

## Implementation of Investigation and Prosecution of Prostitution Cases Involving Pimps in the Central Java Regional Police

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**Abstract.** *This study aims to analyze the implementation of investigations and inquiries into prostitution cases involving pimps within the scope of the Central Java Regional Police and to identify the obstacles and effectiveness of law enforcement. The research method used is an empirical legal approach, combining normative legal analysis with empirical studies in the field through interviews with law enforcement officers handling prostitution cases in Central Java. The results of the study indicate that pimps can be charged with Articles 296 and 506 of the Criminal Code, as well as Article 2 of Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking. The main obstacles in law enforcement include the lack of public reports, limited police resources, and the evolution of the modus operandi by using digital technology. Police efforts include raids, cyber patrols, and coordination with related agencies. More comprehensive policies and increased coordination between institutions are needed to effectively reduce the number of prostitution cases. Keywords: Law Enforcement, Prostitution, Pimps, Police, Central Java.*

**Keywords:** Enforcement; Law; Police; Prostitution.

### 1. Introduction

Social life throughout the world is regulated by laws made by each country, adapted to the diverse cultures and customs variety. Law is inseparable from social life, all individual behavior is regulated by law, both laws applicable in a region or customary law and laws applicable nationally. The function of law enforcement as a means of social control cannot be fully relied on the ability of formal laws and regulations. The problem of violations of the law is further exacerbated by various socio- economic challenges that have a major impact on society.

Prostitution is a social phenomenon that has a broad impact on society, including social, gender, legal, health, moral, religious, and economic aspects. Society generally assumes that prostitution violates moral norms in a broad sense, not only concerning matters of lust, but also encompassing all appropriate living habits in a community group. From a legal perspective, prostitution is often categorized as a crime against morality or a moral offense, although in practice not all parties involved can be prosecuted by positive Indonesian law.

Pimps play a central role in the prostitution business, acting as intermediaries between commercial sex workers (CSWs) and clients. The modus operandi of pimps is increasingly evolving along with advances in information technology, so that prostitution practices no longer only occur in localized areas, but also through online media. Indonesia's positive criminal law regulations have not comprehensively regulated prostitution. The provisions in the Criminal Code on moral crimes, especially Articles 296 and 506, only ensnare brothel owners, pimps, and brokers, while CSWs and service users are difficult to reach by law.

The phenomenon of prostitution in Indonesia has long historical roots, traced back to the time of the Javanese kingdom where trafficking in women was part of the feudal government system. In the modern context, prostitution is closely related to the problems of poverty, limited employment opportunities, and low levels of education. Several studies have shown that most pimps and sex workers carry out the profession because of pressing economic factors, which are then supported by the availability of facilities and infrastructure to carry out prostitution practices.

Data from the Ministry of Women's Empowerment and Child Protection (KemenPPPA) for 2019-2023 shows that Central Java has the highest number of prostitution crimes involving pimps in Indonesia with 6,723 cases.

Disclosure of prostitution cases is often hampered by the lack of information from the public due to the lack of adequate legal protection for reporters. As a result, people who take the initiative to prevent this illegal practice often experience legal problems in the form of criminalization with accusations of defamation.

The role of the Police, especially the Central Java Regional Police through Subdit IV Renakta (Teenagers, Children and Women), is crucial in enforcing the law against criminal acts of prostitution involving pimps. In the context of previous research, Putra and Susanti (2021) emphasized the importance of a holistic and integrative legal approach in handling prostitution cases, not

only focusing on repressive aspects but also preventive ones.<sup>6</sup>Meanwhile, Kartika (2022) emphasized the urgency of increasing the capacity of law enforcement and modernizing infrastructure to keep up with the increasingly sophisticated evolution of the modus operandi of prostitution perpetrators.<sup>7</sup>This study attempts to fill the gap in the literature by specifically analyzing the implementation of investigations and inquiries into prostitution cases involving pimps within the Central Java Regional Police, as well as identifying the obstacles and effectiveness of law enforcement.

## **2. Research Methods**

This study uses an empirical legal approach, which combines normative legal analysis with empirical studies in the field. This approach was chosen because the study not only focuses on the normative aspects of laws and regulations related to the crime of prostitution, but also on the real implementation of investigations and inquiries conducted by the Central Java Regional Police.

### **2.1. Research Specifications**

The specification of this research is descriptive analytical, which aims to provide a detailed and systematic description of the implementation of investigations and inquiries into prostitution cases involving pimps in the scope of the Central Java Regional Police then analyzed it based on legal theory and applicable laws and regulations.

