

## **Investigation of Corruption Criminal Perpetrators at the Maluku Barat Daya Police**

**Dwi Kustono<sup>1)</sup> & Sri Endah Wahyuningsih<sup>2)</sup>**

<sup>1)</sup>Faculty of Law, Universitas Islam Sultan Agung (UNISSULA), Semarang, Indonesia, E-mail: [dwikustono.std@unissula.ac.id](mailto:dwikustono.std@unissula.ac.id)

<sup>2)</sup>Faculty of Law, Universitas Islam Sultan Agung (UNISSULA), Semarang, Indonesia, E-mail: [sriendahwahyuningsih@unissula.ac.id](mailto:sriendahwahyuningsih@unissula.ac.id)

**Abstract.** *Law enforcement against corruption through the penal path through an integrated criminal justice system begins with an investigation process, where the authorized institution to investigate is the Indonesian National Police. This study aims to determine and analyze the implementation of investigations against perpetrators of corruption, analyze obstacles and solutions in the investigation of perpetrators of corruption at the Southwest Maluku Police. This study uses a sociological juridical approach method the research specification is descriptive analytical. The data used are primary data and secondary data while the data collection method is carried out through field studies and literature studies. The data analysis method is qualitative. The theories used are the theory of law enforcement and the theory of how the law works. Based on the research results it can be concluded that the implementation of the investigation of the perpetrators of corruption in the Southwest Maluku Police has been in accordance with applicable laws and regulations. Although there were several obstacles, the implementation of the investigation was ultimately completed well. The obstacles were in the form of internal and external obstacles. With the right solution, these obstacles will not be a factor that hinders the investigation of corruption.*

**Keywords:** *Crime; Corruption; Investigation.*

### **1. Introduction**

The Republic of Indonesia is a state based on law, so all aspects of the implementation and administration of the state are regulated by law.<sup>1</sup>This is a mandate from Article 1 paragraph (3) of the 1945 Constitution of the Republic of

---

<sup>1</sup>Sri Endah Wahyuningsih and Rismanto, Criminal Law Enforcement Policy on Combating Money Laundering in the Framework of Criminal Law Reform in Indonesia, Journal of Legal Reform, Volume II No. 1 January-April 2015, p. 46

Indonesia (UUD 1945) which states that Indonesia is a state based on law.<sup>2</sup>Indonesia as a country of law upholds the law and human dignity in relation to law and government, and is obliged to enforce the law without exception based on the 5th principle of Pancasila, namely social justice for all Indonesian people.<sup>3</sup>

According to Aristotle, a state of law is a state that stands on the law that guarantees justice for its citizens. In his view, good law is law that comes from a sense of justice in society and that which governs in the state is fair thinking while the ruler is only the holder of law and balance.<sup>4</sup>

Laws are made by humans to maintain order in society. Laws live and develop according to the values of their society because they are rooted, motivating, and based on society.<sup>5</sup>The law determines what must be done, what is permitted and what is prohibited.<sup>6</sup>In fact, the pattern of people's lives is influenced by developments in people's lives which sometimes give rise to differences in prosperity, thus causing the emergence of various forms of crime.<sup>7</sup>

One form of such crime is corruption, which is an extraordinary crime because of its wide impacts, including undermining government, slowing development, increasing poverty and harming social justice. Corruption is a term that is already familiar to the ears of the Indonesian people.<sup>8</sup>InIndonesia, corruption is a problem that recurs from time to time over a relatively long period of time faced by the Indonesian nation.<sup>9</sup>

---

<sup>2</sup>Angga Dwi Arifian and Sri Kusriyah, The Investigation on Criminal Acts of Corruption in the Jurisdiction of Rembang Police, Law Development Journal, Volume 3 Issue 3, September 2021, p..460

<sup>3</sup>Lailatul Nur Hasanah and Sri Endah Wahyuningish, The Application of Justice Principles Of Rapid Simple Fee In Criminal Justice System In The State Court (Case Study in State Court of Pati), Journal of Law Daulat, Volume 2 No. 4, December 2019, p. 610

<sup>4</sup>Nomensen Sinamo, 2014, Indonesian Constitutional Law, Permata Aksara, Jakarta, p. 36.

<sup>5</sup>Pujiyono, 2007, Collection of Criminal Law Writings, Mandar Maju, Bandung, p. 66

<sup>6</sup>Wahyu Budi Andrianto & Sri Endah Wahyuningsih, The Implementation of Investigations on Persons of Crime of Corruption at Rembang Polres, Legis Ratio Journal, Volume 1 No. 4, December 2022, p. 450

<sup>7</sup>Andi Dwisantosa & Umar Ma'ruf, Investigation of Criminal Acts of Theft Based on Restorative Justice, Khaira Ummah, Vol. 20 No. 1, March 2025, p. 68.

