



Legal Accountability for Police Members Involved in Narcotics Crimes

Muhamad Romdoni

Faculty of Law, Sultan Ageng Tirtayasa University, Serang, Indonesia

Abstract: This writing aims to determine the factors that cause Polri members to be involved in narcotics crimes and the legal accountability of individual Polri members who are proven to have committed narcotics crimes. The writing emphasizes normative law, with the data source being secondary data. The conclusions obtained are as follows: First, the factors that cause members of the National Police to be involved in criminal acts are personal, the environment, the economy, and weak internal supervision from the National Police. Second, members of the National Police proven to be involved in narcotics crimes can be held legally accountable through administrative sanctions in the form of dismissal for violating the code of ethics. Criminal liability can be sought in the form of a prison sentence by the provisions of Law Number 35 of 2009 concerning Narcotics.

Keywords: APH; Criminal Liability; Narcotics

1. Introduction

Indonesia is represented by the National Police of the Republic of Indonesia (Polri) as a state instrument that maintains public order, security, and law enforcement and provides protection and service to the community. The existence of this role can be seen from the formulation of Article 5 paragraph (1) of Law Number 2 of 2002 concerning the State Police of the Republic of Indonesia (Police Law), that "The state apparatus, in this case the police, has the role of maintaining order, security, peace and security. - enforce laws, protect, protect, and provide services to the community to maintain and create security for Indonesia."

It can be said that the National Police has a function as the government of the Indonesian state in terms of creating security, order, law enforcement, protection, and serving the community. Considering the various roles of the police, the police are a law enforcement tool that provides protection and prevents the emergence of crime in people's lives. Bitner revealed that the aim is to create order in society by fighting crime. So that police officers can determine concrete steps to enforce the law (Rahardjo, 2009); in this regard, one of the duties of the National Police in the field of law enforcement, according to Article 14 letter f of the Police Law is to carry out investigation activities into all forms of crimes or criminal acts based on the regulations implemented. The crime in question is an act that is prohibited from being carried out, accompanied by criminal sanctions against anyone who violates this prohibition (Lamintang, 2014).

One of the successes in law enforcement for criminal acts, which is the domain of the police, is criminal acts in the field of narcotics. Lawrance M. Friedman stated that the success or failure of law enforcement depends on three elements, one of which is the legal structure, namely the entire body or legal institution along with its apparatus, namely the police and the police officers who carry out the investigation, the prosecutor's office and the prosecutor whose function is to carry out the prosecution, the court with its judges who examine and decide the case (Ali, 2017). Ironically, the fact is that amid community life, quite a few police officers are caught in narcotics crimes throughout the year, including (Basri, 2022).

Kompol Yuni Purwanti with 11 members from the Astana Anyar Police Chief unit, Bandung City. Program officers carried out a joint arrest from the National Police

Correspondence:

Name ; Muhamad Romdoni

Email ; muhamadromdoni@untirta.ac.id

Received: Mar 14, 2024;

Revised: Mar 15, 2024;

Accepted: Mar 22, 2024;

Published: Mar 28, 2024



Copyright: © 20xx by the authors. Submitted for possible open access publication under the terms and conditions of the Creative Commons

Attribution-NonCommercial 4.0 International License (CC BY-NC 4.0) license (<https://creativecommons.org/licenses/by-nc/4.0/>).

Headquarters and the West Java Regional Police at a Bandung area accommodation in the middle of a methamphetamine party. The legal action taken was carried out disrespectfully; Five members of the National Police in the Surabaya Police Narcotics Investigation Unit were caught in a silent Internal Security operation by the National Police Headquarters Propam while carrying out a narcotics party, such as methamphetamine. The legal action taken requires 11 years in prison, a fine of 4 (four) billion; Inspector Eko Julianto, Surabaya Police Officer. Arrested at the Surabaya Hotel by committing cumulative violations of articles, namely Article 112 paragraph (2) of the Narcotics Law in conjunction with Article 62 of Law number 5 of 1997. Found in possession of more than 5 grams of Metamfetamina, sentenced to 11 years in prison, fined 4 billion; 12 South Sumatra Regional Police were caught in a drug case. Disrespectful conduct, criminal proceedings;

