

Legal Analysis of Settlement of Violations of the Code of Professional Ethics for Police Members Who Commit Criminal Acts in the Jurisdiction of the KEPRI Regional Police

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Abstract. *The enforcement of police discipline and code of ethics is very much needed in order to realize the implementation of the tasks assigned and achieve the professionalism of the Police. It is very unlikely that law enforcement can run well, if the law enforcers themselves are undisciplined and unprofessional. The problems in this research are; What is the Legal Arrangement for Disrespectful Dismissal of Police Members Who Commit Crimes in Indonesia?; What are the legal arrangements regarding the disrespectful dismissal of members of the police who commit criminal acts to realize legal protection and certainty?; How is the implementation and the factors that become obstacles as well as solutions to the disrespectful dismissal of police officers who commit criminal acts to realize legal protection and certainty (Research Study at the Barelang Resort Police).*

Keywords: *Crime; Police; Report.*

1. Introduction

The growth and development of society is always in line with the growth and development of all aspects of needs, including in terms of the need for comfort and security. This development is accompanied by demands for the enforcement of the supremacy of law, human rights, globalization which has given birth to a new paradigm in viewing the objectives, duties, functions, authorities and responsibilities of law enforcement agencies, especially the Indonesian National Police (Polri). The Polri is burdened with public expectations regarding the implementation of tasks that must be increasingly increased and oriented towards the community it serves.¹

State apparatus, Polri has a duty to be able to provide services to the community,

¹Pudi Rahardi, Police Law, 2017, Professionalism and Police Reform, Surabaya, Laksbang Mediatama, p. 146.

this is a manifestation of the function as a public servant. Public service is one form of service to the community, which is the focus of attention in improving the performance of government agencies. In this case, Polri is included in one of these government agencies. The Chief of Police has issued a number of policies to improve the performance and quality of public services. It turns out that this policy does not automatically solve the problem of public services by Polri, which has not been good so far. This is related to the issue of how far the various regulations and policies are socialized among Polri members and the community. Polri infrastructure, funds, facilities, technology, human resource (HR) competence, Polri organizational work culture, are prepared for these various regulations, so that the performance of public services by Polri can be measured and its success can be evaluated.

In addition to having main duties, functions and authorities, the Indonesian National Police as a good and strong organization has internal rules of procedure as operational norms. These rules of procedure are in the form of disciplinary regulations and codes of ethics. The regulations held by the police institution are regulations on discipline as an honor that is closely related to the credibility, commitment and discipline of Indonesian National Police members. In this case, the credibility and commitment of Indonesian National Police members 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.²

Every member of the Indonesian National Police is obliged to uphold the oath taken when appointed as a member of the Indonesian National Police, because the oath is a determination and a promise of one's conscience that is based on God's values. Likewise, the implementation of the oath of office is part of one's religious activities, because the oath of office is always based on the Oneness of God. Denial of the oath is contrary to moral values. In addition, the implementation of state and community duties is a professional responsibility that must be carried out sincerely and wholeheartedly, as a form of charity and worship. Worship is the fulfillment of religious demands as an obligation carried out by every member of the Indonesian National Police, including respecting religious events and forms of worship, as well as having a moral obligation to maintain the security and solemnity of the implementation of worship or religious events.³

Based on Article 2 of Law Number 2 of 2002 concerning the Republic of Indonesia National Police (Polri Law), the function of the police is one of the functions of the state government in the field of maintaining public security and order, law enforcement, protection, patronage and public service.⁴In carrying out their duties

²Pudi Rahardi, 2017, *Police Law (Police Professionalism and Reform)*, Surabaya, Laksbang Mediatama, p. 19.

³*Ibid*, p. 151

⁴Law Number 2 of 2002 concerning the Republic of Indonesia National Police.

and functions as law enforcement officers, the police must comply with applicable laws and regulations, one of which is the regulation governing professional ethics, namely the Regulation of the Chief of Police Number 14 of 2011 concerning the Police Professional Code of Ethics.

The provisions of Articles 34 and 35 of Law Number 2 of 2002 result in: (1) the attitudes and behavior of Polri officials are bound by the Polri Professional Code of Ethics; (2) the Polri Professional Code of Ethics can be a guideline for other police functionaries in carrying out their duties in accordance with the laws and regulations in force in the Polri environment; and (3) provisions regarding the Polri Professional Code of Ethics are regulated by a decision of the Chief of Police. Furthermore, Article 35 states: (1) violations of the Polri Professional Code of Ethics by Polri officials are resolved by the Polri Code of Ethics Commission; and (2) Provisions regarding the organizational structure and work procedures of the Polri Code of Ethics Commission are regulated by a decision of the Chief of Police. The success of the implementation of Polri's duties in maintaining public security and order, enforcing the law, and protecting, serving and serving the community, in addition to being determined by the quality of high police knowledge and technical skills, is very much determined by the commendable behavior of each Polri member in the community. In order to realize these personality traits, every member of the Indonesian National Police in carrying out their duties and authorities, is always called to internalize and embody the ethics of the police profession which are reflected in their attitudes and behavior, so as to avoid reprehensible acts and abuse of authority.⁵

