

POLRI RETURN TO MAIN DUTY: POLICE RECONSTRUCTION PERSPECTIVE AFTER THE "DUREN TIGA" INCIDENT

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ABSTRACT

In July 2022, a disturbing incident occurred in Duren Tiga, South Jakarta, where the majority of the suspects, victims, and witnesses were members of the National Police. The alleged premeditated murder took place at the Duren Tiga Police Service House. As a former police officer, this tragic event is deeply saddening and heart-wrenching. One can only hope that such incidents never happen again to anyone, regardless of their affiliation. However, amidst this sorrow, it serves as a critical turning point for reevaluating the overall development of the Indonesian National Police (Polri) organization. Despite continuous organizational development across generations, recent events, like the Duren Tiga Incident, have cast a shadow on the achievements of the police force. Witnessing this decline is disheartening. To chart a new course, Polri must revisit its core duties and functions. While organizational development has been ongoing, recent events have captured public attention, potentially undermining these efforts. Therefore, a renewed focus on the main functions and tasks is essential. This entails precise strategic planning encompassing legal politics, policy, and implementation. By refocusing on its core mission, Polri can rebuild trust and ensure that such tragic incidents remain a thing of the past. That way, the National Police should look back and focus on the main functions and tasks, which is one of the most accurate strategic plans, both in terms of legal politics, legal policy, and legal implementation.

Keywords: *POLRI, functions and main duties of POLRI, return to main duties of POLRI*

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INTRODUCTION

The Duren Tiga incident, for the Police, is like a "Sad Story on a Sunday, which then tortured me", but in another verse, it is written, "I don't want to suffer like this, hopefully, this is just a dream". Even though the Duren Tiga incident does not exactly match the verse of the Koes Plus song above, the lyrics are a sad story for me, and perhaps for most members of the National Police throughout Indonesia, because at the beginning of July 2022 a very heinous and sadistic act occurred, human life is like killing an animal's life, perhaps you could say it is very embarrassing for the Bhayangkara Corps. How could it not be, that the name of the National Police was at stake in this incident, to the extent that a President reminded the Police 4 times that the Duren Tiga incident be opened as honestly as possible? Following the President's directives and orders, this event was also triggered by the encouragement of the Coordinating Minister for Political, Legal, and Security Affairs Prof. Mahfud MD so that this matter would end immediately with open law enforcement, and he encouraged the National Police to carry out the President's directives mentioned above (Jamin, 2007). Not only that, many experts and non-experts gave perceptions according to their own stories, in various media, mainstream, and social media that preceded the trial court process, which were not necessarily by the facts of the incident. All the people are concentrated on this sad story in Duren Tiga, which for almost a few months has placed a high rating portion in media coverage, both visual, print, and radio media. Even some visual media and radio, did not hesitate to place this news in the form of Breaking News, the public's attention is getting higher, including on social media which is even

more intense, cynical comments are sung against the National Police Institute, the National Police Chief and even almost to Some members of the Police, no doubt some of the activities of the Police received cynical scorn (Braga & Weisburd, 2006).

This shows that the Duren Tiga case received the attention of all elements, to be seen read, and heard when they were glaring at the Duren Tiga case where most of the suspects were members of the National Police. The suspect has the highest rank of Two Stars, so it deserves the attention of the public and various media, both national and international (Weisburd & Braga, 2019).

Confused perceptions are scattered throughout the media universe, both in the main event circle, as well as follow-up stories in follow-up stories, seasoned with old stories around the perpetrators of the Duren Tiga incident. Even some high-ranking Republican officials, some experts, and the media were pranked by the perpetrators of this Duren Tiga crime (Dahniel, 2018). Originally released as a shooting incident, it gradually turned into an alleged incident of an ordinary shooting or murder, then developed according to the results of the Investigation of the Criminal Investigation Police, suspected premeditated murder, after there was new evidence, both from confessions and from evidence found in various places, starting from Jakarta, Magelang, Central Java, to Jakarta Again (Black, 1934; Kelsen, 2018).

The Duren Tiga incident has drained the thoughts and energy of the National Police Chief and National Police officials, to stabilize the dignity and professionalism of the Police before the State, Law, and Society. It seems that in the future there will be changes in certain sectors of the Polri Management Policy, both structural and cultural changes, because the Duren Tiga incident is a turning point for the improvement of the Polri for the better (Meliala, 2020; Nasution, 1981).

