isnaini, D. B. J., Supriadi, S., Syafrizal, S., & Ichsan, R. N. (2025). Model Of Human Resource Collaboration Strategy In Strengthening Msme Halal Products In The Indonesian Nias Islands. *Jurnal Ilmiah METADATA*, 7(3), 62-79.
- Ichsan, R. N., Nst, V. F. H., Supriadi, S., Syafrizal, S., & Lubis, F. P. A. (2025). Sharia principles, digital transformation, and local economy: Challenges and opportunities for Sharia cooperatives in Langkat Regency. *Jurnal Ilmiah METADATA*, 7(3), 30-41.
- Ichsan, R. N., Siregar, B. A., Suma, D., Nst, V. F. H., & Lubis, F. P. A. (2025). Halal Industry In The Fulfillment Of Sharia Maqasid: A Qualitative Study On Halal Business Actors In North Sumatra. *Jurnal Ilmiah METADATA*, 7(2), 80-97.
- Wijaya, D. M., Nst, V. F. H., & Isnaini, D. B. Y. (2025). Designing A Talent Management Strategy To Address Organizational Transformation Challenges: A Case Study of PT. Sentosa Deli Mandiri. *Moneter: Jurnal Keuangan dan Perbankan*, 13(1), 125-138.
- Nst, V. F. H., Ichsan, R. N., Supriadi, S., & Lubis, F. P. A. (2025). Edukasi Konsep Pariwisata Ramah Muslim Bagi Pelaku Usaha Pariwisata Di Kabupaten Langkat, Sumatera Utara. *Jurnal Pengabdian Masyarakat Hablum Minannas*, 4(1), 26-36.
- Nst, V. F. H., Wijaya, D. M., Azaman, A., & Nasti, N. (2025). Sustainability Performance Management Integration: A Systemic Approach In Improving The Organizational Competitiveness Of PT. Sentosa Deli Mandiri. *Moneter: Jurnal Keuangan dan Perbankan*, 13(1), 114-124.
- Nst, V. F. H., Wijaya, D. M., & Azaman, A. (2025). Pengaruh Modal Intelektual Dan Komitmen Organisasional Terhadap Kinerja Pegawai Dengan Organizational Citizenship Behavior (Ocb) Sebagai Variabel Intervening Pada Pemerintahan Kota



- Medan. *Jurnal Ilmiah METADATA*, 7(1), 1-15.
- Nst, V. F. H., Asmuni, A., & Angraini, T. (2024). Review Of Fiqh Muamalah On The Forms Of Online Buying And Selling Contracts In The Tiktok Shop Application. *Jurnal Review Pendidikan dan Pengajaran (JRPP)*, 7(3), 10804-10812.
- Ichsan, R. N., Nst, V. F. H., Nasution, L., & Hutabarat, L. (2024). The effect of halal labeling on the performance of small and medium enterprise (SME) in medan city. *Jurnal Mantik*, 8(1), 421-427.
- Lubis, M. R., Ichsan, R. N., Nasution, L., Nst, V. F. H., & Lubis, D. (2024). Analysis Of Factors Affecting The Amount Of People's Business Credit Loans In Lubuk Pakam District, Deli Serdang Regency, North Sumatra Province. *Jurnal Ekonomi*, 13(02), 915-923.
- Nst, V. F. H., Majid, M. S. A., & Harahap, I. (2024). The Role Of Imports In Development According To Islamic And Conventional Macroeconomic Perspectives. *Moneter: Jurnal Keuangan dan Perbankan*, 12(1), 100-106.
- Devi, R. S., Lubis, M. A., Nst, V. F. H., & Sihombing, A. (2024). Persaingan Usaha Tidak Sehat Berdasarkan Undang-Undang Nomor 5 Tahun 1999 Tentang Larangan Praktek Monopoli Dan Persaingan Usaha Tidak Sehat. *Jurnal Ilmiah METADATA*, 6(1), 108-118.
- Nasution, L., Ichsan, R. N., Nst, V. F. H., & Rizkina, S. (2024). Pendampingan Akreditasi Institusi Perguruan Tinggi Di Akademi Keperawatan Hkbp Balige. *Pedamas (Pengabdian Kepada Masyarakat)*, 2(01), 113-117.
- Nst, V. F. H., Nasution, M. Y., & Sugianto, S. (2024). Relationship ushul Fiqh, Qowa'id Fiqih dan Maqashid Al-Syariah With Islamic Economy. *Jurnal Ilmiah Ekonomi Islam*, 10(1), 1017-1023.
- Nst, V. F. H., Tarigan, A. A., & Nasution, Y. S. J. (2023). Prinsip Equilibrium Perilaku Berkonsumsi Dalam Perspektif Al Qur'an Surat Al Furqon Ayat 67. *Management Studies and Entrepreneurship Journal (MSEJ)*, 4(6), 10024-10034.
- Lubis, M. R., Siregar, G. T., Nurita, C., Nst, V. F. H., & Lubis, D. (2023). Peningkatan Kesadaran Hukum Masyarakat: Memahami Perbedaan Tindak Pidana Penipuan dan Penggelapan. *Bulletin of Community Engagement*, 3(2), 261-270.
- Ichsan, R. N., Nst, V. F. H., Nasution, L., & Hutabarat, L. (2024). The effect of halal labeling



