LEGAL BRIEF

ISSN 2722-4643 (Online) | 1979-522X (Print)

Volume 13, No. 3, 2024, pp. 828-835

Published by: IHSA Institute (Natural Resources Law Institute)



Implementation of the Community Policing Program in (Problem Solving) Minor Crimes (Case Study of Lubuk Pakam Police)

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Abstract: This research aims to determine the legal regulation of the community policing program in (problem solving) minor crimes, the implementation of the community policing program in realizing restorative justice in minor crimes at the Lubuk Pakam police station, and to find out what the challenges and obstacles are in implementing the community policing program in (problem solving) offenses. light crime at Lubuk Pakam Police. The results of the research show that in practice the implementation of the community policing program is in accordance with applicable procedures as regulated by the Republic of Indonesia Regulation No. 3 of 2015 concerning Community Policing. However, the output of the problem solving obtained did not result in peace, because Bhabinkantibmas as the mediator was unable to mediate and provide a win-win solution between the two parties. So there are many cases of minor criminal offenses at the Lubuk Pakam Police which fail in Restorative justice efforts. The obstacles and challenges experienced by the Lubuk Pakam Police in implementing the community policing program include Bhabinkantibmas human resources who do not master the problem solving approach and the community's mindset is still layman about current legal developments.

Keywords: Community Policing, Problem Solving, Lubuk Pakam Police.

1. Introduction

The National Police of the Republic of Indonesia as one of the institutions that carries out public service functions is required to be able to provide the best service to the community by displaying professional and reliable unit performance in its field (Komalasari, Wiratni, & Arjawa, 2021), (Dhewa, Darmiyanti, & Fahmi, 2024). Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia, Article 13 states that the National Police has the main task of maintaining security and public order, enforcing the law and providing protection, guidance and community service. (Dhewa et al., 2024), (Arif, 2021).

In dealing with security and social security problems, community policing encourages the realization of cooperation between the police and the community in dealing with problems that occur in the community and jointly finding solutions to them (Wahyono, 2011), (Widiastuti, 2017). Regulation of the Head of the National Police of the Republic of Indonesia Number 3 of 2015 concerning community policing states that Polmas is an activity to invite the community through a partnership between members of the National Police and the community, so that they are able to detect and identify Public Security and Order (Kamtibmas) problems in the environment and find solutions to the problems. (NIM, n.d.), (Sawir, Paruki, & Anirwan, 2023).

The pattern of community policing is oriented towards solving problems (problem solving policing). The approach developed by the Police through the problem solving program is to prevent and reduce crime and problems that occur in the community,

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Received: Jul 15, 2024; Revised: Jul 26 2024; Accepted: Aug 10, 2024; Published: Aug 30, 2024;



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namely addressing security and public order (kamtibmas) with a problem solving approach where problem solving is oriented on solving societal problems designed to enforce the law (Heriwati, Mahsyar, & Usman, 2023), (Sartika, Pancaningrum, & Jumadi, 2022). This approach ignores the principle of legal interest and views society as the object of law enforcement, especially in the enforcement of minor criminal cases which are very common in society. Based on Article 205 paragraph (1) of the Criminal Procedure Code, minor crimes are cases that are punishable by imprisonment or imprisonment for a maximum of 3 (three) months and/or a fine of up to Rp. 7500 (seven thousand five hundred rupiah). (Anjani, 2016), (Haryanto, 2021)

Based on initial observations conducted by researchers at the Lubuk Pakam Police, information was obtained that cases of minor crimes in the Lubuk Pakam area have increased every year, including in 2021 there were 112 cases, in 2022 there were 151 cases and in 2023 there were 179 cases (Sormin, 2021), (Kartika, 2022). However, in 2023, of the large number of minor criminal cases, only 55 cases could be resolved using mediation or restorative justice (IMANSYAH, 2023), (Suryana, 2023).

The low number of minor criminal cases that are resolved through mediation or Restorative Justice indicates that the implementation of the community policing program (polmas) at the Lubuk Pakam Police has not been carried out optimally, because in its function Polmas is a party whose position is as a mediator in the implementation of restorative justice (Ayuba, Imran, Kaluku, & Bakung, 2024), (Anggara & Mukhlis, 2019).

Therefore, in implementing the community policing program, accurate and optimal problem solving methods are needed, this is through a restorative justice approach method which is defined as resolving criminal cases outside of court with a focus on finding peace between the perpetrator and the victim (Soetrijono, 2022), (Ferdian, 2021).