The police are law enforcement officers. But in reality, some of these members act the opposite, which is not in accordance with the ethics of the police profession. Or in other words, some police officers violate the code of ethics of the police profession. Violations or criminal acts by police members that are not in accordance with the code of ethics of the police will certainly have legal consequences. One of the provisions regarding the code of ethics of the police states that every member of the Police must "avoid reprehensible actions and attitudes, and take the lead in every action to overcome the difficulties of the surrounding community."⁶

In addition, every Polri member is also expected to be "able to control themselves from acts of abuse of authority". In reality, many violations are still found to have been committed by Polri members. This has had an impact on the creation of negative public opinion, and the emergence of a bad image and antipathy from the community, so that the implementation of duties in the field cannot be carried out optimally due to lack of support, and the existence of a sense of public distrust of the Polri. Violation of the Polri code of ethics is any act committed by Polri

⁵Pudi Rahardi, Op.Cit. p. 15

⁶Article 10 of the Regulation of the Chief of the Republic of Indonesia National Police concerning the Code of Ethics for the Republic of Indonesia National Police.

members, which is contrary to the Polri professional code of ethics. There are several factors that influence the occurrence of violations of the code of ethics by Polri members, ranging from declining moral integrity, loss of independence, economic demands, minimal income, weak supervision, to non-compliance with the legal professional code of ethics that binds them.⁷

Settlement of violations of the police professional code of ethics, which results in a criminal act, will be processed first in a disciplinary hearing, this is because there is a deadline or time limit for the implementation of the disciplinary hearing, which is a maximum of 30 (thirty) days as in Article 19 of the Decree of the Chief of Police Number Pol Kep/44/IX/2004. After the implementation of the disciplinary hearing is complete, a hearing will be held in the general court in accordance with Article 2 of PP Number 3 of 2003 concerning the Implementation of Technical Institutions of General Courts for Members of the Indonesian Police. Every violation of the code of ethics that occurs has its own procedure for resolving code violations, within the Polri environment.

The resolution of code of ethics violations is carried out through a code of ethics hearing, by the Indonesian National Police Code of Ethics Commission (KKEP). KKEP according to Perkap Polri Number 19 of 2012 concerning the Organizational Structure and Work Procedures of the Indonesian National Police Code of Ethics Commission, is a forum formed within the Indonesian National Police, which is tasked with examining and deciding cases in KEPP violation trials according to rank level. The results of the KKEP hearing decision are in the form of stating that the violator has been legally and convincingly proven to have violated KEPP, or not proven to have violated KEPP.⁸In the event of a violation of the code of ethics, then based on the provisions of Article 56 paragraph (2) of the Police Chief Regulation Number 19 of 2012, sanctions will be received in the form of ethical sanctions and administrative sanctions.

Many Indonesian citizens are also unaware of this type of violation, due to the lack of socialization regarding this type of violation. If the public sees a deviation or error, committed by a POLRI officer in certain circumstances, the public rarely reports it or does not want to report the deviation because they are lazy to deal with the POLRI. In fact, this situation must be reported to the Polri Police Service Center (hereinafter abbreviated as SPK), at the nearest Polri office so that it can be processed according to procedural law in the general court environment. The deviation in the behavior of the Polri officer is a violation of the disciplinary regulations of Polri members as regulated in the Polri Law.

Efforts to enforce the Police Professional Code of Ethics are greatly needed to

⁷ <http://www.uub.ac.id>, Dwi Haryadi, Code of Ethics of the Legal Profession, Accessed 4 July 2024

⁸Regulation of the Chief of Police Number 19 of 2012 concerning the Organizational Structure and Work Procedures of the Code of Ethics Commission of the Republic of Indonesia National Police.

realize the implementation of tasks imposed on the professionalism of the Police. The forms of violations vary from desertion, committing immoral acts, Domestic Violence (KDRT), committing criminal acts and drug abuse. Thus, there has been an increase in violations of discipline and the code of ethics committed by members of the Police. This is certainly a concern in itself, considering that the Police are the protectors of society, but instead commit reprehensible acts.

Police is a law enforcement officer tasked with maintaining order and protecting the community. Becoming a member of the Indonesian National Police (Polri) is not an easy journey. Administrative selection, psychological tests, competency tests, and academic tests must be passed before being able to serve as a member.

The disciplinary regulations of Polri members have been enforced, currently there are increasingly rampant cases of violations committed by Polri members, who are actually protectors of the community. In carrying out their duties or outside of duty, it is not uncommon to find Polri members who abuse their power or authority, and many are even perpetrators of criminal acts. As ordinary human beings, Polri members have a level of strength of faith and obedience to regulations, both concerning discipline and code of ethics. The many temptations, especially those in the form of material, cause certain Polri members to be tempted to commit violations or criminal acts, both minor and serious, with sanctions ranging from warnings to dismissal.