<sup>8</sup>Teguh Sulista and Aria Zurnetti, 2011, Criminal Law: New Horizon Post-Reformation, Jakarta. PT. Raja Grafindo Persada. Jakarta, p.63

<sup>9</sup>Sri Endah Wahyuningsih, Agus Sunaryo, The Role of Prosecutor Office in the Eradication of Corruption Criminal Acts in Indonesia, Jurnal Pembaharuan Hukum, Volume IV No. 2 May - August 2017, p. 244

Corruption in Indonesia has developed in terms of form, type and mode of committing corruption. This is as stated in the General Explanation of Law No. 30 of 2002 concerning the Corruption Eradication Commission as amended by Law No. 19 of 2019 (KPK Law), which states that corruption has shifted, originally corruption was a type of ordinary crime, now corruption is classified as an extraordinary crime. In addition, corruption is a crime whose proof and application of the law are difficult, so that accuracy and precision are needed by law enforcers in order to resolve it as soon as possible, because it involves the return of state losses.

In practice, in the process of investigating corruption crimes, investigators experience several obstacles, including difficulty in finding evidence of the crime, considering that corruption crimes are generally carried out by bureaucrats and state administrators and are carried out in a planned manner over a relatively long period of time.

## **2. Research Methods**

The approach method used in this research is the sociological legal approach method, namely research based on normative legal science (statutory regulations), but does not study the norm system but rather observes how reactions and interactions occur when the norm system works in society.<sup>10</sup> This research is intended to review from the perspective of legal science and other written regulations relating to criminal acts of corruption and the implementation of investigations at the police level.

## **3. Results and Discussion**

### **3.1. Implementation Investigation of Corruption Crime Perpetrators at Southwest Maluku Police**

Investigation of corruption crimes is essentially part of law enforcement efforts in the framework of eradicating corruption crimes, the implementation of which is carried out by investigators from the Criminal Investigation Unit, especially the Corruption Unit at the Polres level. Corruption crimes receive more attention from the police so that a special unit is formed to handle corruption cases in each region, namely the Corruption Crime Unit (Tipikor), which is under the coordination of the Criminal Resort Unit (Satreskrim) which is an element that carries out the main tasks in each Police Resort (Polres). The Tipikor Unit was formed specifically to handle various corruption cases that occur within the jurisdiction of the police resort, in this case the Southwest Maluku Police.

---

<sup>10</sup>Mukti Fajar ND and Yulianto Achmad, 2013, Dualism of Normative and Empirical Legal Research, Pustaka Pelajar, Yogyakarta, 2013, p. 47.

The implementation of the investigation of the perpetrators of corruption is carried out after the evidence in the investigation is fulfilled. The implementation of the investigation is guided by the Criminal Procedure Code and the Regulation of the Chief of Police Number 16 of 2019 concerning the Investigation of Criminal Acts, the Guidelines for Handling the Administration of Corruption Crimes of the Directorate of Corruption Crimes, Bareskrim Polri.<sup>11</sup>

Based on Special Examination Result Report Number 700/06LHP-Pemsus/2021, Rudy Petrus Zacharias and Magdalena Paulus have signed a Statement of Absolute Responsibility (SKTJM) stamped 10000 to pay the village's losses in installments for 24 (twenty four) months or 2 (two) years and in early February 2022, the Inspectorate of Southwest Maluku Regency then summoned the two suspects in order to clarify regarding the realization of the return due to the abuse of authority as former Secretary of Wonreli Village and Treasurer of Wonreli Village, but until I provide this statement, there has been no return of funds to the village or regional treasury, either in part or in full.

a. Evidence

In the investigation of the alleged corruption case of abuse of authority in office/work related to the management of Village Funds (DD) and Village Fund Allocation (ADD) which occurred in Wonreli Village, Pulau-Pulau Terselatan District, Southwest Maluku Regency in the 2020 budget year which was allegedly carried out by suspect RUDY PETRUS ZACHARIAS and suspect MAGDALENA PAULUS alias MADA, as referred to in Article 2 paragraph (1) and/or Article 3 and/or Article 8 in conjunction with Article 18 of Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption as amended by Law Number 20 of 2001 concerning amendments to Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption in conjunction with Article 55 paragraph (1) to 1 of the Criminal Code, confiscation of goods/documents related to the criminal act in question has been carried out in accordance with the confiscation order.

1) Discussion

a. Fact analysis

In the management of Village Funds (DD) and Village Fund Allocation (ADD) in Wonreli Village, South Island District, Southwest Maluku Regency in the 2020 budget year, suspect Rudy Petrus Zacharias served as Secretary of Wonreli Village and suspect Magdalena Paulus served as Head of Financial Affairs / Treasurer of Wonreli Village. In the 2020 budget year, Wonreli Village, South Island District, Southwest Maluku Regency received Village Funds (DD) sourced

---

<sup>11</sup>Miftah Anshori, Investigation of Corruption in Police Resort of Pati, Jurnal Daulat Hukum, Volume 1 No 2, June 2018, p.476

from the State Revenue and Expenditure Budget (APBN) and Village Fund Allocation (ADD) sourced from the Regional Revenue and Expenditure Budget (APBD) and has been stipulated in the Village Revenue and Expenditure Budget (APBDes) of Wonreli Village in the 2020 budget year amounting to IDR 2,071,344,913.