### **2.2. Data Collection Methods**

- 1) Library Research: Collection of secondary data through searching library materials in the form of laws and regulations, books, scientific journals, articles, and other written sources related to the criminal acts of prostitution and pimping.
- 2) Interview: Primary data collection through interviews with key informants, namely investigators from Subdit IV Renakta Ditreskrim Polda Central Java who handle prostitution cases, using a guided free interview method with prepared question guidelines.
- 3) Observation: Direct observation of the investigation and prosecution process of prostitution cases at the Central Java Regional Police to obtain a real picture of the implementation of applicable policies and procedures.
- 4) Documentation: Data collection in the form of official documents, case reports, and statistics on handling prostitution cases involving pimps from the Central Java Regional Police and related agencies such as the Ministry of Women's Empowerment and Child Protection.

### **2.3. Data Analysis Methods**

Data analysis uses a normative qualitative analysis method. Data obtained from both literature studies and field research are analyzed qualitatively, then presented descriptively by explaining the problems and their solutions. The analysis process is carried out by examining the relationship between legal theory, legislation, and practices in the field to produce comprehensive conclusions about the effectiveness of investigations and inquiries into prostitution cases involving pimps within the Central Java Regional Police.

## **3. Results and Discussion**

### **3.1. Investigation and Prosecution Process for Prostitution Crime Perpetrators at the Central Java Regional Police**

The process of investigating and investigating perpetrators of prostitution crimes in the jurisdiction of the Central Java Regional Police began when the police receive reports or information regarding prostitution practices involving pimps. Investigations are conducted by investigators to find and discover an event suspected of being a criminal act in order to determine whether or not an investigation can be carried out. In carrying out the investigation process, the Central Java Regional Police cooperate with Polsek to facilitate obtaining information that can support the arrest of the perpetrator. Once there is sufficient preliminary evidence, the process continues to the investigation stage with the aim of collecting evidence and finding the suspect.

Investigators can determine someone as a pimp suspect if they have found sufficient evidence to make a crime clear. According to investigators, prostitution practices involving pimps were proven by going undercover to observe the location where the suspect practiced. Arrests were made after there was sufficient initial evidence, as regulated in the Decree of the Chief of Police No. Pol. SKEP/04/I/1982. Sufficient initial evidence is information and data contained in two of them: police reports, BAP at the scene of the crime, investigation report, witness/expert statements and evidence.

Based on data from the Ministry of Women's Empowerment and Child Protection (KemenPPA) and the National Police Headquarters, Central Java is recorded as the province with the highest number of prostitution cases involving pimps in the last five years. In 2019, there were 1,420 cases, while in 2023 the figure reached 1,394 cases, with a total of 6,723 cases in the

2019-2023 period. This figure shows that although law enforcement efforts continue to be carried out, major challenges are still faced, especially in the

form of minimal reports from the public, limited police resources, and difficulties in proving the involvement of pimps legally.

After the arrest, the next step is a search and seizure. The search and seizure must be accompanied by a permit from the local District Court Chief Justice, although in urgent circumstances it can be done first before obtaining permission. According to the statement of the Central Java Police investigator, the seizure was carried out to secure evidence. After the search and seizure, the suspect was detained with considering the matters regulated in Article 21 of the Criminal Procedure Code. Once the case files are complete, the investigator submits the case files, suspect and evidence to the public prosecutor.

In handling prostitution cases involving pimps, Subdit IV/Renakta Ditreskrim Polda Jateng faces various new modus operandi. Currently, pimps utilize information technology to carry out their actions, using social media applications such as Facebook, Twitter and Instagram. To uncover online prostitution cases, investigators create fake accounts on social media and communicate with pimps, pretending to order the services of PSKs. After an agreement is reached, a place to meet is determined, then the Subdit IV/Renakta team that has been prepared at the location arrests the pimps and PSKs.

The disclosure of the prostitution network was carried out by digging up information from the suspect's cellphone and account to uncover a wider network. The examination of the suspect's account was carried out in coordination with the banking sector and the Financial Transaction Reports and Analysis Center (PPATK). The disclosure of the prostitution network of pimps "ES" some time ago is one of the proofs of the success of Subdit IV/Renakta Polda Jateng in uncovering online prostitution. Investigators revealed the involvement of businessman "SR" as a backer and website creator with the initials "G" who displayed photos of prostitutes.

In addition to repressive efforts, the Central Java Regional Police also make preventive efforts to prevent criminal acts of prostitution, including conducting strict supervision through routine patrols involving the Polres, Polrestabes, and Polsek. Appeals about the dangers of sexual deviation are conveyed through Friday prayer sermons involving religious leaders. The police also cooperate with the community and religious leaders in the form of discussions and seminars, as well as monitoring former perpetrators of pimp practices by requiring them to report themselves within a certain period of time.