Table 1.1
Types of Police Violations

No	Case Types	Year			Amount
		2022	2023	2024	
1	Discipline	10	11	5	26
2	Code of Ethics	10	11	5	26
3	Criminal act	4	0	0	4
	Total	24	22	10	56

Source: Riau Islands Police 2024

Based on the table⁹above it can be seen that in 2022 the type of Disciplinary cases was 10 (ten) cases, in 2023 there were 11 (eleven) cases, while in 2024 there were 5 (five) cases, and it can be seen that there was a decrease in cases of disciplinary violations of 50% in 2024. Violations of the Code of Ethics in 2022 were 10 (ten) cases, in 2022 there were 11 (eleven) cases, while in 2023 there were 5 (five) cases,

⁹Based on the Author's verification at the Riau Islands Police, on June 17, 2024

and it can be seen that there was a decrease in cases of violations of the code of ethics of 50% in 2022. Violations of criminal cases in 2022 were 4 (four) cases, in 2023 there were 0 (zero) cases, while in 2024 there were 0 (zero) cases, and it can be seen that there was a decrease in cases of violations of the code of ethics of 100% in 2022 and 2023.

The deviation of the behavior of the Polri members is a violation of the Polri member disciplinary regulations such as: Desertion; Positive urine test (drug consumption); Committing assault on the community; Being convicted of committing domestic violence (KDRT);

The police are expected to be an example for society, so it is important for them to...Indonesian National Policeto obey the code of ethics and rules that have been set. However, what happens if a member violates it? When can dishonorable discharge (PTDH) apply to members of the Police?

According to the Regulation of the Chief of Police Number 14 of 2011 concerning the Code of Professional Ethics of the Republic of Indonesia National Police, PTDH is the termination of the police service period by an authorized official against a member of the Police because he has been proven to have violated the Code of Professional Ethics of the Police (KEPP), discipline, and/or criminal acts. In Article 21 of the same regulation, the types of KEPP violations that can result in a member being given a PTDH recommendation letter have been detailed, namely:

1. Sentenced to imprisonment based on a court decision that has permanent legal force and according to the considerations of authorized officials cannot be retained to remain in the Police service.
2. It was later discovered that he had provided false and/or incorrect information when registering as a prospective member of the Indonesian National Police.
3. Carrying out efforts or actions that are clearly aimed at changing Pancasila, being involved in movements, or carrying out actions that oppose the State and/or Government of the Republic of Indonesia.
4. Violating the oath/promise of Polri members, oath/promise of office and/or KEPP
5. Leaving his duties illegally for more than 30 (thirty) consecutive working days.
6. Carrying out actions and behavior that could be detrimental to the police service, including:
 - a. Negligence in carrying out duties and obligations, intentionally and repeatedly and disobeying orders from superiors, mistreatment of fellow Polri members, use of power beyond limits, arbitrarily, or wrongfully, so that the service or individual suffers losses.
 - b. Repeated and immoral acts committed on or off duty.
 - c. Behavior or words in public or in the form of writing that violates discipline
7. Committing suicide with the intention of avoiding investigation and/or legal

prosecution or dying as a result of a crime committed.

8. Becoming a member and/or administrator of a political party who is later discovered to have held a position or become a member of a political party and after being warned/reprimanded still maintains that status.
9. Given disciplinary sanctions more than 3 (three) times and deemed no longer worthy of maintaining his status as a member of the Police.

Meanwhile, Article 22 regulates violators who receive a PTDH recommendation letter through the Police Code of Ethics Commission Session, namely violations in the form of:

1. Offenders who intentionally commit a crime with a prison sentence of 4 (four) years or more and have been decided by a court with permanent legal force; and b.
2. Violators who commit violations as referred to in Article 21 paragraph (3) letters e, letter g, letter h, and letter i.
3. Administrative sanctions in the form of PTDH recommendations as referred to in Article 21 paragraph (3) letters a to d, and letter f are decided through a KKEP hearing after first being proven to have committed a criminal violation through a general court process up to a court decision that has permanent legal force.

It can be concluded that the police are civilian members who are not an exception to the law. If the police are suspected of committing a violation, then there will be a procedure that they must undergo until they receive the appropriate sanctions. One of these sanctions is dishonorable discharge.

If the police commit a crime and not just a violation of the code of ethics, then the police must also be subject to the general judicial authority. This means that members involved in both violations and crimes must undergo disciplinary hearings and case hearings.criminal.