The management of Village Funds (DD) and Village Fund Allocation (ADD) of Wonreli Village for the 2020 budget year was carried out solely by the suspect Rudy Petrus Zacharias alias Rudy alias Opan and the suspect Magdalena Paulus alias Mada alias Inai, without involving other Wonreli Village officials as Village Financial Management Executors (PPKD) and village computer operators or without going through the stages of the mechanism as regulated in the Regulation of the Minister of Home Affairs Number 20 of 2018 concerning Village Financial Management; which the suspect Rudy Petrus Zacharias alias Rudy alias Opan conveyed the shopping needs according to the Village Budget verbally (without making details of the shopping and budget) to the acting village head, then the acting village head approved it verbally then the suspect Rudy Petrus Zacharias conveyed it to the suspect Magdalena Paulus alias Mada alias Inai to carry out the shopping in question and then collect evidence of its use in the form of shopping notes, receipts or payment lists and after the shopping was carried out it was reported to the acting village head, later when the accountability report was to be made, the suspect Rudy Petrus Zacharias alias Rudy alias Opan made/printed a receipt for expenditure from the system (Siskeudes) to be signed by the acting village head for approval of the shopping that had been carried out.

The suspect Magdalena Paulus did not carry out her duties as the head of financial affairs / treasurer of Wonreli Village who carried out the treasury function properly and correctly where she only made purchases on the orders or instructions of the suspect Rudy Petrus Zacharias then collected evidence and submitted it to the suspect Rudy Petrus Zacharias, without administering it by recording receipts and expenditures in the cash book, but the treasury function was carried out by the suspect Rudy Petrus Zacharias alias Rudy alias Opan who was the Village Secretary, by not verifying evidence of receipt and expenditure of the Village Budget and / or not checking the conformity of evidence of expenditure / payment transactions and / or testing the correctness of its use and comparing it with the Village Budget of Wonreli Village for the 2020 budget year to find out the amount that had been spent or the remaining budget for accountability purposes, so that her accountability report was not supported or equipped with complete and valid evidence.

Regarding the state/regional losses caused by the actions of suspects Rudy Petrus Zacharias alias Rudy alias Opan and suspect Magdalena Paulus alias Mada alias Inai, the Inspectorate of the Southwest Maluku Regency has attempted to

have the suspects return the losses in question either in part or in full, which based on the Absolute Responsibility Statement (SPTJM) made by each suspect was given a period of time to return or replace the losses until, however until the due date for the return of funds or until now, the suspects have never replaced or returned the losses in question, either in part or in full.

b. Legal analysis

Based on the analysis of the case above, there are indications of alleged corruption in the form of abuse of authority in office / work in the management of Village Funds (DD) and Village Fund Allocation (ADD) which occurred in Wonreli Village, South Island District, Southwest Maluku Regency in the 2020 budget year carried out by suspect Rudy Petrus Zacharias alias Rudy alias Opan and suspect Magdalena Paulus alias Mada alias Inai, because the elements formulated in Article 2 paragraph (1) and/or Article 3 and/or Article 8 in conjunction with Article 18 of Law Number 31 of 1999 as amended by Law Number 20 of 2001 concerning amendments to Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption in conjunction with Article 55 paragraph (1) to 1 of the Criminal Code, as follows:

a. Article 2 paragraph (1) Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption as amended by Law Number 20 of 2001 concerning amendments to Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, which reads: "Any person who unlawfully commits an act of enriching himself or another person or a corporation that can harm state finances or the state economy, shall be punished with life imprisonment or imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) years and a fine of at least IDR 200,000,000,- (two hundred million rupiah) and a maximum of IDR 1,000,000,000,- (one billion rupiah)". With the following elements:

1) Elements of every person

What is meant by this element is every person who is a legal subject or an individual, namely the suspect Rudy Petrus Zacharias alias Rudy alias Opan who served as Secretary of Wonreli Village for the 2020 budget year and the suspect Magdalena Paulus alias Mada alias Inai as Head of Financial Affairs or Treasurer of Wonreli Village for the 2020 budget year who can be held legally accountable for the actions they are accused of. The element of every person is fulfilled

2) The element of "unlawfully"

What is meant by this element is suspect Rudy Petrus Zacharias alias Rudy alias Opan and suspect Magdalena Paulus alias Mada alias Inai who have used Village Funds and Village Fund Allocations for Wonreli Village for the 2020 budget year, namely:

- a) Managing the Wonreli Village APBDes for the 2020 budget year was not in accordance with the mechanism which did not involve the heads of affairs as Village Financial Management Officers.
- b) Using Wonreli Village finances to finance activities not stipulated in the Village Budget (payment of debt to Mr. Dance Salouw).
- c) Making payments in excess of the budget ceiling set in the Village Budget.
- d) Not taking responsibility for expenses on shopping expenses
- e) Not coordinating the preparation of financial reports in the context of APBDes accountability
- f) Not verifying the Village Cash Budget Plan (RAK Desa) or evidence of receipt and expenditure of the Village Budget and/or not checking the conformity of evidence of payment transactions with the accountability submitted where there is no evidence of spending on several activities that could result in state losses.
- g) Carrying out the duties of the treasurer by making all administration related to the management of the 2020 Wonreli Village APBDes, while the treasurer is only ordered to pay and collect proof of payment.