Efforts to improve personnel performance are also carried out through education and training in investigations, investigations, and the use of

information technology. The Central Java Regional Police also improved the internal monitoring system to prevent irregularities by certain members of the police. Based on data released by Subdit IV/Renakta Ditreskrim Polda Jateng, the number of prostitution cases that were successfully uncovered increased from 15 cases in 2019 to 29 cases in 2021.<sup>13</sup>In 2020, Subdit IV/Renakta received an award as the Regional Police with the most prostitution cases uncovered in Indonesia, which is proof of dedication and hard work in tackling the crime of prostitution.

### **3.2. Effectiveness of Investigation and Prosecution of Prostitution Cases Involving Pimps in the Central Java Regional Police**

Law enforcement against prostitution crimes involving pimps at the Central Java Regional Police still faces significant challenges. Data from the Ministry of Women's Empowerment and Child Protection shows that Central Java has the highest number of cases with 6,723 cases during the 2019-2023 period. Although the Central Java Regional Police has formed a special unit, namely Subdit IV Renakta to handle cases involving children, adolescents and women, the high number of cases shows that the effectiveness of law enforcement is still not optimal.

The current legal framework is not fully capable of prosecuting all parties involved in prostitution practices. The Criminal Code only regulates parties who profit from prostitution practices such as pimps in Articles 296 and 506. The Human Trafficking Crime Law can also only prosecute pimps who carry out exploitation, thus creating legal loopholes in prosecution and making it difficult for law enforcers to prove the involvement of pimps.

The effectiveness of law according to Soerjono Soekanto is determined by five factors: the legal factor itself, the law enforcement factor, the supporting facilities or means factor, the community factor, and the cultural factor. These five factors are interrelated in determining the extent to which a legal regulation is obeyed and achieves its objectives.

Community involvement in preventing and reporting prostitution cases is still low. The community culture tends not to want to get involved, fear threats from perpetrators, lack of legal protection for reporters, and social stigma against victims of prostitution are inhibiting factors. A safe and confidential reporting system is needed to increase community participation.

Economic factors are the main drivers of the rampant practice of prostitution involving pimps. Limited employment opportunities, low levels of education, structural poverty, and high unemployment rates contribute to this problem. Economic empowerment programs have not touched the root of the problem, so targeted skills training programs and the opening of formal employment opportunities are needed.

The capacity and ability of law enforcement in handling prostitution cases still need to be improved. Limited personnel, inadequate technical capabilities in technology-based case disclosure, limited supporting facilities and infrastructure, and minimal operational budget are obstacles. Special training for investigators and modernization of investigative equipment need to be a priority.

Coordination between law enforcement agencies in handling prostitution cases is still not optimal. Sectoral egos, ineffective information sharing, the absence of an integrated database on perpetrators and prostitution networks, and unclear coordination mechanisms are obstacles. There needs to be a routine coordination forum and adjustment of SOPs for handling cases to align roles between agencies.

Protection for victims of prostitution is still not optimal in the law enforcement process. Rehabilitation programs, trauma healing, legal assistance, safe house facilities for victims, and social reintegration programs are still very limited. The stigma of society towards victims is also still a major obstacle. A more humanistic approach is needed in handling victims.

The use of technology in prostitution practices is a new challenge for law enforcement. Social media and online applications are used for prostitution transactions, while the cyber patrol and digital forensics capabilities of law enforcement still limited. Cooperation with digital platforms needs to be strengthened and regulations on cybercrime related to prostitution need to be clarified.

Prevention of prostitution crimes has not received equal attention to the enforcement aspect. Education programs in the community are still sporadic, the role of the media in anti-prostitution campaigns is not optimal, and the budget for prevention programs is still minimal. A multidisciplinary approach is needed in prevention efforts and empowerment of local communities.

Law Number 21 of 2007 concerning the Eradication of Criminal Acts of Human Trafficking is the main legal basis for prosecuting pimps. Article 2 paragraph (1) regulates criminal sanctions of a minimum of 3 years and a maximum of 15 years for perpetrators of exploitation. Proof of elements of exploitation, recruitment, sending victims, coercion and fraud are key in implementing this article. The criminal provisions of a minimum fine of 120 million rupiah can also be applied to perpetrators.

Article 296 of the Criminal Code provides a legal basis for prosecuting prostitution providers with a maximum prison sentence of one year and four months. Proof of the elements of intent and the benefits obtained by the pimp are important in the application of this article. However, the

relatively light sanctions make the deterrent effect less than optimal, so a revision is needed to increase the criminal sanctions.