"So the purpose of this article is to find out the resolution of violations of the code of professional ethics for police members who commit crimes in the jurisdiction of the Riau Islands Police,"

2. Research Methods

This study uses a sociological legal approach method, which is an approach that is not only legal but also uses social sciences. To find the problems in this study, the author uses descriptive analysis research specifications, namely describing the resolution of violations of the code of professional ethics for police members who commit crimes in the jurisdiction of the Riau Islands Police.

3. Results and Discussion

3.1. Settlement of Violations of the Code of Professional Ethics for Police Members Who Commit Criminal Acts in the Jurisdiction of the Riau Islands Police

Deviations committed by members of the Indonesian National Police, both when carrying out their duties and outside their duties which then develop into public opinion, further worsen the image of the Indonesian National Police. One of the benchmarks for the success of the current performance of the Indonesian National Police is the upholding of the supremacy of law, both inside and outside the Indonesian National Police institution, which is a commitment declared and mandated to the government by the initiators of reform. In enforcing the supremacy of law, the best step is enforcement that starts from law enforcement officers in the sense of the Indonesian National Police. Because in carrying out duties and outside duties, it is not uncommon to find members of the Indonesian National Police committing criminal acts. The problem is, when members of the Indonesian National Police are involved in a crime, then the investigators are from the Indonesian National Police Research function. This greatly affects the objectivity of its enforcement, because it is suspected that there is a feeling of reluctance in the seriousness of conducting the investigation. Likewise, the Superiors Who Have the Right to Punish (Ankum) are felt to be less objective in taking action against their members and even freeing suspects from the clutches of punishment. The code of professional ethics is a guideline for every member of the profession that functions as a means of social control. Thus, if it is said that professional ethics are a guideline for members who are members of the profession, then it can also be said that there is a systematic relationship between ethics and the legal profession. The Police Institution in carrying out its duties has been equipped with a very good guideline. However, one thing that cannot be denied is that there are still many police members who carry out their duties without complying with the guideline, this is the problem. In reality, there are still many Polri members who violate the Police Professional Code of Ethics. For example, POLRI members in the South Sulawesi-Bar Regional Police area are still involved in a criminal act and some have left their duties for 30 consecutive working days. The process of handling Police who violate the Police professional code of ethics in committing criminal acts is as follows: 1) POLRI members who commit crimes are reported by the public, other POLRI members or other sources that can be accounted for. 2) After the report, Provos at every level of the Polri organization, such as the Division of Profession and Security (Divpropam) at the POLRI Headquarters level, conducts a preliminary examination and if the results of the preliminary examination are deemed incomplete by Provos Affairs, then the authority to investigate is taken over by Paminal Affairs. 3) The investigation process is not only carried out by Paminal Affairs, but also the Criminal Investigation Unit. 4) Furthermore, the Paminal Affairs report to the Provos Affairs to then continue the investigation process for violations of the code of ethics and the Criminal Investigation Unit continues the investigation process for the criminal acts that have occurred in accordance with what has been regulated in the Criminal Procedure Code. 5) After the investigation conducted by the Provos and Criminal Investigation Unit has proven that there has been a violation of the Police

Professional Code of Ethics, the case file is sent to Ankum and proposes holding a hearing of the Police Code of Ethics Commission (KKEP). 6) The hearing conducted to handle a criminal act committed by a member of the POLRI, namely a general court hearing or in a district court first until a decision is obtained that has permanent legal force and then continued with the KKEP hearing. Based on the stages carried out above, the following is a more detailed explanation, That the basis for the investigation of a Polri Member who is suspected of committing a crime is a report or complaint from the public. The report or complaint is submitted through the Head of the Complaints Service Section for the Professional and Security Sector (Kasi Yanduan Bid Propam), then the Head of Propam Section assigns to the Head of the Provos Sub-Section (Kasubbid Provos) through the Head of the Investigation Unit (Kanit Idik) to summon and examine the member in question along with the victim witnesses and other witnesses.

According to Article 16 of the Chief of Police Regulation No. 7 of 2006, if there are multiple violations, either disciplinary violations or violations of the Police Professional Code of Ethics, the resolution is carried out through a Disciplinary Hearing or a Police Code of Ethics Commission Hearing. Disciplinary regulations are guidelines for Polri members in carrying out their duties and authorities, with the aim of making every Polri member a credible and highly committed personnel. This is formulated in Article 1 number 3 of Government Regulation No. 2 of 2003, which states that Polri disciplinary regulations are a collection of norms that aim to foster, enforce discipline, and maintain order among Polri members.

This disciplinary regulation does not only apply to members of the Indonesian National Police, but also to civil servants working in the Indonesian National Police environment. This is because the existence of civil servants in the Indonesian National Police organization can affect the performance of the institution. The Indonesian National Police disciplinary regulation reflects the ideals to maintain the image of the Indonesian National Police profession as a dignified profession (*officium nobile*), where every member of the Indonesian National Police is expected to maintain the honor and trust given by the community to maintain security, order, and enforce the law in society. At the final level, the Indonesian National Police is expected to be able to provide protection and care to the community who entrust their security to them.