The author remembers the opinion of Satjipto Rahardjo, who said that, among the existing legal institutions, perhaps the police are the ones who show the most sociological nature in their work. His opinion explains the very intense relationship between the work of the Police and the Community. Socially, the police are indeed very close to the interests and problems of the community, They have been positioned as protectors and protectors as well as public servants, both juridically and socially, so that the community can carry out their daily lives calmly and comfortably, because besides them is the police. who are always on standby day and night, ready to be called at any time to provide security solutions. Protecting the public is the duty of the Police, anytime, anywhere, under any circumstances. Meanwhile, feeling protected is the ideal of the community, because people have the right to feel safe throughout their lives.

METHOD

Normative legal research is one of the research methods commonly used in legal science. This method focuses on analyzing literature or secondary data to understand, evaluate, and interpret existing laws and regulations (Rahardjo, 2009). Normative legal research plays an important role in the development and understanding of law, especially in identifying the legal principles that underlie a particular legal issue or problem. In normative legal research, researchers rely on literature, legal documents, court decisions, and other legal sources as a basis for their analysis.

Normative legal research is often used in policy-making, developing legal arguments, and developing legal theory (Marzuki & Sh, 2021). However, it is important to remember that this research has limitations, especially in terms of understanding the social context and the practical impact of the law. Therefore, normative legal research is often used in conjunction with other research methods to provide a more comprehensive understanding of a legal issue.

RESULTS AND DISCUSSION

Functions and Duties of Polri

The function of the police according to Article 2 of Law number 2 of 2002 concerning the Indonesian National Police is "one of the functions of the state government in the field of maintaining public security and order, law enforcement, protection, protection, and service to the community".

So the Police is carrying out one of the other government functions, because there are quite a lot of government functions in Indonesia, which are carried out by each Ministry. Together, integrated, they carry out their respective functions, towards the goals of the Government, as the Mandate of the 1945 Republic of Indonesia Constitution and regulations related to other Government Functions.

The main duties of the National Police according to Article 13 of Law Number 2 of 2002 concerning the Indonesian National Police are as follows:

- a. maintaining public order and security;
- b. enforce the law; And
- c. provide protection, shelter, and service to the community.

Meanwhile, according to Article 14 of Law number 2 of 2002 concerning the Indonesian National Police, it is as follows:

1. In carrying out the main tasks referred to in Article 13, the Indonesian National Police are in charge of:
 - a. carry out arrangements, guarding, guarding, and patrolling community and government activities as needed;
 - b. carry out all activities to ensure security, order, and smooth traffic on the road;
 - c. fostering the community to increase community participation, awareness of community law, and adherence of community members to laws and statutory regulations;
 - d. participate in fostering national law;
 - e. maintaining order and guaranteeing public security;
 - f. coordinate, supervise, and provide technical assistance to the special police, civil servant investigators, and other forms of self-defense;
 - g. carry out investigations and investigations into all criminal acts by the criminal procedure law and other laws and regulations;
 - h. carry out police identification, police medicine, forensic laboratories, and police psychology for police duties;
 - i. protect the safety of body and soul, property, society, and the environment from disturbances of order and/or disaster including providing aid and aid by upholding human rights;

- j. serve the interests of the community members temporarily before being handled by the agency and/or the authorized party;
 - k. provide services to the community by their interests within the scope of police duties; as well as
 - l. carry out other tasks by statutory regulations.
2. The procedures for implementing the provisions referred to in paragraph (1) letter f are further regulated by a Government Regulation.

Back to the Main Duties of the Police.

Because of the very broad powers given by the Law to the Police, it is perceived that the Police are capable of overcoming all problems that exist in society, both legal and social issues. And that perception seems to be broad without boundaries, it's not the community's fault for taking such a stance, because the nature and duties are indeed broad and the community hopes for the role of the Police to be able to solve community problems. Even though Polri is not Spiderman, Gundala, Superman, Hercules, or fictional characters who become heroes who with their body strength can solve all things in a fast tempo. However, on the other hand, the community's expectations place a very high burden on the National Police with all its weaknesses and limitations (Suki, 2016). So there is often a gap between people's expectations and the reality of what the Police are doing.

