

The Role of the Police in Combating the Crime of Illegal Alcoholic Drink Distribution (Case Study of the Samarinda City Resort Police)

Datu Noven Noari¹⁾ & Gunarto²⁾

¹⁾Faculty of Law, Universitas Islam Sultan Agung (UNISSULA), Semarang, Indonesia, E-mail: datunovennoari.std@unissula.ac.id

²⁾Faculty of Law, Universitas Islam Sultan Agung (UNISSULA), Semarang, Indonesia, E-mail: gunarto@unissula.ac.id

Abstract. *The high number of cases of illegal liquor circulation is an important matter to be handled immediately, especially by the police as law enforcement officers. The police as law enforcement officers have various roles in the circulation of illegal liquor as in accordance with applicable laws and regulations. This study aims to determine, examine, and analyze the role of the police in overcoming the crime of illegal liquor distribution at the Samarinda Police Headquarters as well as the obstacles and solutions of the police in overcoming the crime of illegal liquor distribution at the Samarinda Police Headquarters. The approach method used in this study is sociological juridical. The specifications of this study are descriptive analytical. The data source used is primary data. While secondary data is obtained from literature study research consisting of primary legal materials, secondary legal materials, and testier legal materials. Based on the results of the study, it can be concluded that the role of the police in overcoming the circulation of illegal liquor in the Samarinda Police Department is to implement a Pre-emptive Program, namely as an initial effort before decision making and planning, the purpose of implementing this activity is to eliminate opportunity factors carried out by socializing and educating the community, raids and surveillance in vulnerable areas, approaching youth and students.*

Keywords: *Distribution; Illegal; Liquor; Role.*

1. Introduction

The country of Indonesia existsis a state of law as regulated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia. The affirmation of the provisions of the constitution provides the meaning that all aspects of the life of the nation and state must always be based on applicable

laws and must not act contrary to the law. Indonesian society increasingly yearns for the establishment of authoritative laws, fulfilling a sense of justice and peace that soothes the heart.

Law is used as a means to regulate society as a means of social control, to ensure that society can remain in the patterns of behavior that are accepted by it. A behavior that is not in accordance with the norm or can be called a deviation from the agreed norm turns out to disrupt the order and tranquility of human life.¹As time progresses, it influences all human behavior and thought patterns in national and state life, so that it will have an impact that is not in accordance with applicable norms and regulations.

Behavior that is not in accordance with norms or can be called a deviation from agreed norms turns out to disrupt the order and tranquility of human life. Such deviations, usually by society will be labeled as a violation or even a crime. Crime in community life is a social phenomenon that will always be faced by every human being, society, and even the state which in this case can hinder the implementation of national development.²

The high number of illegal liquor circulation continues to increase from year to year, as in the jurisdiction of the Samarinda City Police which managed to arrest dozens of perpetrators of illegal liquor circulation cases from February 17 to March 19, 2025 in the 2025 Mahakam Pekat Operation. The sale and distribution of illegal liquor was successfully secured by the Samarinda Police Satsamapta which carried out nine actions against the circulation of illegal liquor. The police confiscated 179 crates of illegal liquor which were immediately secured as evidence. The role of the police in this case is certainly expected to provide a deterrent effect for perpetrators of crime and to create a comfortable and safe situation for the community.

2. Research Methods

The approach method in researching and compiling this thesis is to use a sociological juridical method. Bambang Sunggono explained that empirical legal research is also known as non-doctrinal legal research because this research is in the form of empirical studies to find theories regarding the process of occurrence and the process of how law works in society or what is also known as *Socio-Legal Research*.³ The approach method used in this qualitative legal research is the sociological legal approach method, namely an approach by seeking information through direct interviews with informants empirically first and then continuing by conducting secondary data research found in literature studies through theoretical steps.

¹ Bambang Waluyo, *Crime and Punishment* (Jakarta: Sinar Grafika, 2008), p. 1.

² Ibid.

³ Bambang Sunggono, *Legal Research Methods*, Jakarta: PT. Raja Grafindo Persada, 2007, page 81.

3. Results and Discussion

3.1. The Role of the Police in Combating the Crime of Illegal Liquor Distribution at the Samarinda Police Department

One of the problems that is very concerning and must receive serious attention from the government is the problem of alcoholic beverages that are widely consumed by the wider community. Alcoholic beverages or commonly abbreviated as miras, are alcoholic beverages that contain ethanol. Ethanol is a psychoactive substance and its consumption causes decreased consciousness. Alcohol is an active substance in alcoholic beverages, which can suppress the central nervous system. Alcohol is classified as Napza (narcotics, psychotropics and other addictive substances) because it has the property of calming the central nervous system, affecting body function and behavior of a person, changing the mood and feelings of a person who consumes it, if consumed excessively.⁴

Alcohol has addictive properties and is a psychoactive substance that causes changes in the body's systems, both acute and chronic. Alcohol abuse can cause various disorders of function in human organs such as the liver, pancreas, and trigger cancer. Alcohol also has teratogenic effects on the fetus in the womb. Alcohol abuse can cause problems for the addict himself and those around him.⁵