- on the performance of small and medium enterprise (SME) in medan city. *Jurnal Mantik*, 8(1), 421-427.
- Lubis, M. A., Siregar, G. T., Lubis, M. R., Nst, V. F. H., & Ichsan, R. N. (2023). Prosedur Jual Beli Tanah Dan Bangunan Warisan Yang Dilakukan Dihadapan Ppat (Procedure For Sale And Purchase Of Heritage Land And Buildings Carried Out Before The Ppat). *PKM Maju UDA*, 4(3), 1-13.
- Ichsan, R. N., Syahbudi, M., & Nst, V. F. H. (2023). Development of Islamic Human Resource Management in The Digital Era For MSMEs and Cooperatives in Indonesia. *IQTISHODUNA: Jurnal Ekonomi Islam*, 12(2), 497-512.
- Ichsan, R. N., Tanjung, A. M., & Nst, V. F. H. (2023). Pemanfaatan Website Online Single Submission (Oss) Dalam Kegiatan Usaha Mikro Kecil Menengah Dikota Medan Berbasis Maqashid Syariah. *Jurnal PKM Hablum Minannas*, 2(2), 57-72.
- Ichsan, R. N., Lubis, M. A., Nst, V. F. H., & Panggabean, N. R. (2023). Sosialisasi Peningkatan Usaha Mikro Kecil Dan Menengah Berbasis Manajemen Syariah Di Kecamatan Medan Area Kota Medan. *PKM Maju UDA*, 4(2), 42-49.
- Nst, V. F. H., Suma, D., Siregar, B. A., Ichsan, R. N., Panggabean, N. R., & Sibarani, J. P. (2023). Pendampingan Pemasaran Keripik Ubi Dalam Meningkatkan Penjualan Berbasis Digital Di Desa Marendal 1 Kecamatan Patumbak, Deli Serdang-Sumatera Utara. *Jurnal PKM Hablum Minannas*, 2(1), 45-52.
- Ammar, D., Danialsyah, D., Lubis, M. F. R., Purba, A. R., & Nst, V. F. H. (2023). Pelaksanaan Pemberian Marga Dalam Sistem Perkawinan Etnik Mandailing (Studi Di Lembaga Adat Budaya Mandailing Medan). *Jurnal PKM Hablum Minannas*, 2(1), 68-79.
- Siregar, G., Lubis, M. A., Lubis, M. R., Nst, V. F. H., & Nasution, L. (2023). Perbuatan Melawan Hukum Akibat Membangun Di Atas Tanah Wakaf (Unlawful Actions Caused By Building On The Waqf Land). *PKM Maju UDA*, 4(1), 31-38.
- Nst, V. F. H., Nasution, Y. S. J., & Siregar, S. (2024). Implementation Of Wakaf As A Tool Of Social Finance To Achieve The Sdgs In Indonesia Case Study On Indonesian Waqf Board. *Moneter: Jurnal Keuangan Dan Perbankan*, 12(3), 623-634.
- Ichsan, R. N., Nst, V. F. H., Nasution, L., & Hutabarat, L. (2024). *Buku Pelatihan Dan Pengembangan SDM*. CV. Sentosa Deli Mandiri.



- Ichsan, R. N., Nst, V. F. H., & Panggabean, N. R. (2024). *Buku Ajar Sistem Informasi Manajemen (SIM)*. CV. Sentosa Deli Mandiri.
- Ichsan, R. N., Syahbudi, M., Barus, E. E., & Nst, V. F. H. (2024). The Role Of Islamic Banking Literacy And Ease Of Use On Achieving Sustainable Development Goals And Maqashid Al-Shariah In Indonesia. *International Journal Of Economics And Finance Studies*, 16(2), 190-208.
- Ichsan, R. N., Syahbudi, M., Barus, E. E., & Nst, V. F. H. (2024). The Role Of Islamic Banking Literacy And Ease Of Use On Achieving Sustainable Development Goals And Maqashid Al-Shariah In Indonesia. *International Journal Of Economics And Finance Studies*, 16(2), 190-208.
- Nst, V. F. H., Asmuni, A., & Anggraini, T. (2024). Review Of Fiqh Muamalah On The Forms Of Online Buying And Selling Contracts In The Tiktok Shop Application. *Jurnal Review Pendidikan Dan Pengajaran (JRPP)*, 7(3), 10804-10812.
- Ichsan, R. N., Nst, V. F. H., Nasution, L., & Hutabarat, L. (2024). The Effect Of Halal Labeling On The Performance Of Small And Medium Enterprise (Sme) In Medan City. *Jurnal Mantik*, 8(1), 421-427.
- Lubis, M. R., Ichsan, R. N., Nasution, L., Nst, V. F. H., & Lubis, D. (2024). Analysis Of Factors Affecting The Amount Of People's Business Credit Loans In Lubuk Pakam District, Deli Serdang Regency, North Sumatra Province. *Jurnal Ekonomi*, 13(02), 915-923.
- Nst, V. F. H., Majid, M. S. A., & Harahap, I. (2024). The Role Of Imports In Development According To Islamic And Conventional Macroeconomic Perspectives. *Moneter: Jurnal Keuangan Dan Perbankan*, 12(1), 100-106.