One member of the Central Panai Police and 2 members of the Water Unit of the Labuhan Batu Police, Consuming methamphetamine, criminal proceedings; Seven members, West Sumatra Regional Police unit. Tested positive for using drugs. Legal actions, violations of the code of ethics, and criminal proceedings; Jenry Hariono Panjaitan, Officer at the Hamparan Perak Police Criminal Investigation Unit, Deli Serdang, North Sumatra. Proven guilty of distributing Metamfetamina. The Medan District Court imposed sanctions on the perpetrator, a sentence of 6 years in prison and a fine of Rp. 1 billion, subsidiary to 3 months; Ade Saputra Ginting, member of the Medan Police. Proven guilty of consuming and distributing Metamfetamina -type narcotics and was found to have 2 packages of Metamfetamina weighing 9.42 grams. The prosecutor charged him with imprisonment for 8 years and 6 months and a fine of 1 billion and Adjunct Commissioner Oki Bakti, Sepatan Police Chief, Tangerang City Police. Use of methamphetamine narcotics. Due to this incident, the person concerned was taken to the Regional Police, subject to temporary sanctions, and given a position without a position, subject to examination and detention. The person concerned will be processed further through disciplinary action under the general code of ethics and criminal law.

In the several cases above, several problems can be identified regarding the involvement of National Police officers in narcotics crimes. First, National Police officers who are involved in narcotics crimes act as users and dealers. Second, the legal actions taken include transfers, dishonorable dismissals, criminal justice processes, and the imposition of criminal sanctions. Narcotics distribution is no longer in big cities; police officers also carry it out in small towns, spreading to sub-districts (Ishaq, Purba, & Mustamam, 2022). The police should carry out community development by implementing a coordination commitment that involves all parties to be able to protect the community, especially the younger generation, from the dangers of narcotics in their growing years (Chalil & Junior, 2021).

The involvement of members of the National Police in cases of narcotics crimes, as mentioned above, illustrates that apart from damaging the image of the Police institution as the front guard in law enforcement against all manifestations of crime committed in society, it also gives the public a negative stigma that is a narcotics crime. It is difficult to eradicate it on the face of Indonesia because it seems that there is involvement of members of the National Police who contribute to fostering narcotics abuse, both as users and as distributors. Under these conditions, it is necessary to know the causes of individuals within the National Police who are involved in narcotics crimes, even though the National Police itself is the law enforcement element for all forms of criminal acts, and how legal accountability for Police officers can provide legal certainty in law enforcement. Narcotics crimes without any different treatment or discrimination in law enforcement application.

It should be stated first that discussions related to criminal responsibility in the field of narcotics carried out by members of the National Police have been carried out by several previous researchers:

Dwi Indah Widodo (2018), in her research entitled: "Law Enforcement Against Police Members Who Abuse Narcotics and Psychotropic Substances." This research raises several problems, namely law enforcement, where the violators have the status of police officers who are involved in the abuse of narcotics and psychotropic substances, the regulation of criminal legal sanctions for police officers as perpetrators of narcotics crimes, and the provision of criminal sanctions as well as a code of ethics for police officers who act as criminals. Perpetrators of narcotics crimes. The research conducted by Dwi Indah Widodo was normative juridical research. In his research, he concluded that firstly, law enforcement against police officers who are caught or involved in narcotics abuse is based on applicable legislation, and the legal sanctions can even be more severe, considering that the suspect is a law enforcement officer who is supposed to eradicate crime. Second, enforcement of the code of ethics for police officers involved in narcotics abuse cases has not been appropriately implemented because the National Police institution does not immediately take firm action against its members involved in narcotics abuse, giving the impression that they are still being protected and assuming that their members have received legal sanctions through the judiciary.

Gede Arya Aditya Darmika (2019), in his research entitled: "Law Enforcement Against Police Members Who Commit Narcotics Crimes," The problem raised in this research is the handling of narcotics cases by police officers. The research was carried out using a normative type, namely looking at legislation regarding the Narcotics Law. His research shows that narcotics cases are carried out by police officers as well as by the general public without distinction from the criminal justice process. Apart from that, the police themselves enforce the law internally with police code of ethics trials, but in the process of enforcing the professional code of ethics for individuals who abuse narcotics, it is contradictory in National Police Chief Regulation No. 14 of 2011 as well as Government Regulation No. 1 of 2003. E. Indra Yani (2021), in his research entitled: "Law Enforcement of Criminal Acts of Narcotics Abuse Committed by Authorities (Police and Military Members)." The problem in this research is criminal liability for the police and military members who use narcotics. The research method used is a library research method or literature review. His research concluded that criminal responsibility for police officers and military personnel who use narcotics should be dismissed as disrespectful because taking real action could harm the institution.