Thus, what is meant by alcoholic beverages or Miuman. Alcoholic refers to all types of drinks that can make someone drunk, so that by drinking the drink can make him lose consciousness, including liquor such as High alcoholic beverages, such as wine. However, the sale of alcoholic beverages is usually only intended for certain groups who have passed a certain age limit. For alcoholic fermented drinks, the longer they are stored, the more delicious they will taste. Alcoholic beverages containing alcohol with a higher ethanol content can be obtained by

Samarinda Police have also highlighted the various negative impacts of alcohol consumption, especially those distributed illegally, on public security and order. Here are some of the effects identified:⁶

1) Increase in Crime

Alcohol consumption is often the main trigger for various crimes, such as fights, assaults, and even murder. For example, in the Loa Janan area, there was a case

⁴Soedjono Dirjosiswor. *Alcoholism, Legal and Criminological Exposure*, Remaja Karya, Bandung, p. 111

⁵Lutfia Nafisatul Hanifah, Literature review: Factors Influencing Alcohol Consumption and the Impact of Alcohol on Health Based on Behavioral Theory, *Media Gizi Kesmas*, Vol 12, No. 1, June 2023.

⁶Results of the Interview with AKP Dicky Anggi Pranata, SIK, M.Si.,CPHR.,CHRA as Head of Criminal Investigation Unit of Samarinda Police on April 30, 2025.

of a deadly duel triggered by a drinking party among housewives, showing how alcohol can trigger violence even in unexpected environments.

2) Public Order Disturbance

Illegal liquor is often consumed in public places such as city parks or grocery stores, causing disturbances to public order and comfort. In a joint raid in March 2025, officers found a group of minors hanging out late at night in the Mahkota II Bridge area while consuming liquor, raising concerns about the safety and morality of the younger generation.

3) Violation of Laws and Regional Regulations

The sale and consumption of liquor without a permit violates applicable regional regulations. Samarinda Satpol PP routinely conducts raids to crack down on these violations, such as in October 2024 when 720 bottles of unlicensed liquor were confiscated from various stalls and shops.

4) Social and Health Impacts

Alcohol consumption can cause various health problems, including organ damage and mental disorders. In addition, alcohol also contributes to social problems such as domestic violence and traffic accidents. The Samarinda Police emphasize the importance of public awareness of these dangers and encouraging a healthy lifestyle without alcohol.

5) Disturbing the Peace During the Holy Month

During the month of Ramadan, the circulation and consumption of alcohol is considered very disturbing to the peace and solemnity of worship. The Samarinda Police together with Satpol PP are intensively conducting the Pekat Mahakam operation to regulate night entertainment venues and stalls that still sell alcohol during the holy month.

By understanding these negative impacts, the Samarinda Police continue to strive to suppress the circulation of illegal liquor through routine operations and education to the community. The community is urged to play an active role in reporting illegal liquor sales activities in order to create a safe and healthy environment for all.

AKP Dicky Anggi Pranata, SIK, M.Sc., CPHR, CHRA as the Head of the Criminal Investigation Unit (Kasat Reskrim) of the Samarinda Police also said that illegal liquor in Indonesia, including in areas such as Samarinda, is a serious concern because of its wide negative impact on society. Illegal liquor refers to alcoholic

beverages that are produced, distributed, or sold without official permission from the competent authorities. The types include:⁷

- 1) Mixed Liquor: Drinks mixed with dangerous substances such as methanol, which can cause poisoning and even death.
- 2) Unlicensed Traditional Liquor: Such as arak, tuak, or ciu which are produced at home without safety standards.
- 3) Illegal Imported Liquor: Foreign products that enter without going through customs and official supervision processes.

AKP Dicky Anggi Pranata, SIK, M.Sc., CPHR, CHRA as the Head of the Criminal Investigation Unit (Kasat Reskrim) of the Samarinda Police also said that the impact of illegal alcoholic beverages on society is:⁸

1) Public health

Illegal alcohol consumption, especially that containing methanol, has caused many cases of poisoning and death. For example, in 2018, more than 500 people were reported to have died after consuming large amounts of alcohol containing methanol.

2) Crime and Social Disorder

Alcohol use is often associated with increased crime, such as fighting, assault, and domestic violence. Data shows that as many as 70% of prisoners consume alcohol before committing a crime, and more than 40% of domestic violence cases are caused by alcohol consumption.

3) Impact on Teenagers

Teenagers who consume alcohol tend to experience decreased academic achievement, drop out of school, and engage in deviant behavior. This has an impact on their future and increases the social and economic burden on society.

As is known, consuming alcoholic beverages can cause harm to a person's health. Drinking alcoholic beverages will cause damage to the liver, heart, pancreas, and stomach inflammation. It can permanently damage brain tissue, causing memory disorders, judgment, learning abilities, and certain mental disorders. The person's feelings are easily offended and attention to the environment is also disturbed, suppressing the self-control center so that the person becomes brave

⁷Results of the Interview with AKP Dicky Anggi Pranata, SIK, M.Si.,CPHR.,CHRA as Head of Criminal Investigation Unit of Samarinda Police on April 30, 2025.