Sometimes for the benefit of the State and Society, as well as to accelerate a conducive situation, the Police are given tasks outside of their main duties, which should be tasks outside of their main duties to become the main duties of other ministries, where the State requires the Police to participate and play a role so that the community is protected from all disturbances, is safe. and comfortable for life (Frey & Black, 1934). Tasks other than the main task are legitimately given to the Police, as long as they are related to the task of prevention, and it turns out that the tasks assigned are successful and the community becomes safe and comfortable. The strategic idea of placing Polri in the role of Polri, in my opinion, is a matter of apparatus mobilization, as well as the speed of action and making decisions on the ground. Things like this are needed by the Government and Society (Waluyo, 2022). However, in reality, the tasks outside of the main duties of the POLRI then turn into the main duties of the POLRI, truly the main tasks, which the POLRI should be in a position to help solve the country's problems. This means that the task of assistance turns into a main task. The holder of government functions in other fields must realize that the main task lies with the person concerned. Facts turned around, while the owner of the real main task, changed to carry out the assistance task. For example, in dealing with the COVID-19 pandemic, the National Police were very aggressive and active in assisting the State in recovering from the situation, and even the Republic of Indonesia received praise from the WHO in dealing with the COVID-19 problem. Almost all elements were deployed by the Police, both elements from the Health Police and members of the Police who were in uniform and not in uniform, to the civilian elements Police who were deployed, with the intention that this country and society would recover soon (Bayley, 1996; Reksodiputro, 2004). As a form of participation and the embodiment of appearances and socialization in the field for accelerating recovery, all efforts were made by the Police, such as almost all operational Police vehicles were given the words "Covid-19 Hunters", and other posters for the implementation of health programs. While the vehicles for the ranks of the Ministry of Health

and the ranks of related ministries, the car is clean and tidy, there is no writing related to COVID-19 on the operational vehicle, even though they are the cornerstones, if there are any, you can count them on the fingers. The author pays serious attention to this, in various regions, and why has it been reversed, The Government's policy towards the Police is a matter of strategic recovery for the COVID-19 pandemic, the negative impact of which is that the Police have lost focus on their main tasks. The Positive Impact The mobilization of Vaccine work is going fast, and the recovery from the Pandemic is also going fast. Services for the basic duties of the Police to the Community have also been disrupted, Among the negative impacts in my observation are a series of events that have embarrassed the Police to appear so devastatingly on the Police, the Duren Tiga case, the TM case which was suspected of playing with the narcotics network, the football field case Advice, perhaps other cases were not covered by friends in the media, where directly or indirectly hitting and slapping the Police in the face is considered unprofessional (Bachtiar, 1994; Dahniel, 2018).

The Main Duties of the Police are clearly stated in Law No. 2 of 2002 concerning the Indonesian National Police, in Article 13 are:

- a. maintaining public order and security;
- b. enforce the law; And
- c. provide protection, shelter, and service to the community.

If you pay attention to the provisions mentioned above, it is clear and firm that the National Police in carrying out tasks outside of these main tasks is very closely related to the task of prevention, outside of law enforcement, which is directly related to the interests of the community. So when the National Police play a role in overcoming the COVID-19 pandemic, it is hoped that there will be better social changes, the situation will recover, and social life will become normal, although not as normal as before the COVID-19 pandemic.

However, on the other hand, with the concentration outside of the main duties, monitoring, and evaluation of the main duties of the National Police have been forgotten or partially neglected, for example, services related to law enforcement, such as examining evidence, speed of case service, legal certainty in case handling, which often becomes complaints from people who need service and justice. Other weaknesses may still be many. This has a very significant impact on the professionalism of the Police towards the Community and the Public's trust in the Police. In the end, the community is still not satisfied with Polri's services, especially in the Investigation sector, maybe even in other fields. Perhaps the technical training for detectives has decreased, and strategic thinking and implementative thinking have been devoted to tasks other than the main task, which should have been a helping task, but turned into a main task. While the owner of the main task turned into a task of assistance. Policies like this cannot continue. The government must realize this, and not arbitrarily assign Polri to carry out other basic government functions like that. If indeed there is a strategic element related to the placement of the National Police in this task, a certain mechanism should be created, which does not place the Police as the executor of the main task. Provisions are made, both strategic and technical.