Law Number 19 of 2016 concerning Amendments to the ITE Law is a legal instrument in dealing with online prostitution. Article 27 paragraph (1) can be used to ensnare pimps who use electronic media with a maximum criminal penalty of 6 years in prison. Digital evidence and coordination with the Ministry of Communication and Information and social media platforms are key to its implementation.

The Central Java Regional Police have implemented a proactive approach in handling prostitution cases through a special team from Subdit IV Renakta. The strategy includes routine patrols in areas suspected of being prostitution locations, systematic mapping of pimp networks, updating the perpetrator database, coordinating with the cybercrime unit, and operations action based on intelligence analysis results. A persuasive approach is also applied to obtain information from the public.

Prevention programs are implemented through collaboration with various stakeholders in Central Java. Socialization of the dangers of prostitution is carried out in schools and communities, economic empowerment of vulnerable communities, job skills training for at-risk groups, micro-business assistance, and social rehabilitation programs for former pimps are the priorities of the prevention program.

Law enforcement against pimps in Central Java faces challenges in terms of evidence. The investigation team must collect strong evidence to fulfill the elements of a crime, but witness statements are often difficult to obtain and evidence of prostitution transactions is not always easy to find. The increasingly sophisticated modus operandi requires special investigative techniques and coordination with the prosecutor's office from the start of the investigation.

Rehabilitation of prostitution victims is an integral part of law enforcement in Central Java through the Integrated Service Center which provides comprehensive services. Psychological assistance, economic empowerment programs, job skills training, and ongoing monitoring are carried out to ensure the success of rehabilitation. Family and community support are also optimized in the recovery process.

Cross-sectoral cooperation is the key to successful law enforcement in Central Java. The Regional Police coordinate with the Social Service in handling victims, the Ministry of Religion in mental spiritual development, the Manpower Service for economic empowerment programs, and NGOs, community organizations, academics, and the mass media for socialization and public education. Routine coordination forums are held for program



evaluation.

The use of information technology is being increased in enforcing prostitution laws through updating the database system for perpetrators and networks, intensive monitoring of social media, use of digital forensic equipment, cyber investigation training for investigative teams, cooperation with internet providers to content blocking, and modernization of investigative tools.<sup>32</sup> Monitoring and evaluation of law enforcement is carried out comprehensively in Central Java by developing performance indicators to measure program effectiveness. Statistical data on case handling is analyzed periodically, community satisfaction surveys are conducted to obtain feedback, and recommendations for improvement are formulated based on the evaluation results. The evaluation results are then used for further program planning.

#### **4. Conclusion**

The investigation and inquiry process into criminal acts of prostitution at the Central Java Regional Police begins with receiving reports from the public, followed by an investigation to find evidence of alleged criminal acts, and coordinating with the local Police to obtain supporting information. After finding sufficient initial evidence, the process continues to the investigation stage to collect complete evidence and find the suspected pimp. Investigators go undercover to observe the suspect's practice location and make arrests in accordance with the Decree of the Chief of Police No. Pol. SKEP/04/I/1982 after having sufficient initial evidence. This initial evidence can be in the form of a police report, BAP at the scene of the crime, investigation report, witness/expert statements, or evidence indicating the practice of prostitution. Furthermore, a search and confiscation are carried out with a permit from the Head of the local District Court to secure related evidence. Investigators then detain the suspect based on considerations stipulated in Article 21 of the Criminal Procedure Code. Investigators process the collected evidence to compile case files, and after the case files are complete, investigators submit the case files along with the suspect and evidence to the public prosecutor for further legal proceedings. Based on data from the Ministry of Women's Empowerment and Child Protection and the National Police Headquarters, even though law enforcement efforts continue to be carried out, Central Java is still recorded as the province with the highest number of prostitution cases involving pimps in the last five years (2019-2023) with a total of 6,723 cases. shows that Central Java had 6,723 cases in the 2019-2023 period, placing it as the province with the highest number of cases. Although a special unit of Subdit IV Renakta has been formed to handle cases involving children, adolescents and women, the high number of

cases indicates that the effectiveness of law enforcement is still not optimal. The current legal framework has not been able to ensnare all parties involved, with the Criminal Code only regulating parties who take advantage such as pimps in Articles 296 and 506. The Law on the Crime of Human Trafficking is also limited to pimps who carry out exploitation, creating legal loopholes in prosecution and making it difficult to prove the involvement of pimps. According to Soerjono Soekanto, the effectiveness of the law is determined by five interrelated factors: the law itself, law enforcers, supporting facilities, society, and culture. Community involvement in preventing and reporting cases is still low due to a culture of not wanting to get involved, fear of threats, lack of legal protection for reporters, and social stigma against victims.

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