⁸Results of the Interview with AKP Dicky Anggi Pranata, SIK, M.Si.,CPHR.,CHRA as Head of Criminal Investigation Unit of Samarinda Police on April 30, 2025.

and aggressive and if not controlled will cause actions that violate norms and moral attitudes that are even worse can lead to criminal acts.⁹

Based on the results of the interview with AKP Dicky Anggi Pranata, SIK, M.Sc., CPHR, CHRA as the Head of the Criminal Investigation Unit (Kasat Reskrim) of the Samarinda Police, he said that in carrying out his role related to the circulation of alcoholic beverages in Samarinda Regency, of course, he is guided by the regulations that govern, namely Regional Regulation (Perda) Number 6 of 2013, which regulates the prohibition, supervision, control, and sale of alcoholic beverages in the Samarinda City area. Several important provisions in this Perda include:

- 1) Sales Prohibition in Certain Locations: The sale of alcoholic beverages is prohibited near places of worship, schools, hospitals and residential areas.
- 2) Sales Permit: The sale of alcoholic beverages is only permitted in starred hotels and starred hotel restaurants after obtaining a permit from the city government.
- 3) Sanctions: Violations of these provisions may be subject to administrative and criminal sanctions.

However, this Regional Regulation is in a legal vacuum because the basis for its formation, namely the Regulation of the Minister of Trade Number 43/M-DAG/PER/9/2009, has been revoked. As a result, this regulation cannot be implemented effectively. However, to overcome the legal vacuum due to the non-applicability of Regional Regulation Number 6 of 2013, the Mayor of Samarinda, Andi Harun, issued a Mayoral Regulation (Perwali) regulating the distribution of alcoholic beverages. This Perwali aims to provide a temporary legal basis for regulating the distribution of liquor in Samarinda City until the new Regional Regulation is enacted.

However, the effectiveness of the implementation of this regulation is highly dependent on strict supervision and active participation of the community in reporting violations. The police have a very important role in combating the crime of illegal liquor distribution, both in terms of law enforcement and prevention. The following are some of the main roles of the police in overcoming the problem of illegal liquor distribution:¹⁰

- 1) Law enforcement

⁹Andri Winjaya Laksana, Police Efforts in Overcoming Crimes Due to Alcohol in Semarang City, *Journal of Legal Reform*, Vol. 1 No. 3, pp. 297-306

¹⁰Bhirawa Surya Kentana, Enny Ristanti, Sita Agustina Siahaan, The Role of the Indonesian Republic Police in Combating the Illegal Distribution of Alcoholic Beverages, *Bhiwara law Journal*, Vol. 3, No. 2, November 2022.

The police conduct investigations into parties involved in the production, distribution, and sale of illegal liquor. If evidence of a crime is found, an investigation is carried out to determine the perpetrators and further legal proceedings.

The police have the authority to arrest individuals involved in illegal liquor distribution networks. The purpose of this arrest is to stop illegal activities that harm the community.

One of the steps in law enforcement is the confiscation of illegal liquor found in raid operations. This is done to prevent the liquor from circulating and endangering public health.

1) Coordination with Related Agencies

The police often work together with the Civil Service Police Unit (Satpol PP), the Food and Drug Monitoring Agency (BPOM), and the Regional Government to conduct raids and supervise the circulation of illegal liquor.

This collaboration is important because the distribution of illegal liquor not only involves criminal aspects, but also violations of regional regulations and health standards.

2) Prevention and Socialization

The police also play a role in conducting a campaign to prevent the circulation of illegal liquor by educating the public about the dangers of consuming illegal liquor and its impact on health and social life.

The police also educate the public and businesses about the regulations governing the sale of alcohol. This includes providing information about places where it is prohibited to sell alcohol without a permit.

3) Raids and Patrols

Police conduct routine raids in places prone to the circulation of illegal liquor, such as stalls, cafes, or nightlife venues. These raids aim to detect the circulation of illegal liquor and prosecute perpetrators who break the law.

Night patrols are also carried out to prevent the sale of illegal liquor which often occurs at night, either in unlicensed businesses or in the form of clandestine buying and selling.

4) Rescue of Victims of Illegal Liquor Crimes

Illegal liquor often contains dangerous substances that can cause poisoning or even death. The police are responsible for carrying out rescue actions for victims who experience poisoning due to consuming illegal liquor.

In addition, the police can also work with medical personnel to treat victims of crimes related to illegal liquor and provide warnings to the public about the dangers of consuming liquor that is not guaranteed to be safe.

5) Enforcement of Legal Sanctions

The police act as an institution that enforces legal sanctions for perpetrators of illegal liquor distribution. These sanctions can be in the form of criminal penalties in the form of fines, imprisonment, or even prison sentences for perpetrators who are proven to have violated regulations related to the distribution of illegal liquor.

The police also play a role in trying cases in court by providing sufficient evidence to prove the perpetrator's guilt.

6) Policy Formulation and Implementation

The police can be involved in the formulation of public policies that focus on reducing the circulation of illegal liquor, for example through coordination with local governments in the formation or revision of regional regulations on liquor supervision. In addition, the police can also propose stricter regulations or new steps in tackling the circulation of illegal liquor.