The Polri disciplinary regulations include broad guidelines that govern the behavior of Polri members, both on duty and in everyday life in society. If Polri members obey disciplinary regulations, they are considered to have the criteria of "discipline," while non-compliance indicates a lack of discipline. Discipline is a fundamental principle that underlies public trust in Polri to maintain security and enforce the law. Without discipline, it is difficult for the public to trust the Polri institution. Discipline also includes the value of honesty, where Polri members are expected not to violate the law or moral norms.

Government Regulation No. 2 of 2003 contains obligations (*gebod*) that must be obeyed and prohibitions (*verbod*) that must be avoided by every member of the Indonesian National Police. Violation of these obligations or committing prohibited acts is included in disciplinary violations, which can be subject to sanctions.

The Chief of Police of the Riau Islands has a key role in ensuring that Polri members in the Riau Islands region comply with these disciplinary norms. The implementation of strong discipline by the Chief of Police of the Riau Islands not only builds a good image for the Polri institution, but also maintains stability and security in the region. By adhering to this principle of discipline, the Chief of Police of the Riau Islands and his staff can gain full trust from the local community, create a conducive security atmosphere, and enforce justice without compromise against disciplinary violations among Polri members.

The prohibition norms in the Polri Member Disciplinary Regulations cover quite broad aspects, especially in the internal relations of members with the institution. Several norms also regulate relations with the community, such as the prohibition of carrying out actions that are detrimental to the party being served and the prohibition of extortion for personal or group interests. These norms provide guidance for Polri members to behave according to the rules. However, emphasis is still needed so that members do not act arrogantly and always orient their actions towards the objectives of the authority given.

In administrative law, authority is the basis for carrying out a position, which means that the position is carried out according to established norms. However, this authority must not be exercised arbitrarily by authorized officials; their actions must be oriented towards the goals and benefits of the authority entrusted.

The police serve as law enforcement officers tasked with enforcing public order and protecting the community. The path to becoming a member of the Indonesian National Police (Polri) is marked by considerable challenges. Prospective candidates must successfully navigate a series of evaluations, including administrative selection, psychological assessment, competency tests, and academic testing before their eligibility for service as members.

It is anticipated that police officers will model ethical behavior in society; therefore, adherence to the code of ethics and established regulations is of utmost importance to the Police. However, what are the consequences if a member violates these regulations? Under what circumstances can a police officer be subject to dishonorable discharge (PTDH)?

According to Police Regulation Number 14 of 2011 concerning the Code of Professional Ethics of the Republic of Indonesia National Police, PTDH is the termination of police service, as enforced by authorized officials against police members who are proven to have violated the Code of Professional Ethics of the Police (KEPP), disciplinary standards, and/or laws. Article 21 of the regulation describes certain types of KEPP violations that can warrant the issuance of a PTDH

recommendation letter to members, which include:

Receiving a prison sentence as decided by a legally binding court decision, where the competent authority determines that retention in the police service is untenable. Being found to have provided false and/or misleading information during the application process to become a police candidate. Being involved in an attempt or real action aimed at changing Pancasila, participating in a movement, or carrying out activities that are contrary to the State and/or the Government of the Republic of Indonesia. Violating the oath/promise of police members, the oath/promise of office, and/or KEPP. Unlawfully leaving duty for a duration exceeding 30 (thirty) consecutive working days. Being involved in behavior and actions that have the potential to damage the police service, including: Negligence in carrying out duties and obligations, intentionally and repeatedly violating orders from superiors, mistreatment of fellow police members, and exercising authority beyond permitted limits, resulting in losses for the service or individuals. Repeated actions that are contrary to moral standards, whether carried out on or off official duties. Behavior or expressions that violate discipline made in front of a large enough audience or documented in writing. Committing suicide with the intent to avoid investigation and/or legal process or dying as a consequence of a crime committed by oneself. Holding membership and/or administrative roles in political parties, with subsequent involvement in political positions, and remaining in that status despite warnings. Being subjected to disciplinary action more than three (3) times and being deemed unfit to maintain status as a member of the police force.

In parallel, Article 22 stipulates that violators who obtain a PTDH recommendation letter through the Police Code of Ethics Commission Hearing shall be subject to disciplinary action for violations marked as follows:

Offenders who are intentionally involved in criminal activities that have the potential to result in a prison sentence of four (4) years or more and have been dismissed by a court with definite legal authority; and Offenders who commit violations referred to in Article 21 paragraph (3) letters e, g, h, and i. Administrative sanctions in the form of PTDH recommendations as described in Article 21 paragraph (3) letters a to d, and letter f, are decided through a CKEP Session, after determining the violation through a general court process culminating in a legally binding court decision.