3) The element of "enriching yourself or others"

What is meant by this element is the suspect Rudy Petrus Zacharias alias Rudy alias Opan and the suspect Magdalena Paulus alias Mada alias Inai who managed the Village Fund (DD) and Village Fund Allocation (ADD) of Wonreli Village for the 2020 budget year and were unable to account for their activity spending with complete and valid evidence where the activity spending that could not be accounted for brought benefits to those who had received payment but the truth of the use of the budget could not be proven with complete and valid evidence.

4) Fulfillment of evidence for the element of "enriching oneself or others"

What is meant by this element is the suspect Rudy Petrus Zacharias alias Rudy alias Opan and the suspect Magdalena Paulus alias Mada alias Inai who managed the Village Fund (DD) and Village Fund Allocation (ADD) of Wonreli Village for the 2020 budget year and were unable to account for their activity spending with complete and valid evidence where the activity spending that could not be accounted for brought benefits to those who had received payment but the truth of the use of the budget could not be proven with complete and valid evidence.

5) The element "can harm state finances or the state economy"

What is meant by this element is the suspect Rudy Petrus Zacharias alias Rudy alias Opan and suspect Magdalena Paulus alias Mada alias Inai who have managed the finances of Wonreli Village sourced from Village Funds (DD) and



Village Fund Allocation (ADD) for the 2020 budget year did not properly carry out their respective duties and responsibilities resulting in state/regional losses of IDR 999,145,193

b. Article 3 Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption as amended by Law Number 20 of 2001 concerning amendments to Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, which reads: "Any person who, with the aim of benefiting himself or another person or a corporation, abuses the authority, opportunity or means available to him because of a position or position that can harm state finances or the state economy, shall be punished with life imprisonment or imprisonment for a minimum of 1 (one) year and a maximum of 20 (twenty) years and or a fine of at least IDR 50,000,000.00 (fifty million rupiah) and a maximum of IDR 1,000,000,000.00 (one billion rupiah)", with the following elements:

1) The element of "everyone"

That this element has been explained in the discussion of the elements of Article 2 Republic of Indonesia Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption.

2) The element "With the aim of benefiting oneself or others"

What is meant by this element is the suspect Rudy Petrus Zacharias alias Rudy alias Opan and the suspect Magdalena Paulus alias Mada alias Inai who have used the Village Funds (DD) and Village Fund Allocation (ADD) of Wonreli Village for the 2020 budget year and cannot be held accountable in real terms with complete and valid evidence but instead made fictitious accounts.

3) The element of "Misusing authority, opportunities or means available to him due to his position or position"

What is meant by this element is that the suspect Rudy Petrus Zacharias alias Rudy alias Opan did not exercise his authority, opportunity or means as Village Secretary properly to carry out verification of evidence of activity expenditure for accountability and the suspect Magdalena Paulus alias Mada alias Inai as the head of financial affairs or village treasurer did not carry out her duties properly to manage village finances with complete and valid evidence where there were several activities for which expenditure could not be accounted for and/or only partially accounted for.

4) Elements "Which can harm state finances or the state economy"

That this element has been explained in the discussion of the elements of Article 2 Republic of Indonesia Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption.



c. Article 8 Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption as amended by Law Number 20 of 2001 concerning amendments to Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, which reads: "Shall be punished with imprisonment of at least 3 (three) years and a maximum of 15 (fifteen) years and a fine of at least IDR 150,000,000,- (one hundred and fifty million rupiah) and a maximum of IDR 750,000,000,- (seven hundred and fifty million rupiah) Civil servants or persons other than civil servants who are assigned to carry out a public office continuously or temporarily, intentionally embezzle money or securities that are kept because of their position or allow the money or securities to be taken or embezzled by other people or assist in committing acts "With the following elements:

(1) Elements of civil servants or people other than civil servants who are assigned to carry out a public position continuously or temporarily

That the suspect Rudy Petrus Zacharias alias Rudy alias Opan and the suspect Magdalena Paulus alias Mada alias Inai are officials in the Wonreli village government for the 2020 budget year who were appointed based on the decision of the Village Head who gave them a fixed income and allowances sourced from the Wonreli Village APBDes for the 2020 budget year due to the responsibilities of their positions.

(2) Elements intentionally

That before using the money stored in the archive cabinet, suspect Rudy Petrus Zacharias alias Rudy alias Opan and suspect Magdalena Paulus alias Mada alias Inai were aware and knew that the money stored did not belong to them but belonged to the Wonreli Village community and they never asked for permission to use it and/or were never given permission by anyone to use it.