The implementation of restorative justice in the criminal procedure process can be seen in an event that has occurred, then peace occurs between the perpetrator and the victim or the victim's family by forgiving the perpetrator of the crime (Dewi, Hartono, & Dantes, 2022), (Zainuddin, Mubarok, & Bachriani, 2022). If they are able to reach an agreement to make peace because of forgiveness, then the law enforcement authority cannot decide to continue pursuing the case in the criminal realm with the legal basis for its implementation contained in the Republic of Indonesia Police Regulation No. 8 of 2021 concerning handling criminal acts based on restorative justice and the National Police Chief's circular letter no. 8 of 2018 concerning the application of restorative justice in resolving criminal cases. (Mikroj & Djumhur, 2023), (Waluyo, 2020)

Based on the problems above, it is interesting to carry out further studies through research with the title "Implementation of the Community Policing Program Problem Solving Minor Crimes (Case Study of Lubuk Pakam Police)".

2. Materials and Methods

The research used in writing this scientific work is empirical juridical research. Juridical-empirical research is legal research regarding the application or implementation of normative legal provisions directly to each specific legal event that occurs in society, where analyzing problems is carried out by combining secondary data with primary data obtained in the field. This research was conducted at the Lubuk Pakam Police Station which is located at Jl. Jl. Comp. Deli Serdang Regional Government No.10, Perbarakan, Pagar Merbau District, Deli Serdang Regency, North Sumatra. This research was conducted on May 27–May 30 2024. The data used by the author in compiling this scientific article is divided into two, namely primary data in the form of interviews or observations and secondary data in the form of secondary legal materials in the form of statutory regulations and secondary legal materials. which are scientific articles, publications and news.

3. Results and Discussion

3.1 Legal Arrangements for Community Policing Programs as Problem Solving for Minor Crimes

Based on the Regulation of the Chief of the National Police of the Republic of Indonesia Number 3 of 2015 concerning community policing, it is stated that Polmas is an activity to invite the community through a partnership between members of the National Police and the community, so that they are able to detect and identify Public Security and Order (Kamtibmas) problems in the environment and find solutions to the problems. (Ardana, 2005)

Based on the provisions of these laws and regulations, it can be concluded that problem solving is one of the tasks and functions of community policing, which in this case is Bhabinkantibmas. Solving this problem is a mechanism taken in handling minor criminal cases using a restorative justice approach so that every minor criminal offense case can be resolved peacefully.

The relationship between community policing and restorative justice is based on statutory provisions, one of which is the instruction from article 17 of the Republic of Indonesia Regulation Number 3 of 2015 concerning community policing which states that the authority of community policing is to act according to its own judgment in very necessary circumstances by paying attention to statutory regulations and codes. Police professional ethics. Here, according to the Polmas assessment, if a criminal case is connected to a minor criminal case, and the impact is not serious and can be resolved through a consensus deliberation mechanism, then the Polmas considers the value of justice and the expediency of implementing a restorative justice approach to resolve a case that occurred. (Putra & Wahid, 2021)

The implementation of restorative justice in community policing can be seen in an incident that has occurred, then peace occurs between the perpetrator and the victim or the victim's family by forgiving the perpetrator of the crime. If they are able to reach an agreement to make peace because of forgiveness, then the law enforcement authority cannot decide to continue pursuing the case in the criminal realm with the legal basis for its implementation contained in the Republic of Indonesia Police Regulation No. 8 of 2021 concerning handling criminal acts based on restorative justice with several provisions as follows:

a. Conditions for implementing restorative justice

(a) Article 2 states that handling criminal acts based on restorative justice can be carried out for minor crimes. (b) Article 5 states that the material requirements that must be present in the restorative justice process include: a) not causing unrest and/or rejection from the community; b) does not impact social conflict; c) does not have the potential to divide the nation. (c) Article 6 states that the implementation of restorative justice must also include formal requirements, including: a) peace between both parties, except for drug crimes; b) fulfillment of the rights of victims and the responsibilities of perpetrators, except for drug crimes.

b. Procedures for implementing restorative justice through community policing

Article 12 states that the resolution of minor crimes as referred to in article 11 is carried out by: a) members of the National Police who carry out the function of community development; b) members of the National Police who carry out the functions of the National Police Samapta. Article 13 states that: (a) Resolving minor crimes is carried out by submitting a written application to the head of the resort police and sector police; (b) The application letter as intended in paragraph (1) is made by the perpetrator, victim, perpetrator's family, victim's family, or other related parties. (c) The application letter as

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intended in paragraph (2) is accompanied by a peace statement document and proof that the victim's rights have been restored. (Indonesian Police Chief, 2021)

Based on the provisions above, it can be concluded that the implementation of the community policing program is closely related to restorative justice. This is based on regulations which stipulate that community policing has the right to solve problems they face in the community through restorative justice with the provisions that only minor criminal offenses are permitted.