Unauthorized neglect of responsibility for thirty days continuously. Any violation of the established Code of Ethics is subject to moral sanctions, which are given in the form of a formal decision. The hearing regarding the Police Code of Ethics is documented in writing and communicated to the test taker, as stipulated in Article 11 paragraph 3, and Article 12 paragraph 1 of the Code of Ethics regulating the Police Profession. The modalities of moral sanctions that can be imposed can include a decision concluding the accusation as unproven or a judgment confirming that the violation of the Police Code of Ethics has been proven. The manifestation of moral sanctions, as described in Article 11, paragraph 2 (a, b, and

c), is an absolute and mandatory form of sanction. This indicates that moral sanctions relate to a spectrum of penalties, ranging from the most severe to the most stringent, correlating with the violation of behavior that has been validated during the Commission hearing. Engaging in actions and demonstrating behavior that can have a negative impact on the integrity of the police service is a significant concern. When the severity of the violation of the Police Code of Ethics is classified among egregious and repeated violations, the individual may be subject to sanctions declaring them unfit for the management of police functions. In accordance with Article 12 (4) of the Police Code of Professional Ethics, the sanctions include administrative sanctions in the form of recommendations to: (a) reassign to a different position; (b) transfer responsibility to a different area; (c) carry out dismissal with due regard; or (d) initiate dismissal without due regard. Administrative sanctions (a) and (b) signify transfers for members who have been proven to have violated the Police Code of Professional Ethics, either through a change of position (which can result in a downgrade) or a geographical transfer, where the individual is transferred to a different area (potentially to a remote area). Administrative sanctions (c) and (d) represent dismissals directed at police officers who are found to have violated the Police Code of Professional Ethics, either through an honorable discharge or a dishonorable discharge.¹⁰ The legal impact is imposed on the violations described, as detailed in Article 2 of Law No. 2 of 2002 concerning the National Police, which articulates that the police function as a component of state governance in the field of public security and maintenance of order, law enforcement, protection, and public services. Legally, it can be concluded that the police function as law enforcement agents, similar to government officials, judges, and prosecutors. In carrying out their designated duties and functions, police officers, as law enforcement officers, are obliged to comply with the relevant legal framework, including the National Police Law, the Criminal Code, the Criminal Procedure Code, the Police Professional Code of Ethics, and the Disciplinary Regulations governing Members of the Indonesian National Police, along with other related regulations. As articulated in Article 7 of the Police Professional Code of Ethics, there are the following provisions: Members of the Indonesian National Police consistently avoid reprehensible behavior that can tarnish the honor of their profession and the integrity of their organization by refraining from actions such as:

1. Using harsh language and aggressive tone;
2. Abusing or deviating from procedural duties;
3. Engaging in fault-finding behavior towards society;
4. Complex problems for individuals who need help or assistance;
5. Disseminating information that may disturb the public;

¹⁰ Pudi Rahardi, *Police Law, Professionalism and Police Reform* (Surabaya: LAKSBANG Mediatama, 2007).

6. Committing acts that are considered degrading to women's dignity;
7. Undermining human dignity and self-esteem.

These provisions are an integral component of the guidelines intended for law enforcement personnel to carry out their duties and responsibilities effectively. Violation of these provisions may give rise to the right of the aggrieved public to lodge a formal report or complaint with the appropriate authorities. Police officers involved in violations or violations may face complaints, and the subsequent process for investigating the violation will be carried out by the police as outlined below: The reporting mechanism, as outlined in Police Department Decree No. 33 of 2003, may come from a variety of sources, including members of the public (victims or their representatives), police personnel, affiliated institutions, non-governmental organizations (NGOs), and mass media outlets. Reports filed with the Complaint Service (Yanduan) may be directed to regional or local police stations and police stations. Initial investigations will be conducted by the Provost function at each level of the police organizational structure, such as the Division of Profession and Protection (Divpropam) at the national police headquarters. The results of the investigation will be evaluated, resulting in the following outcomes: 1. If elements of a crime are identified, the case file will be transferred to the Criminal Investigation Agency (Bareskrim) for further examination in a general court; 2. If there are elements of a violation of the code of ethics, the case file will be forwarded to the superior who is authorized to impose disciplinary action (Ankum), leading to the establishment of the Ethical Police Commission; 3. If there are elements of a violation of discipline, the case file will be forwarded to the superior who is authorized to impose disciplinary action (Ankum), who will then conduct a disciplinary hearing. Different violations are subject to different sanctions, including but not limited to the following: 1. If it is proven that the case involves a violation with criminal elements, the sanctions imposed will be in accordance with the provisions outlined in the Criminal Code; 2. If it is determined that the case involves a violation of the code of ethics, the sanctions will manifest as a formal statement of disgrace; mandatory expression of regret and public apology; subsequent professional retraining; and potential disqualification from continuing in the police profession. In cases where a violation of discipline is confirmed, the penalties will include: x Written reprimand; x Suspension of professional development opportunities for a maximum period of one (1) year; x Suspension of periodic salary increases; x Delay in promotion in rank for a duration not exceeding one (1) year; x Demissive reallocation of duties; x Removal from office; and x Assignment to special placement for a period of twenty-one (21) days. From the summary mentioned above and in accordance with applicable regulations, all violations committed by police officers, by necessity, subject to sanctions as stated in Police No. KEP/32/VII/2003, dated July 1, 2003, and Police Disciplinary Regulations as stipulated in Government Regulation Number 3 of 2003, which was promulgated on January 1, 2003 (State Gazette 2003 No. 2). The establishment of disciplinary regulations for police personnel is designed to fulfill