(3) The element of embezzling or allowing someone else to take or allowing someone else to embezzle or assist in carrying out the act

That after the suspect Magdalena Paulus alias Mada alias Inai made a withdrawal at the end of December 2020 amounting to IDR 808,331,898,-. The funds were stored in the second drawer of the filing cabinet in the office of the suspect Rudy Petrus Zacharias alias Rudy alias Opan and the suspect Magdalena Paulus alias Mada alias Inai, the keys to which were with the suspect Magdalena Paulus alias Mada alias Inai as many as 2 (two) pieces while the room keys were held by each suspect. However, when it was time to pay the BLT Phase III for the 2020 budget year, the money in the filing cabinet had decreased and only IDR 5,000,000 remained.

(4) Elements that are kept because of their position

That the duties and responsibilities of the suspect Magdalena Paulus alias Mada alias Inai Head of Financial Affairs or Treasurer of Wonreli Village for the 2020 budget year, namely: receiving, storing, paying/depositing, administering and accounting for village income and expenditure in the context of implementing the Village Budget, while the duties of the suspect Rudy Petrus Zacharias alias Rudi alias Opan as secretary are to verify the DPA, DPPA, DPAL, Village RAK and evidence of receipt and expenditure of the Village Budget

d. Article 18 of Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, the Law as amended by Law Number 20 of 2001 concerning amendments to Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, which reads as follows:

(1) In addition to the additional penalties as referred to in the Criminal Code, the additional penalties are:

a. Confiscation of tangible or intangible movable property or immovable property used for or obtained from criminal acts of corruption, including companies owned by convicts where criminal acts of corruption were committed, as well as goods replacing such goods;

b. Payment of compensation in an amount that is at most equal to the assets obtained from the criminal act of corruption;

c. Closure of all or part of the company for a maximum period of 1 (one) year;

d. Revocation of all or part of certain rights or the elimination of all or part of certain benefits, which the Government has or may grant to the convict.

(2) If the convict does not pay the replacement money as referred to in paragraph (1) letter b within a maximum of 1 (one) month after the court decision has obtained permanent legal force, then his property can be confiscated by the prosecutor and auctioned to cover the replacement money.

(3) If the convict does not have sufficient assets to pay the replacement money as referred to in paragraph (1) letter b, then he shall be punished with a prison sentence of a term not exceeding the maximum threat of the principal sentence in accordance with the provisions of this law and the length of the sentence shall be determined in the court decision.

The next stage is exposure at the BPK which is located in the province, the Provincial Inspectorate, Regency and City in each region to get input on the implementation of activities to use the government budget and or get subsidies from the government. In this case, investigators usually come and expose to the

BPK to explain the case being handled. This is intended to determine state losses.<sup>12</sup>

After conducting an exposure at the BPK, an examination of witnesses and expert witnesses was carried out. The examination of witnesses and experts was carried out through an official summons. However, the examination process did not run smoothly due to the many problems faced by investigators at the Southwest Maluku Police, including the distance of the examination location from the Police. The examination process in the case is in line with the provisions of Article 17 of the Police Regulation Number 6 of 2019 concerning Criminal Investigation which states that summons for witnesses, experts or suspects are carried out in writing. The examination of witnesses and experts as regulated in Article 23 of the Police Regulation Number 16 of 2019 stipulates that the examination is carried out by investigators and/or assistant investigators against witnesses, experts, and suspects as stated in the examination report signed by the investigator and/or assistant investigator conducting the examination and the person being examined. The examination aims to obtain evidence in the investigation process to obtain statements from witnesses, experts and suspects as stated in the examination report.

Based on the results of the examination of the witnesses, a case title was conducted to determine the suspect. Based on the statements of the witnesses, which were connected with the available evidence, the investigators are of the opinion that the two suspects are suspected of having committed a criminal act of corruption which resulted in losses to the State/Regional finances of IDR 999,145,913, - so that the suspects can be suspected of violating Article 2 paragraph (1) and or Article 3 and or Article 8 in conjunction with Article 18 of the Corruption Law in conjunction with Article 55 paragraph (1) ke-1 of the Criminal Code. The crime was discovered by the investigator after a report was received from the BPD BPD of Wonleri Village. This is in line with Article 25 of the Police Regulation Number 16 of 2019 stating that the determination of a suspect is based on at least 2 pieces of evidence supported by evidence carried out through the case title mechanism.

After the suspect has been determined, the suspect is then arrested. In this case, the arrest was made with an arrest warrant which was then followed by an arrest report. The arrest of the suspect in the example case was in accordance with the provisions of Article 18 of the Criminal Procedure Code which states that the implementation of the arrest task is carried out by the Police by showing the assignment letter and providing the suspect with an arrest warrant stating the suspect's identity and stating the reasons for the arrest and a brief description of the suspected crime case and the place where he was questioned. This is also in

---

<sup>12</sup>Results of the interview with Iptu Boyke Nanulaitta, as Head of Criminal Investigation Unit of the Southwest Maluku Police, May 25, 2025.

line with the provisions of Article 18 paragraph (1) of the Police Regulation Number 6 of 2019 which states that an arrest can be made by an Investigator or Assistant Investigator against a suspect or by an investigator on the orders of an Investigator. Investigators or Assistant Investigators who make arrests must be equipped with an arrest warrant and an assignment warrant.