3.2 Implementation of Community Policing in Realizing Restorative Justice in Light Crimes at Lubuk Pakam Police

Lubuk Pakam Police is part of the structural police force at sector or sub-district level in Deli Serdang, which is located at Deli Serdang Regional Government Complex Road No. 10 Bakaran Batu villages, Pagar Merbau District, Deli Serdang Regency. At this time, Lubuk Pakam Police was led by a first officer with the rank of adjunct commissioner (AKP), namely Rusdi, SH, MH, who in carrying out his police duties and functions was assisted by several units including the intelligence unit, criminal investigation unit, traffic police unit, provost unit, community service unit, sabhara or samapta units. The Lubuk Pakam Police's jurisdiction oversees six villages and seven sub-districts, where each village has one Babhinkantibmas person.

Based on the results of observations conducted by researchers at the Lubuk Pakam Police, information was obtained that cases of minor crimes in the Lubuk Pakam area have increased every year, including in the following table:

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Information	Year	Year	Year
	2021	2022	2023
Minor Crime Cases	33 Cases	46 Cases	55 Cases
Succeeded with RJ	18 Cases	25 Cases	22 Cases

Table 1.1Data on the Implementation of Community Policing at Lubuk Pakam Police

Based on the table above, information is obtained that cases of minor crimes in the Lubuk Pakam area have increased every year, including in 2021 there were 32 cases, in 2022 there were 46 cases and in 2023 there were 55 cases. However, in 2023, of the large number of minor criminal cases, only 22 cases could be resolved using mediation or restorative justice. The cases of minor crimes that occurred varied, including cases of theft of cellphones, drunkenness, brawls, theft of palm oil fruit, this is in accordance with the statement of Mr. Bripka M. Arifin Harahap as Bhabinkantibmas of Paluh Kemiri sub-district in the following interview:

For our database regarding minor crimes that occur, each year there is an increase, as in 2021 there were 31 cases and only 18 cases were successfully resolved through RJ, in 2022 there were 46 cases resolved with RJ, 25 cases and in 2023 there were 55 cases. Which we solve with RJ 22 cases. The crimes are varied, there are cellphone thieves, palm fruit thieves, and the most frequent ones are brawls and fights between students.

Furthermore, regarding the implementation of the community police program in realizing restorative justice for minor crimes at the Lubuk Pakam Police Station based on observations that have been made, the researcher explains it as follows:

a. Carrying out Community Community Service Development

Bhabinkamtibmas is a member of the police who is appointed as the supervisor of security and public order. The goal to be achieved in Bhabinkamtibmas activities is the realization of a stable and dynamic social security situation in order to secure and make

national development a success. Meanwhile, what is meant by kamtibmas is a dynamic condition of society which is characterized by ensuring order and upholding the law and maintaining peace which contains the ability to foster and develop the potential and strength of society in warding off, preventing and overcoming all forms of law violations and other forms of disturbance that can disturb society. This is in accordance with the statement of Mr. Bripka M. Arifin Harahap as Bhabinkantibmas of Paluh Kemiri sub-district in the following interview:

Yes, it is also called the community in the village, if in terms of education they are not the same, of course we have to help with guidance because that is also our duty from the law, therefore for this community policing, each of us, Bhabinkantibmas, must carry out routine socialization once a month in the village about Kantibmas, the aim is to educate the public not to carry out actions that disturb and harm other people. Furthermore, we also provide education about restorative justice so that if there is any problem in society which is in the form of a minor crime, we can resolve it here peacefully without having to resort to justice.

Based on the results of the interview above, it can be concluded that the Lubuk Pakam Police has carried out a function that has been mandated by the Police Law of the Republic of Indonesia Number 2 of 2002 Article 13 which states that the main duties of the police are: a) Maintaining security and public order; b) enforce the law; and c) provide protection, protection and services to the community.

b. Striving for Restorative Justice in Solving the Problem of Minor Crimes in Society.

Article 1 of Perpol No. 8 of 2021 concerning the handling of criminal acts based on restorative justice states that restorative justice is the resolution of criminal acts by involving the perpetrator, victim, perpetrator's family, victim's family, community leaders, religious leaders, traditional leaders or stakeholders to work together to find fair settlement through peace by emphasizing restoration in certain circumstances. Bhabinkantibmas as the implementer of the community policing program must apply restorative justice in every resolution of minor criminal cases that occur in the community. This is in accordance with the statement of Mr. Bripka M. Arifin Harahap as Bhabinkantibmas of Paluh Kemiri sub-district in the following interview:

Yes, of course, in every case of a minor crime, we always strive for the perpetrator and victim to resolve it using restorative justice, especially in cases that occur here, the losses incurred are only small, such as theft of oil palm fruit, which is a minor crime because the size of the loss is within categories mentioned in Perma No. 02 of 2012 concerning adjustments to the limits of minor crimes, which only carry a sentence of three months.