7) Building Partnerships with Communities

The police also play a role in building cooperation with the community and local communities in detecting and reporting illegal liquor distribution activities. This can be done through a community-based approach or neighborhood security forum to provide faster and more accurate information.

Based on the results of the interview with AKP Dicky Anggi Pranata, SIK, M.Sc., CPHR, CHRA as the Head of the Criminal Investigation Unit (Kasat Reskrim) of the Samarinda Police, just like the Samarinda Police as one of the law enforcement officers in the field of public security and order, it also has a significant role in dealing with the circulation of illegal alcoholic beverages in Samarinda City, namely:¹¹

1) Pre-emptive Role

Preemptive role is an effort made at the level of decision-making and planning processes.¹²The pre-emptive role (preventive action taken before a crime occurs) of the police in dealing with the circulation of illegal liquor is very important to

¹¹Results of the Interview with AKP Dicky Anggi Pranata, SIK, M.Si.,CPHR.,CHRA as Head of Criminal Investigation Unit of Samarinda Police on April 30, 2025.

¹² <https://jogja.polri.go.id/yogyakarta/tribrata-news/online/detail/upaya-preemtif-dan-preventif-kunci-utama-mewujudkan-kamtibmas-yang-kondusif.html>, Accessed on April 30, 2025 at 12.21 WIB.

reduce the risks posed, both to the community, public order, and security. This pre-emptive action aims to prevent the circulation of illegal liquor before it reaches a worse point, such as an increase in the number of victims, criminal acts, or health problems.

The following are some of the pre-emptive roles of the police in dealing with the circulation of illegal liquor:¹³

a) Community Socialization and Education

The police actively educate the public about the dangers of illegal liquor distribution, both in terms of health (alcohol poisoning, mental disorders, etc.) and social impacts (increased crime, violence, and accidents). This education can be done through campaigns, seminars, or community development programs.

The police play a role in providing information on regional regulations (Perda) and laws and regulations related to the distribution of illegal liquor. This aims to make the community, business owners, and other related parties aware of the importance of complying with existing regulations and understanding the legal consequences for those who violate them.

b) Preventive Raids and Surveillance

Police conduct preventive raids in places that have the potential to become illegal liquor distribution points, such as coffee shops, night entertainment venues, or certain locations that are not registered to sell liquor. These raids aim to detect early the circulation of illegal liquor before it reaches consumers who are unaware of its dangers.

The police also monitor the distribution channels of illegal liquor, including suppliers and dealers. This monitoring is carried out routinely in traditional markets, shops, or retailers suspected of selling illegal liquor.

c) Strengthening Cooperation with Government and Community

The police work together with various related agencies, such as Satpol PP, BPOM, and the Regional Government to prevent the circulation of illegal liquor. This collaboration includes joint supervision of risky places and the granting of legal business permits for controlled liquor sales.

The police are working with community leaders, community organizations, and local communities to help detect and prevent the circulation of illegal liquor at the community level. The establishment of a communication forum between the

¹³Results of the Interview with AKP Dicky Anggi Pranata, SIK, M.Si.,CPHR.,CHRA as Head of Criminal Investigation Unit of Samarinda Police on April 30, 2025.

police and residents is also an effective step to disseminate information and increase awareness.

d) Approach to Youth and Students

One group that is often targeted by the circulation of illegal liquor is youth and students. The police can conduct educational programs in schools and universities about the negative impacts of illegal liquor, as well as provide an understanding of the importance of maintaining health and safety.

In addition to education, the police can also be involved in providing alternative positive activities for young people, such as sports, arts, or social activities, which can keep them away from the temptation to consume illegal alcohol.

e) Monitoring and Supervision of Business Premises

The police, in collaboration with local governments, monitor businesses that sell alcohol, whether licensed or not. The police can ensure that only legal establishments are allowed to sell alcohol, and ensure that they comply with applicable regulations.

The police together with related agencies audit and evaluate existing business permits to ensure that they are not involved in illegal liquor sales. Strict and transparent business permit issuance is an important preventive measure.

f) Prevention Through Proactive Law Enforcement

The police also take action against perpetrators involved in the distribution of illegal liquor, both producers, distributors, and retailers, through firm but also preventive actions. The police can provide warnings or administrative actions before criminal action is taken, so as to prevent the development of illegal distribution.

The police can also provide warnings or guidance to business actors involved in the distribution of illegal liquor to improve their business practices or stop these illegal activities.

g) Community Involvement and Empowerment

The police are calling on residents to be more active in maintaining the security and order of their neighborhoods. Residents are encouraged to report if they see the circulation of illegal liquor around them, through community-based police programs, such as information systems or complaint hotlines.

Through neighborhood security forums or regular meetings, the police work together with residents to build collective awareness in combating the circulation of illegal liquor. This aims to make the community more aware of the dangers of illegal liquor and willing to participate in prevention efforts.