the mandate of Article 27 of Law No. 2 of 2002, with the aim of fostering unity and collaboration, as well as improving the morale and ethical standards of police members. As an organization, the police must comply with internal regulations to improve the performance, professionalism, organizational culture, solidarity, honor, and credibility of the institution. Disciplinary regulations are also intended to ensure the maintenance of order and the effective implementation of duties in line with the objectives, roles, functions, authorities, and responsibilities of the law enforcement agency. As a strong law enforcement agency, it is imperative that a series of regulations governing the behavior, involvement, and interaction among its personnel, as well as in relation to the surrounding community, are established. The framework governing the Police Disciplinary Regulations is in accordance with government provisions, where the contents have been carefully adjusted to align with the necessary duties, authorities, and responsibilities given to members of the Indonesian National Police, who are considered civil servants. Furthermore, the formulation of police disciplinary regulations has been adjusted to reflect the evolving context of the legal framework, statehood, and community aspirations, in accordance with contemporary demands. and the necessary responsibilities given to members of the Indonesian National Police, who are considered civil servants. Furthermore, the formulation of police disciplinary regulations has been adjusted to reflect the evolving context of the legal framework, statehood, and community aspirations, in accordance with contemporary demands. and the necessary responsibilities given to members of the Indonesian National Police, who are considered civil servants. Furthermore, the formulation of police disciplinary regulations has been adjusted to reflect the evolving context of the legal framework, statehood, and community aspirations, in accordance with contemporary demands.

Police personnel should be considered as civil law enforcers, dedicated to serving individuals across social strata and classes in society. It is imperative for every police officer to recognize that no qualifications are required for an officer beyond the capacity for emotional regulation and the ability to restrain oneself from all forms of deviance, including minor provocations or threats that may be directed at them. Discipline is held in high regard because it is intrinsically linked to credibility and commitment. The discipline demonstrated by police personnel is a manifestation of their honor, reflecting their credibility and dedication as members of the police force.

The establishment of disciplinary regulations for police personnel is intended to enhance and uphold a strong foundation of credibility and commitment. The credibility and commitment of police officers, acting as state officials endowed with the duty and authority to protect, serve, and enforce the law in society, are paramount. It is important to distinguish commitment from loyalty, as loyalty often tends to foster absolute loyalty and can inadvertently facilitate the potential for leaders to exploit such loyalty (abuse of power). The application of discipline among police personnel is based on a sense of awareness rather than fear, and is

rooted in a commitment to ethical standards rather than mere loyalty.

The disciplinary regulations also include provisions regarding sanctions that can be imposed on police personnel who violate the prohibitions or regulations set. The Disciplinary Regulations are designed to foster an operational environment for police officers that is fraught with conflict, uncertainty and unpredictability, while simultaneously fostering a new cultural ethos within the police force that is in line with the demands of civil reform. The disciplinary regulations outline procedures for investigations, the imposition of disciplinary sanctions, as well as protocols for filing objections by police officers who challenge disciplinary actions imposed on them. The overall objective of disciplinary sanctions is to rehabilitate and educate police officers who have violated disciplinary standards, facilitating their transformation into exemplary personnel.¹¹.

Article 3 of Government Regulation No. 2 of 2003 describes the obligations, prohibitions, and sanctions that apply to members of the police force. Specifically, Article 3 of Government Regulation No. 2 of 2003 articulates that, in order to function effectively within the state and society, members of the Indonesian National Police are mandated to: a) be loyal and fully obedient to Pancasila, the 1945 Constitution of the Republic of Indonesia, the state, and the government; b) prioritize the interests of the state above personal or group interests, while avoiding actions that could harm the interests of the nation.

Uphold the integrity and respect of the State, government, and the National Police of the Republic of Indonesia; d. Disturb state secrets and/or professional confidentiality to the highest degree; e. Demonstrate mutual respect for diverse religious beliefs; f. Advocate for the preservation of human rights; g. Comply with universally applicable laws and regulations; h. Notify the supervisory authority upon becoming aware of any action that may endanger or harm the state or government; i. Engage in polite behavior and demonstrate proper etiquette toward the public; j. Present oneself in a well-groomed and appropriate manner. Criminal law is a system of regulations that regulates all actions that are considered impermissible (prohibited) for all Indonesian citizens, which are subject to strict sanctions. Any violation of this criminal law, as well as regulations set by the competent authority for its enforcement, will result in disciplinary action.¹². Article 4 of PP No. 2 of 2003 describes the obligations mandated by police members in carrying out their duties, namely as follows:

- a. Provide protection, support and services to the community to the best of their ability;
- b. Attend and resolve public reports and complaints with the highest standards of diligence;

¹¹ Pudi Rahardi.