In implementing restorative justice, the Lubuk Pakam Police carried out several procedures including;

a. Review every incoming kantibmas report

The police are an instrument of the State whose function is to maintain security and public order with its duties, namely protecting, protecting, serving the community and enforcing the law. Therefore, every time there is a report related to kantibmas in the community, the community police must review each report based on existing regulations. This is in accordance with the statement of Mr. Bripka M. Arifin Harahap as Bhabinkantibmas of Paluh Kemiri sub-district in the following interview:

The first step we take is to review every report from the public so that we can explore and understand the real problem and what legal provisions have been violated, so that later in the process we will be able to resolve it properly.

b. Mediation

Mediation was carried out to explain the case and the article that had been violated was a minor crime and an effort could be made to resolve it through restorative justice, this is as stated by. This is in accordance with the statement of Mr. Bripka M. Arifin Harahap as Bhabinkantibmas of Paluh Kemiri sub-district in the following interview:

The second step we take is mediation. Here we offer restorative justice efforts to the victim because the crime committed by the perpetrator is a minor crime and the penalty is only 3 (three) months. We do this because based on Indonesian Police Regulation no. 8 of 2021, the conditions for RJ are not just minor crimes but there must be a peace agreement from the victim.

Based on the statement above, it can be concluded that in practice the implementation of the community policing program is in accordance with applicable procedures as regulated by the Republic of Indonesia Regulation No. 3 of 2015 concerning Community Policing. However, the output of the problem solving obtained did not result in peace, because Bhabinkantibmas as the mediator was unable to mediate and provide a win-win solution between the two parties. So there are many cases of minor crimes at the Lubuk Pakam Police that fail in restorative justice efforts.

3.3 Challenges and Obstacles to Implementing the Community Policing Program in Problem Solving Minor Crimes at Lubuk Pakam Police

As for the challenges and obstacles to implementing the community policing program in solving problems (*problem solving*) at Lubuk Pakam Police, based on the results of an interview with Mr. IPTU Elieser Hutabarat as Deputy Chief of Lubuk Pakam Police through the following interview:

There are several aspects to our obstacles, the first is from the aspect of our human resources. Yes, I am not saying that our human resources at Bhabinkantibmas are low, but only that they still have to master problem solving (problem solving) well. Because in many of the cases we handle, the victims do not want RJ to be carried out, but our human resources still have difficulty in providing confidence, direction and a win-win solution to both parties, because they are actually the ones who serve as mediators in the RJ process.

Based on the interview statement above, it can be concluded that the obstacle experienced by the Lubuk Pakam Police in implementing the community policing program in the community is that Bhabinkantibmas human resources do not master the approach. *problem solving*, so that they are unable to resolve disputes that occur between the perpetrator and the victim, so that many cases of minor crimes have to be continued in further legal procedures until a court decision.

Furthermore, a statement from Mr. Bripka M. Arifin Harahap as Bhabinkantibmas of Paluh Kemiri sub-district in the following interview:

The problem we experience is that people's mindset is still contradictory to current legal developments, they believe that someone who has committed a crime in whatever form must be punished according to their actions. Therefore, when a criminal case occurs, they do not want and do not agree if it is resolved with RJ because they themselves consider that RJ is a tool for the perpetrators to be free from legal bondage.

Based on the interview statement above, it can be concluded that the obstacle experienced by the Lubuk Pakam Police in implementing the community policing program in the community is the mindset of the people who are still unfamiliar with current legal developments, they still do not understand the concept of restorative justice in the legal system in Indonesia. Of course, this is also influenced by the lack of socialization to the public about the concept of Restorative justice in terms of its benefits and application.

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The low number of minor criminal cases that are resolved through mediation or Restorative Justice indicates that the implementation of the community policing program (polmas) at the Lubuk Pakam Police has not been carried out optimally, because in its function Polmas is a party whose position is as a mediator in the implementation of restorative justice.

4. Conclusion

In practice, the implementation of the community policing program is in accordance with applicable procedures as regulated by the Republic of Indonesia Regulation No. 3 of 2015 concerning Community Policing. However, the output of the problem solving obtained did not result in peace, because Bhabinkantibmas as the mediator was unable to mediate and provide a win-win solution between the two parties. So there are many cases of minor crimes at the Lubuk Pakam Police that fail in restorative justice efforts. The obstacles and challenges experienced by the Lubuk Pakam Police in implementing the community policing program include Bhabinkantibmas human resources who do not master the problem solving approach, the mindset of the community who are still unfamiliar with current legal developments.

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