Based on the results above, the author concludes that the pre-emptive role of the police, especially in the Samarinda Police Department in tackling the circulation of illegal liquor involves a holistic approach, which includes socialization, patrols, cooperation with related agencies, and community empowerment. This pre-emptive action aims to reduce the potential for the circulation of illegal liquor before greater damage occurs, such as increased crime or mass poisoning. The police have a very important role in creating a safe society and avoiding the negative impacts of the circulation of illegal liquor.

2) Preventive Role

The role of prevention is an effort to prevent problems from occurring. This role can also be understood as an activity that is carried out systematically, planned, structured and directed to prevent something from developing or happening.¹⁴The preventive role of the police in handling the circulation of illegal alcoholic beverages is very important to prevent negative impacts that may arise, both for public health and social order.

The following are some of the preventive roles of the police in dealing with the circulation of illegal liquor:¹⁵

a) Education and Socialization to the Community

The police play an active role in educating the public about the dangers of illegal liquor, both in terms of health (such as alcohol poisoning, organ disorders, and death) and its social impacts (such as violence, accidents, and riots). This is done through various programs such as campaigns, seminars, or outreach in the community.

The police provide an understanding of the regulations governing the circulation of liquor, including relevant Regional Regulations (Perda). That way, the public and business actors understand the existing rules and the legal consequences for those who violate them.

b) Raids and Supervision of Liquor Sales Locations

Police conducted raids in locations prone to illegal liquor distribution, such as coffee shops, nightlife venues, and markets. The raids were conducted to identify and stop illegal activities before they develop further.

¹⁴Evani Indah Cahyani and Sugiharto, *The Role of the Police in Preventing and Handling Criminal Acts of Drug Abuse Committed by Children (Case Study of the Kendal Police)*, Unissula Student Scientific Constellation (KIMU) 7, January 2022.

¹⁵Results of the Interview with AKP Dicky Anggi Pranata, SIK, M.Si.,CPHR.,CHRA as Head of Criminal Investigation Unit of Samarinda Police on April 30, 2025.

The police, in collaboration with local governments and Satpol PP, are monitoring places that sell liquor. The police ensure that liquor sellers comply with applicable regulations and do not sell illegal products.

c) Improving Cooperation with Regional Governments and Related Agencies

The police coordinate with Satpol PP, BPOM, and the Regional Government to supervise the distribution and sale of illegal liquor. This cooperation ensures that all parties involved in supervising the circulation of liquor work in accordance with existing regulations.

The police can also play a role in formulating policies or revising regional regulations to tighten supervision and prevention of the circulation of illegal liquor in their area.

d) Prevention in Youth and Student Environment

The police focus on preventing the consumption of illegal alcohol among young people and students, who are often the target market for the distribution of illegal alcohol. Education is carried out through schools, universities, and youth organizations about the dangers of illegal alcohol and its negative effects on their health and future.

Police can work with other agencies to provide positive activities for young people, such as sports, arts and skills training, which can reduce the likelihood of them becoming involved in the consumption or distribution of illegal alcohol.

e) Counseling for Business Actors

Police provide guidance to business owners who sell alcohol to ensure they follow legal procedures and comply with legal provisions. Police also help them understand the importance of complying with existing regulations to avoid illegal alcohol sales.

The police are working with relevant agencies to ensure that business owners selling liquor have valid permits and that they comply with regulations governing the sale of liquor.

f) Monitoring and Supervision of Liquor Production

Police conduct surveillance on factories or production sites that make liquor to ensure that the products produced meet applicable health standards and regulations. This is important to prevent illegal products that have the potential to harm consumers.

The police work together with Customs to monitor the distribution of imported or smuggled liquor, in order to prevent the circulation of illegal liquor originating from abroad.

g) Preventive Patrol in Vulnerable Areas

Police conduct night patrols in areas vulnerable to the circulation of illegal liquor, such as night entertainment venues and certain areas that are often used as places for illegal liquor transactions. Through patrols, the police can identify new patterns in the circulation of illegal liquor, so that preventive measures can be taken early.

h) Building Partnerships with Communities

The police invite the public to be more active in maintaining security and order in their environment, including in monitoring the circulation of illegal liquor. This can be done through a communication forum that involves residents to provide reports regarding the circulation of illegal liquor. The police also collaborate with community leaders to disseminate information about the dangers of illegal liquor and the importance of working together to prevent its circulation.

Based on the results above, the author concludes that the preventive role of the police, especially in the Samarinda Police, in overcoming the circulation of illegal liquor is very crucial to reduce the negative impacts caused by the circulation. With a comprehensive approach, starting from public education, supervision of sales locations, to cooperation with related agencies, the police can prevent the development of the circulation of illegal liquor and maintain public order and health.

3) Repressive Role

Repressive Role is a program aimed at prosecuting producers, dealers, distributors and users of narcotics legally. Repressive efforts are conceptual efforts to combat crime that are taken after a crime has occurred. Repressive efforts are intended to prosecute perpetrators of crimes according to their actions and to correct them so that they are aware that the actions they have committed are unlawful and detrimental to society, so that they will not repeat them and others will not do it either considering that the sanctions they will bear are very severe. In repressive efforts, of course, it cannot be separated from our criminal justice system, where in the criminal justice system there are at least 5 (five) sub-systems, namely the judicial, prosecutorial, police, correctional, and advocacy sub-systems, which are a whole that is connected and functionally related.¹⁶

The repressive role of the police in combating the circulation of illegal liquor focuses on direct law enforcement, namely actions taken after the circulation of illegal liquor is detected or a violation of the law occurs. This repressive action

¹⁶Zainal Pradana, Op.Cit.

aims to provide a deterrent effect and stop the circulation of illegal liquor that has the potential to damage public security, order, and health.