With the arrest, the suspect is detained based on a detention warrant. The detention of a suspect is carried out for reasons as regulated in Article 21 of the Criminal Procedure Code which states that, a detention order or further detention is carried out against a suspect or defendant who is strongly suspected of committing a crime based on sufficient evidence, in the event of circumstances that raise concerns that the suspect or defendant will flee, damage or remove evidence and/or repeat the crime. Detention or further detention is carried out by the investigator or public prosecutor against the suspect or defendant by providing a detention warrant or a judge's decision stating the identity of the suspect or defendant and stating the reasons for detention and a brief description of the crime case suspected or charged and the place where he is being detained. This is in line with the provisions of Article 19 paragraph (1) of the Police Regulation Number 6 of 2019 which states that detention is carried out by the Investigator against the suspect accompanied by a detention warrant. Furthermore, a detention report is made. In the example case, an extension of detention was carried out considering that the investigation process for the corruption crime had not been going on for a long time. The letter of request for an extension of detention is addressed to the Prosecutor's Office and the Court to obtain a decision.

After all investigation processes are completed, the next step is filing. This is in line with Article 27 paragraph (1) of the Police Regulation Number 6 of 2019 which states that after the investigation is completed, a resume is made as a summary and conclusion of the results of the criminal investigation. If the resume is complete, the contents of the case file are compiled which include the completeness of the investigation administration. The investigation administration consists of the contents of the case file; and not the contents of the case file.

The next stage after the filing is complete is to send the case files (Stage 1) to the prosecutor's office as the public prosecutor. This is in line with the provisions of Article 28 of the Police Regulation Number 16 of 2019 stating that the submission of case files to the Public Prosecutor is carried out after the filing in the investigation process is complete. At this stage, the investigator coordinates with the public prosecutor regarding the completeness of the case files. If there are still deficiencies in the case files, the Public Prosecutor will return them to the Investigator along with instructions on what needs to be completed. Furthermore, the investigator will complete the files according to the

instructions, and when finished, they will be returned to the public prosecutor. If the case files are not returned by the prosecutor, it means that the files are complete.

Viewed from the law enforcement factor, in this case the investigator has tried hard to carry out his duties. In the process of investigating the perpetrators of corruption, the investigation team worked together with the BPK in financial audits and also expert witnesses in revealing the case.

The implementation of investigations into perpetrators of corruption in the Southwest Maluku Police is supported by adequate facilities and infrastructure in terms of budget costs due to funding from DIPA. However, in terms of the number of personnel, it is still inadequate both in terms of education and number.

The implementation of the investigation into the perpetrators of corruption in the Southwest Maluku Police was also analyzed using the theory of the workings of William J. Chambliss and Robert B Seidman's law which states that the law works in a social system and does not stand alone. The success of the law depends on three main components, namely the intentions of policy makers, law enforcement officers and the behavioral response of the community and officers. In the investigation of the perpetrators of corruption in the Southwest Maluku Police, the Corruption Law has provided guidelines regarding corruption, and the Criminal Procedure Code and Regulation Number 6 of 2019 are the guidelines for the investigation. The investigation carried out by the investigators of the Southwest Polres Satreksim has been carried out according to the procedures determined in the laws and regulations. The implementation of the investigation into the perpetrators of corruption is also influenced by the community's response to the applicable laws and regulations. This can be seen that when there is behavior by members of the community by committing corruption, it is immediately reported for follow-up. Thus, it can be said that the investigation into the perpetrators of corruption in the case example has gone well.

### **3.2. Obstacles and Solutions in the Investigation of Corruption Crimes at the Southwest Maluku Police**

The implementation of investigations into perpetrators of corruption in the Southwest Maluku Police does not always run smoothly, this is due to the many problems faced by investigators at the Southwest Maluku Police. The obstacles are as follows:<sup>13</sup>

#### **1) Personal limitations**

---

<sup>13</sup>Results of the interview with Iptu Boyke Nanulaitta, as Head of Criminal Investigation Unit of the Southwest Maluku Police, May 25, 2025.

Corruption is an extraordinary crime, so that in the investigation process, investigators and assistant investigators from police officers who have the capacity and meet the requirements as stipulated in the Criminal Procedure Code are needed. Based on the research results, at the Southwest Maluku Police, it is known that the number of Corruption Team personnel is 3 people, namely 1 (one) investigator who is also the Head of Criminal Investigation Unit and 2 (two) assistant investigators. The results of the interview with Iptu Boyke Nanulaitta provide an overview that assistant investigators cannot yet be called investigators because their rank cannot yet be called investigators.<sup>14</sup>

This can hamper the implementation of investigations against perpetrators of corruption, considering that corruption involves many parties with a complicated investigation process. If in terms of quality and quantity the investigation team does not meet the standards, then the implementation of the investigation will be slow, and it could even be inappropriate in applying the articles of suspicion which could result in the suspect escaping the clutches of the law.

The solution to overcome these obstacles is to involve personnel in undergoing education at the police and also to submit a request to increase the number of personnel on the investigation team.