With the Duren Tiga story draining the minds and energy of all parties, both structural and non-state, the National Police must return to their main duties as mandate holders of Law number 2 of 2002 concerning the State Police. And it turned out that these allegations were true, as seen when the National Police Chief heard opinions before members of the DPR on 24

August 2002 regarding the Duren Tiga incident, the meeting concluded in two ways, quoting the Ari.co.id page "Commission III of the DPR completed a Hearing Meeting (RDP) with the National Police Chief General Listyo Sigit Prabowo and his staff, Wednesday (24/8/2022). The RDP run for about 10 hours, has resulted in two conclusions. The RDP took place from 10.06 - 20.25 WIB, with a single agenda in the case of the alleged premeditated murder of Brigadier Yosua Hutabarat. Chairman of Commission III Meeting Bambang Wuryanto handed over the reading of the conclusions to members, namely Riska Mariska. The first conclusion is that Commission III of the DPR RI fully supports the National Police Chief in handling the Duren Tiga incident. The DPR hopes that the handling will be carried out in a professional, transparent, and accountable manner. Second, Commission III of the Indonesian House of Representatives urged the National Police Chief to carry out system improvements, and cultural and structural reforms within the National Police. These improvements are carried out in a planned, measurable, objective, procedural, and accountable manner. In the meeting above the Police for these two conclusions received very high support from members of the DPR. At first glance, the conclusion of the meeting seems to be an ordinary meeting conclusion, but the conclusion has become a state strategic document, especially for the Police Organization. In my view, the DPR strategically invites Polri to look back at their duties (Ross, 2003; Schafer, 1974). The conclusion in number 2 is a unification of the strategic thinking of members of the DPR who gently invite the Polri so that the POLRI immediately returns to its basic duties. Even though the sole agenda was the case of the alleged premeditated murder of Brigadier Yosua Hutabarat, later in the discussion the meeting developed issues of human resources, police services, and the bad deeds of members of the police, etc.

There are several reasons why the National Police must return to their main duties:

1. The mandate of the Constitution and the mandate of Law number 2 of 2002 concerning the Indonesian National Police. This trust is non-negotiable in any way.
2. Responsible for creating a sense of security for every citizen of the Republic of Indonesia, by minimizing the occurrence of crime throughout the territory of the Republic of Indonesia. Because Polri has Pre-emptive, Preventive, and Repressive powers. A sense of security is the right of every citizen of the Republic of Indonesia.
3. Carry out tasks that are more focused and professional in their field, both at the strategic, policy, and implementation levels.
4. Creating Harkamtibmas Designs that are suitable for the Republic of Indonesia which are up to date, by the National Development Plan, which is integrated with other Government Functions as supporting elements.
5. Contribution to the Development of National Law. Where Polri is part of the Criminal Justice System, it certainly requires Police performance which must contribute to legal politics, legal policies, and the implementation of law enforcement with other law enforcers.

CONCLUSION

Adopting a policy of immediately Returning to Main Tasks is the Constitutional Mandate and Law No. 2 of 2002 concerning the Indonesian National Police and the Mandate of the Hearing Meeting between the DPR and the National Police Chief on August 24, 2022. So that the realization of the Police as Law Enforcers in a living legal situation remains attached to

state agencies. The National Police can return to focus on their main tasks, after all this time the Police have carried out Assistance tasks to other Ministries such as handling Covid-19, animal foot and mouth disease, food task force, and others, where this is the authority of other Ministries, with the aim so that the situation recovers quickly and does not interfere with community social activities. Henceforth, when the task of assisting the Police again occurs, a joint regulation is made between the Police and other Executors of Government Functions so that the situation does not turn upside down, it becomes the main task, which should be the task of assistance. The policy returns to the main functions and duties of the Police because we all think about the future of the Police and we will all live in that future. So that The reform agenda is by MPR Decree No VI/MPR/2000, concerning the Separation of the Indonesian National Armed Forces and the Indonesian National Police, which mandates a separation between the Indonesian National Armed Forces and the Republic of Indonesia National Police, to materialize soon. As a milestone in the history of the Indonesian National Police, the reform of the National Police is more independent and professional.

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