Associated with the theory of utility, it is always associated with Jeremy Bentham's utilitarian theory which is always identified as happiness determined by the number of people, so that the measure of the happiness of the majority determines how the law is formed, as a guarantee of individual happiness that must be given by the state to its citizens and eliminate suffering for society through legal instruments, so that the benchmark of the legal instrument is happiness and suffering.

The role of the Police in combating the distribution of illegal liquor in the Samarinda Police also provides legal benefits for the community, namely the legal process against perpetrators of illegal liquor distributors will be able to provide important lessons so that they feel deterred, and also for the community, especially teenagers, about the dangers of distributing illegal liquor and its legal consequences. In addition, by taking firm action against the perpetrators, the community feels more comfortable and orderly.

3.2. Police Obstacles and Solutions in Handling the Crime of Illegal Liquor Distribution at Samarinda Police Headquarters

Satreskrim Polresta Samarinda is one of the elements implementing the main tasks under the Chief of Police of Samarinda. Based on the results of interviews conducted at Polresta Samarinda, Satreskrim is an abbreviation of the Criminal Investigation Unit, which is one of the functional units in the Indonesian National Police (Polri) which is tasked with conducting investigations and inquiries into criminal acts in the field of general and special crimes.¹⁷

The main functions of Satreskrim include conducting investigations and inquiries into criminal acts, making arrests and detaining suspects of criminal acts, collecting evidence and transferring cases to the prosecutor's office and coordinating with other agencies in law enforcement. However, in its role, it certainly experiences obstacles. These obstacles are as follows:¹⁸

1) Lack of initial information

The perpetrators usually operate in secret, so detecting the circulation of illegal liquor is difficult without reports and complaints from the surrounding community. Illegal liquor dealers often operate in secret, for example in homes, hidden warehouses, or through unofficial distribution channels. The public is often reluctant to report because they are afraid, do not know how to report, or

¹⁷Results of the Interview with AKP Dicky Anggi Pranata, SIK, M.Si.,CPHR.,CHRA as Head of Criminal Investigation Unit of Samarinda Police on April 30, 2025.

¹⁸Results of the Interview with AKP Dicky Anggi Pranata, SIK, M.Si.,CPHR.,CHRA as Head of Criminal Investigation Unit of Samarinda Police on April 30, 2025.

feel that it does not have a direct impact on them. Not only that, illegal liquor networks are often closed and only trust certain buyers, so it takes time and special strategies to uncover them.

2) Limited Personnel and Facilities

The limited number of Satreskrim members in the field and the lack of operational facilities can slow down the action in combating the circulation of illegal liquor. The number of police members (especially Satreskrim) is not comparable to the area and the number of vulnerable points for the circulation of illegal liquor.

Lack of operational vehicles, surveillance equipment (CCTV, tracking devices), and supporting technology (database systems, tracking illegal distribution). Satreskrim not only handles liquor cases, but also other crimes such as theft, murder, assault. This limits the focus and time to handle illegal liquor cases.

3) The existence of "Backing" or Protection from Certain Individuals

In some cases, the perpetrators receive protection from certain officials or parties, making it difficult for them to be touched by the law. Some perpetrators of illegal liquor distribution receive support or protection from certain officials, influential figures, or even local officials. The existence of backing makes the investigation and prosecution process hampered, and can even be stopped suddenly due to intervention. The public becomes hesitant to report because they feel that the authorities are "playing around" with the perpetrators, so that the assumption arises that the perpetrators are immune from the law.

4) Lack of Strict Laws and Regulations

Light sanctions and legal loopholes are often exploited by perpetrators to repeat their actions. Until now, there has been no specific law that comprehensively regulates the production, distribution, and consumption of alcoholic beverages at the national level. Many perpetrators are only subject to administrative sanctions, light fines, or light criminal penalties that do not have a deterrent effect.

Some areas have Regional Regulations (Perda) that prohibit alcohol, while other areas are more lenient. This causes perpetrators to move their activities to "safer" areas. Because the rules are not specific or firm, perpetrators can get around the law by changing the packaging, claiming to be a home business, or using fake permits.

5) High Market Demand

The demand for illegal liquor remains high because it is cheap and easily accessible. In carrying out the obstacles in its role, the Samarinda Police Criminal Investigation Unit certainly has solutions to deal with them, namely as follows:¹⁹

1) Enhancing the Role of Intelligence and Public Reporting

Encourage the public to report suspicious activities and strengthen the police intelligence team. Satreskrim needs to activate the intelligence team to collect information from various sources, including citizen informants. Not only that, with a persuasive approach and guarantee of witness protection, the public will be more willing to cooperate in providing information.