## 2) Power often goes out and phone/internet signal is limited

Electricity and telephone/internet networks are important factors in supporting the process of investigating corruption crimes. Electricity is useful in lighting the room, which is important for interrogation, examination of evidence and documentation. Without electricity, lighting is inadequate, especially if done at night. Electricity is also used to operate electronic equipment such as computers used to type reports (filing), type interrogation results during examinations and others. If the electricity goes out, various aspects of the investigation can be significantly disrupted. Lack of lighting can disrupt the interrogation process, the absence of electricity causes the recording device to not function, cannot complete the report because the computer is dead.

In terms of facilities and infrastructure factors, the obstacle of limited number of personnel in the implementation of corruption crime investigations can affect the investigation process, where the implementation of the investigation becomes slower because the investigation team is small. In addition, the lack of access to electricity that often goes out, limited internet signals and telephone networks, and limited access to transportation with irregular schedules. Heavy span of control is also a factor of facilities and infrastructure that sequentially affect the investigation of perpetrators of corruption. These conditions affect the

---

<sup>14</sup>Results of the interview with Iptu Iptu Boyke Nanulaitta, as Head of Criminal Investigation Unit of the Southwest Maluku Police, May 25, 2025.

investigation process, so the right solution is needed so that the implementation of the investigation can run well.

#### 4. Conclusion

The implementation of the investigation into the perpetrators of corruption at the Southwest Maluku Police has been carried out in accordance with the provisions of laws and regulations, namely the Corruption Law, the Criminal Procedure Code and the Police Chief Regulation Number 6 of 2019. The investigation was carried out after a Police Report and the issuance of an investigation warrant and SPDP followed by coercive measures in the form of summons, arrest, detention, confiscation, examination of witnesses/experts/suspects, filing, submission of case files and submission of suspects and evidence to investigators. Although there were several obstacles, the implementation of the investigation was ultimately completed properly.

#### 5. References

##### Journals:

- AA Parimita, Gede Khrisna Putra, Edward Thomas Lamury, Wewenang Komisi Pemberantasan Korupsi Dalam Penyadapan Untuk Mengungkap Kasus Tindak Pidana Korupsi, *Kertha Negara: Jurnal Ilmu Hukum*, Volume 7 Nomor 8, 2019.
- Amelia, Korupsi Dalam Tinjauan Hukum Islam, *Juris*, Volume 9 No. 1, Juni 2010.
- Andi Dwisantosa & Umar Ma'ruf, Investigation of Criminal Acts of Theft Based on Restorative Justice, *Khaira Ummah*, Vol. 20 No. 1, March 2025.
- Angga Dwi Arifian and Sri Kusriyah, *The Investigation on Criminal Acts of Corruption in the Jurisdiction of Rembang Police*, Law Development Journal, Volume3 Issue 3, September 2021.
- Bambang Tri Bawono, Tinjauan Yuridis Hak-Hak Tersangka dalam Pemeriksaan Pendahuluan, *Jurnal Hukum*, Vol XXVI, No. 2, Agustus 2011.
- Lailatul Nur Hasanah and Sri Endah Wahyuningish, The Application of Justice Principles of Rapid Simple Fee in Criminal Justice System in the State Court (Case Study in State Court of Pati), *Journal of Law Daulat*, Volume 2 No. 4, December 2019
- Miftah Anshori, Investigation of Corruption in Police Resort of Pati, *Jurnal Daulat Hukum*, Volume 1 No 2, June 2018.
- Muchamad Catur Rizky dk, Upaya Pemberantasan Korupsi: Tantangan dan Langkah-Langkah Konkret, *Jurnal Manuhara*, Vol.1, No.4 Oktober 2023.



Prianter Jaya Hairi, Penanggulangan Tindak Pidana Korupsi pada Proyek Strategis Nasional, *Info Singkat*, Vol. XVI No. 4/II/Pusaka/Februari/2024.

Sri Endah Wahyuningsih dan Rismanto, *Kebijakan Penegakan Hukum Pidana Terhadap Penanggulangan Money Laundering Dalam Rangka Pembaharuan Hukum Pidana Di Indonesia*, Jurnal Pembaharuan Hukum, Volume II No 1 Januari-April 2015.

Sri Endah Wahyuningsih, Agus Sunaryo, The Role of Prosecutor Office in the Eradication of Corruption Criminal Acts In Indonesia, *Jurnal Pembaharuan Hukum*, Volume IV No. 2 Mei - Agustus 2017.

Tino Y S Hattu, dkk, Penyidikan Terhadap Pelaku Pencurian Benda Sitaan Pada Rumah Penyimpanan Benda Sitaan, *Tatohi*, Volume 1 Nomor 10, Desember 2021.

Wahyu Budi Andrianto & Sri Endah Wahyuningsih, The Implementation of Investigations on Persons of Crime of Corruption at Rembang Polres, *Legis Ratio Journal*, Volume 1 No. 4, December 2022.