¹² Ilhami Bisri, *Indonesian Legal System, Principles and Implementation of Law in Indonesia* (Jakarta: PT RajaGrafindo Persada, 2008).

- c. Comply with the oath and commitment made by members of the Republic of Indonesia National Police, together with the summons or appointment determined by applicable legislative laws;
- d. Carry out responsibilities as best as possible with awareness and a sense of accountability;
- e. Uphold and improve virtue, solidarity and unity within the National Police units;
- f. Comply with all legal regulations and established rules and protocols;
- g. Act firmly while maintaining justice and caution;
- h. Guiding subordinates in the implementation of their duties;
- i. Provide exemplary behavior for subordinates;
- j. Inspire subordinate morale to improve professional performance;
- k. Facilitate opportunities for subordinates to advance their careers;
- l. Comply with legal directives issued by authorized superiors;
- m. Comply with specified working hours;
- n. Utilize and maintain service properties in an optimal manner;
- o. Foster and maintain a positive work environment.

The formulation articulated in Article 4 of the regulation establishes the legal basis for the organization of preventive police functions, as also described in Article 14 paragraph (1) letter l of Law No. 2 of 2002. The implementation of these technical functions is underlined by the commitment to uphold Human Rights. Maintaining order and ensuring public safety are important tasks included in general police obligations, thus facilitating repressive and preventive actions. Likewise, efforts to maintain cohesion and unity within the Indonesian National Police are paramount. This is driven by the aspirations of the community for a safe and peaceful existence. However, such aspirations may continue to be elusive in the face of criminal acts committed by offenders, leading to the desensitization of the community to the occurrence of crime in communal life.¹³

Article 5 of Government Regulation No. 2 of 2003 regulates prohibitions for members of the Indonesian National Police to safeguard national and social life. These prohibitions include:

1. Carrying out actions that could degrade the honor and dignity of the state, government, or the Indonesian National Police.
2. Involved in practical political activities.
3. Joining a movement that has the potential to divide or threaten national unity.
4. Collaborating with other parties, both inside and outside the work

¹³ Bisri.

environment, for personal interests that are detrimental to the state.

5. Becoming an intermediary for entrepreneurs or groups to obtain jobs in the Police for personal gain.
6. Having shares or capital in companies within his/her jurisdiction.
7. Acting as a protector in a gambling, prostitution, or entertainment venue.
8. Become a debt collector or protector for people who are in debt.
9. Acting as a case broker.
10. Neglecting family responsibilities.

These prohibitions are designed to maintain the integrity and dignity of the Police. Violating these rules is considered to be degrading the honor of the state, government, and the Police. Involvement in practical politics or certain groups is also prohibited because it can trigger division, as well as involvement in activities that are contrary to ethics and morals.¹⁴.

According to the Regulation of the Chief of Police No. 7 of 2006, members of the Police must have state ethics that uphold Pancasila and the 1945 Constitution as the basis of the state ideology and constitution. This moral value is the commitment of every member of the Police to defend the Unitary State of the Republic of Indonesia and prioritize state interests above personal interests. Article 4 of this regulation also requires members of the Police to uphold Pancasila and the 1945 Constitution, protect state interests, maintain security, and cooperate with other state officials.

In the current context, the compliance of Polri members with Pancasila and the constitution is very important to maintain the stability of the country. All police actions must be in accordance with the 1945 Constitution as the highest source of law in Indonesia. If there is an action that violates the constitution, then it is considered unconstitutional and must be accounted for.

4. Conclusion

The implementation of a strict code of ethics and discipline for Polri members, especially in Polda Kepri, is an important step in maintaining the integrity and public trust in the police institution. Polri disciplinary regulations, which include internal prohibitions and obligations to maintain professional behavior both in official duties and in society, aim to shape the character of Polri personnel who are oriented towards honesty, responsibility, and respect for the law. In Polda Kepri, every violation of the code of ethics by police members is processed through strict disciplinary procedures, and violators can be subject to administrative, ethical, or even criminal sanctions, depending on the level of the error and its impact on society and the image of the police.

The importance of implementing these sanctions is based on the principle that a

¹⁴ Bisri.

member of the Indonesian National Police who violates not only tarnishes the institution's good name but also weakens the public trust that should be protected. Therefore, the application of disciplinary sanctions, which are structured through the ethics trial mechanism at the Riau Islands Police, serves to uphold the integrity of the institution and ensure that all personnel carry out their duties with full dedication and high morality.

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