2) Routine Operations and Joint Raids

Conducting periodic raids with Satpol PP, BPOM, and related agencies to close the distribution channels of illegal liquor. Routine operations and joint raids are enforcement activities carried out on a scheduled or incidental basis by the police together with related agencies to search for, confiscate, and stop the distribution of illegal liquor.

3) Strict and Transparent Law Enforcement

Take action against perpetrators without discrimination, including those involving individuals, and ensure that the legal process is objective. Take action without discrimination, both against small perpetrators and large networks. Take action against individuals involved in protecting or facilitating the circulation of illegal liquor. Imposing maximum sanctions in accordance with applicable laws to create a deterrent effect.

Opening access to information to the public regarding the process of arrest, investigation, and legal decisions. Avoiding the practice of KKN (Corruption, Collusion, Nepotism) in handling cases. Involving the media and supervisory institutions such as Kompolnas or legal NGOs to oversee the legal process.

4) Regulation Revision

Encourage the formation or strengthening of Regional Regulations (Perda) that provide a deterrent effect on perpetrators. Preparation of the National Liquor Law or revision of related laws (for example the Health Law, Criminal Code, or Consumer Protection Law).

Revision and harmonization of Regional Regulations (Perda) to be in line with national policies, but still respect local wisdom and increase criminal sanctions

¹⁹Results of the Interview with AKP Dicky Anggi Pranata, SIK, M.Si.,CPHR.,CHRA as Head of Criminal Investigation Unit of Samarinda Police on April 30, 2025.

and fines for perpetrators of illegal liquor, especially those that cause poisoning or death.

5) Education and Prevention Campaign

Counseling in schools, campuses, and communities by the police, health services, and community leaders. Socialization through social media, radio, billboards, and banners in public places and areas prone to alcohol, as well as creative and collaborative campaigns, such as educational video competitions, youth seminars, or peer educator training.

4. Conclusion

The role of the Police in overcoming the circulation of illegal liquor at the Samarinda Police Department is to implement the Pre-emptive Program, namely as an initial effort before decision making and planning, the purpose of implementing this activity is to eliminate the opportunity factor which is carried out by socializing and educating the community, Raids and surveillance in vulnerable areas, approaching youth and students. The Preventive Program can be understood as an activity that is carried out systematically, planned, structured and directed to prevent something from developing or happening such as patrols, socialization and so on. The Repressive Program is to take action against perpetrators of crimes who are proven to have committed crimes in accordance with the regulations with sanctions that will later have a deterrent effect on the perpetrators and can get threats for people who will do the same thing so that it will have a positive impact to discourage their intentions to do so.

5. References

Al-Quran:

QS. Al-Maidah: 90

QS Al-Baqarah: 219

Journals:

Andri Winjaya Laksana, Upaya Kepolisian Dalam Mengatasi Tindak Kejahatan Akibat Minuman Keras di Kota Semarang, *Jurnal Pembaharuan Hukum*, Vol. 1 No. 3, hlm 297-306

Bhirawa Surya Kentana, Enny Ristianti, & Sita Agustina Siahaan, *Bhirawa law Journal*, Vol 3, No. 2, November 2022.

Erly Pangestuti, Minuman Keras Yang Berpengaruh Terhadap Timbulnya Kejahatan, *Jurnal Fakultas Hukum Universitas Tulungagung*, 201

Evani Indah Cahyani dan Sugiharto, Peran Kepolisian dalam Pencegahan dan Penanggulangan Tindak Pidana Penyalahgunaan Narkotika yang Dilakukan oleh Anak (Studi Kasus Kepolisian Resor Kendal), *Konstelasi Ilmiah Mahasiswa Unissula (KIMU)* 7, Januari 2022.

La Ode Muhammad Richard Zeldi Putra, dkk, Peningkatan Pemahaman Siswa Sma Negeri 6 Pasarwajo Kabupaten Buton Terhadap Minuman Beralkohol, *Jurnal Pengabdian Kepada Masyarakat*, Vol. 2, No.1, Januari 2023.

Lutfia Nafisatul Hanifah, Kajian literatur: Faktor yang Mempengaruhi Konsumsi Alkohol dan Dampak Alkohol Terhadap Kesehatan Berdasarkan Teori Perilaku, *Media Gizi Kesmas*, Vol 12, No. 1, Juni 2023.

Muhammad Fajar Awaludin dan Rahmat Ramdani, Peran Kelompok Keagamaan dalam Menjaga Keharmonisan dan Keberagaman (Studi Deskriptif PC NU Kabupaten Karawang Dan Pengurus Vihara Nam Hai Kwan Se Im Pu Sa Kabupaten Sukabumi), *Jurnal Ilmiah Wahana Pendidikan*, Vol. 8, No.1, Januari 2022.

M Thariq Zam Faiz dan Waluyo, Tinjauan Yuridis Transaksi Jual Beli Minuman Keras Ilegal Secara Online Melalui Platform Facebook Berdasarkan Perda Jawa Timur Nomor 6 Tahun 2014 Tentang Pengendalian Dan Pengawasan Peredaran Minuman Beralkohol, *Jurnal Hukum & Pembangunan Masyarakat*, Vol. 15, No.6, Juni 2024.