#### **Books:**

Adami Chazawi, 2002, *Stelsel Pidana, Tindak Pidana, Teori-Teori Pemidanaan dan Batas Berlakunya Hukum Pidana*, Jakarta : Raja Grafindo Persada.

AR. Sujono dan Bony Daniel, 2011, *Komentar dan Pembahasan Undang-Undang Nomor 35 Tahun 2009 tentang Narkotika*, Sinar Grafika, Jakarta.

Aziz Syamsuddin, 2013, *Tindak Pidana Khusus*. Sinar Grafika, Jakarta.

Barda Nawawi Arief, 2002, *Kebijakan Hukum Pidana*, Bandung: Citra Aditya Bakti, Bandung.

Echols, 1998, *Kamus Besar Bahasa Indonesia*, Balai Pustaka, Jakarta.

Ilhami Bisri, 2012, *Sistem Hukum Indonesia: Prinsip-Prinsip & Implementasi Hukum di Indonesia*, Jakarta: Rajawali Pers.

Imam Syaukani dan A. Ahsin Thohari, 2004, *Dasar Dasar Politik Hukum*, PT.Raja Grafindo Persada, Jakarta.

*KUHAP Lengkap : Pelaksanaan KUHAP, Pedoman Pelaksanaan KUHAP, Tambahan Pedoman Pelaksanaan KUHAP*, Sinar Grafika, Jakarta, 2014.

M. Djunaidi Ghoni dan Fauzan Almansur, 2012, *Metodologi Penelitian Kualitatif*, ar-Ruzz Media, Yogyakarta.

M. Yahya Harahap, 2007, *Pembahasan Permasalahan dan Penerapan KUHAP Penyidikan dan Penuntutan*, Sinar Grafika, Jakarta.

- Moch. Faisal Salam, 2004, *Pemberantasan Tindak Pidana Korupsi*, Pustaka, Bandung.
- Moeljatno, 2008, *Asas-asas Hukum Pidana*, Sinar Grafika, Jakarta.
- Mukti Fajar ND dan Yulianto Achmad, 2013, *Dualisme Penelitian Hukum Normatif dan Empiris*, Pustaka Pelajara, Yogyakarta.
- Nomensen Sinamo, 2014, *Hukum Tata Negara Indonesia*, Permata Aksara, Jakarta.
- Pujiyono, 2007, *Kumpulan Tulisan Hukum Pidana*, Mandar Maju, Bandung
- R Tresna, 2000, *Komentar HIR*, Pradnya Paramita, Jakarta.
- R. Soesilo, 1996, *Taktik dan Teknik Penyidikan Perkara Kriminil*, Politeia, Bogor.
- Satjipto Raharjo, 1980, *Hukum dan Perubahan Sosial*, PT. Citra Aditya Bakti, Bandung.
- Satochit Kartanegara, 2001, *Hukum Pidana Bagian Pertama*, Balai Lektur Mahasiswa, Jakarta.
- Shahrul Machmud, 2012, *Penegakan Hukum Lingkungan Indonesia*, Graha Ilmu, Yogyakarta.
- Siswanto Sunaryo, 2004, *Penegakkan Hukum Psikotropika (Dalam Kajian Sosiologi Hukum)*, Raja Grafindo Persada, Jakarta.
- Soerjono Soekanto, 1993, *Perihal Kaedah Hukum*, PT. Citra Aditya Bakti, Bandung.
- Sudarto, 1986, *Hukum dan Hukum Pidana*, Alumni, Bandung.
- Sudikno Mertokusumo, 2001, *Bab-Bab Tentang Penemuan Hukum*, Citra Aditya Bakti, Bandung
- Syed Husain Alatas, 1992, *Sosiologi Korupsi Sebuah Penjelajahan dengan Data Kontemporer*, LP3ES, Jakarta.
- Teguh Sulista and Aria Zurnetti, 2011, *Hukum Pidana: Horizon Baru Pasca Reformasi*, Jakarta. PT. Raja Grafindo Persada. Jakarta.
- Wirjono Prodjodikoro, 2004, *Tindak-tindak Pidana tertentu di Indonesia*, PT. Eresco, Bandung.
- Etc:**
- Baswir, 2000, "Anti Korupsi", *Majalah Kaligawe*, Semarang.

Hukum Korupsi dalam Islam dan dalilnya,  
<https://tazkia.ac.id/berita/populer/982-hukum-korupsi-dalam-islam-dan-dalilnya>, diakses 25 Mei 2025.

Teori Bekerjanya Hukum, <https://suduthukum.com/2018/01/teori-bekerjanya-hukum.html>, diakses 25 April 2025.

**Regulation:**

Criminal Code

Criminal Procedure Code

Law Number 2 of 2002 concerning the Republic of Indonesia Police. Jakarta, 2002

Law of the Republic of Indonesia Number 20 of 2001 concerning Amendments to  
Law of the Republic of Indonesia Number 31 of 1999 concerning the  
Eradication of Criminal Acts of Corruption.

Regulation of the Chief of the Republic of Indonesia National Police Number 6 of  
2019 concerning Criminal Investigation.

The 1945 Constitution of the Republic of Indonesia