Books:

A Mangunhardjana. 1999. *Isme-Isme Dalam Etika Dari a Sampai Z*. Yogyakarta: Kanisius.

Anangsyah. 2000. *Pengaruh Minuman Beralkohol Bagi Tubuh Manusia*, Surabaya: Erlangga.

A.S Alam dan Amir Ilyas. 2020. *Pengantar Kriminologi*. Makassar: Pustaka, Refleksi Books.

Departemen Pendidikan Nasional. 2007. *Kamus Besar Bahasa Indonesia*. Jakarta: Balai Pustaka.

Dirjosiswor, Soedjono. *Alkoholisme, Paparan Hukum Dan Kriminologi*. Bandung: Remaja Karya.

Edwin H, Sutherland. 1969. *Asas-Asas Kriminologi*. Bandung: Alumni.

Hadari, Nawari. 1987. *Metode Penelitian Hukum*. Yogyakarta: Gajah Mada University Press.

- Kunarto. 2001. *Perilaku Organisasi Polri*. Jakarta: Cipta Manunggal.
- Mertokusumo, Sudikmo .2001. *Bab-Bab Tentang Penemuan Hukum*. Bandung: Citra Aditya Bakti.
- Meliono, Irmawati . 2007. *Minuman Keras atau Minuman Beralkohol*. Jakarta.
- Moeljatno. 2002. *Asas-Asas Hukum Pidana*. Jakarta: Rineka Cipta.
- Mukmin, Hasan. 2014. *Peranan Fakultas Dakwah Sebagai Lembaga Dakwah Kampus (LDK) dalam Pemberdayaan Masyarakat Islam di Wilayah Lampung*. Lampung: Pusat Penelitian dan Penerbitan Lembaga Penelitian dan Pengabdian Kepada Masyarakat, IAIN Raden Intan Lampung.
- Rizki Husin, Budi. 2017. *studi lembaga penegak hukum*. Bandar Lampung: Universitas Lampung.
- Steven, Darmawan . 2010. *Pengertian Minuman Keras dan Dampaknya*. Bandung: Remaja Rosdakarya.
- Tim Mulgan. 2020. *Utilitarianism*. New York: Cambridge University Press.

Regulation:

- The 1945 Constitution of the Republic of Indonesia.
- Criminal Code (KUHP).
- Criminal Procedure Code (KUHAP).
- Law Number 1 of 2023 concerning the Criminal Code.
- Law Number 2 of 2002 Concerning Nosy People the Republic of Indonesia.
- Presidential Regulation Number 74 of 2013 concerning Control and Supervision of Alcoholic Beverages.
- Decree of the Minister of Health of the Republic of Indonesia No. 282/MENKES/SK/II/1998 concerning the standardization of the quality of alcoholic beverage production.
- Regulation of the Minister of Trade of the Republic of Indonesia No. 43/MDAG/PER/9/2009 concerning Procurement, Distribution, Sales, Supervision and Control of Alcoholic Beverages.
- Samarinda City Regional Regulation (Perda) Number 5 of 2023 concerning Amendments to Regional Regulation Number 6 of 2013 concerning

Prohibition, Supervision, Control, and Sale of Alcoholic Beverages in Samarinda City

Internet:

Agus Riyanto, Penegakan Hukum, Masalahnya Apa, <https://business-law.binus.ac.id>, accessed on 13 April 2025.

Bab II Kajian Teori, <http://repository.uinfasbengkulu.ac.id>, accessed on 13 April 2025.

Siti Badriyah, "Kerangka Konseptual: Pengertian, Tujuan, dan Cara Membuat," *Gramedia Blog*, https://www.gramedia.com/literasi/kerangka-konseptual/#google_vignette.

S Fahrizal, <http://repository.radenintan.ac.id/2535/5/BAB%2011%20TESIS>, accessed on 29 April 2025 at 13.24 WIB.

<https://kumparan.com/sejarah-dan-sosial/pengertian-peran-sosial-beserta-jenis-dan-contohnya-20GymQrm9Qy/full>, accessed on 28 April 2025.

<https://dosensosiologi.com/fungsi-jenis-peran/>, diakses pada 28 April 2025.
https://id.wikipedia.org/wiki/Kepolisian_Negara_Republik_Indonesia, accessed on 28 April 2025.

https://id.wikipedia.org/wiki/Minuman_keras, accessed on 28 April 2025.
<https://tirto.id/kategori-minuman-beralkohol-atau-minol-legal-ilegal-dan-oplosan-f64v>, accessed on 28 April 2025.

<https://respository.unimus.ac.id/1968/4/BAB%2011.pdf>, accessed on 28 April 2025.

<https://jogja.polri.go.id/yogyakarta/tribrata-news/online/detail/upaya-preemptif-dan-preventif--kunci-utama-mewujudkan-kamtibmas-yang-kondusif.html>, accessed on 30 April 2025 at 12.21 WIB.

Interview:

Results of Interview with AKP Dicky Anggi Pranata, S.I.K, M.Si.,CPHR.,CHRA as Head of Criminal Investigation Unit of Samarinda Police on April 30, 2025.