From the results of previous research, it can be underlined that the research conducted by Dwi Indah Widodo (2018) focused on criminal law enforcement. Gede Arya Aditya Darmika (2019) research focused on criminal law enforcement and code of ethics enforcement. Meanwhile, research conducted by E. Indra Yani (2021) emphasizes enforcing the code of ethics by being dismissed dishonorably without any criminal process.

Departing from the problems presented above and the focus of studies carried out by previous researchers, the theme raised in this article is "Legal Accountability for Police Members Involved in Narcotics Crimes," which focuses on the problem of why officers within the scope of the National Police commit crimes. It is hoped that this research will be able to contribute to the world of research, especially in the field of criminal law research. Because with this research it can be seen how criminal responsibility is for police officers who commit narcotics crimes. Narcotics abuse, even though he should be eradicating narcotics abuse in society. The second issue that will be raised in this research is legal responsibility, which is divided into two parts, namely, the enforcement of criminal law and the enforcement of the professional code of ethics as members of the National Police.

2. Materials and Methods

This research is normative legal research. Mukti Fajar and Yulianto Achmad stated that normative legal research is legal research that puts the law into the building blocks of a norm system. The norm system is norms, principles, statutory rules, court decisions, and doctrine (Fajar & Achmad, 2017). The data source is secondary data, namely, primary and secondary legal materials analyzed qualitatively. The data obtained is then analyzed. Researchers use descriptive-qualitative, namely presenting the data and information and then analyzing it using several conclusions as findings from the research results.

3. Results and Discussion

3.1. Factors Causing Police Members to Be Involved in Narcotics Crimes

The National Police is an element of law enforcement in Indonesia that is obliged to provide security and comfort in social life. Apart from that, the National Police also protects the community in social conditions, which is normatively regulated in Law No. 2 of 2002. Therefore, the role of the police is to protect the community. However, some members of the National Police act contrary to the National Police Law and police professional ethics or, in other words, the police violate the Police Law and the police code of ethics, which can give rise to legal consequences (Saparingka, 2021).

Regarding individual members of the National Police involved in or committing narcotics crimes, the Main Accrator of the Professional and Security Division (Propam) of the National Police, Commissioner Arianto, mentioned several contributing factors. First, it relates to the level of faith and piety according to the religion one adheres to. The factor of a person's faith and piety is the strongest fortress, so the mentality factor is the dominant factor. Second, in terms of the character of the assignment to the person concerned, it can also have an influence. For example, if a person is assigned to the narcotics department, the potential for environmental temptation is much stronger. Therefore, if the person involved does not have morality or a strong mentality, it can be tested within six months of work. So, environmental factors also have an influence. Third, there are personal factors for each person concerned. Of course, each member has been provided with directions and messages from their institution not to try to enter the circle of drug abuse, let alone try to become a dealer (Mabrurroh, 2022).

It is still related to why National Police officers are involved in narcotics crimes. Professor and lecturer at Airlangga University's Police Studies master's program, Bagong Suyanto, revealed that three factors cause police officers to fall into the illegal practice of drug trafficking: first, because of economic motives. According to him, the factor of government assistance to the police who summoned certain people was considered not too encouraging to have the option to deal with problems for themselves and their families with the assumption that they only depended on the payment from the authority they received, thus convincing some of them to decide to get cash. With an accessible route. Police officers who also act as pharmacists or street vendors firmly believe that this critical illegal job can hide their disappointment with financial conditions that are considered normal. Even though the task given by the state to members of the police and TNI is straightforward, namely to be role models and role models for the community (Chandra, 2012).

In his daily routine, a policeman lives an ordinary life. At the same time, the burden on his family's needs continues to increase, so one of the methods he chooses is, in some cases, an alternative route, but it goes off the beaten path. They decided to follow a dangerous path because they were essential to their drug seller partners, only to seek additional promising payments to meet their family's living needs. They are unaware that their path contains risks; sooner or later, they will be caught and will cause new problems

for the individuals concerned. Second, the pressure factor of work, which is heavy and not firm, is a trigger to seek escape by consuming drugs to get peace. Some police officers who feel disturbed by the targets and stakes of a dangerous job during the time spent watching for all kinds of wrongdoing are inconsistent and then resort to using illegal drugs to calm themselves. However, increasingly, to cover the need for dependence on drugs, they usually feel free to become part of drug trafficking organizations. Third, the drive to develop a way of life also makes a difference. In such circumstances, the police certainly cannot escape the temptation of the lifestyle surrounding them (Suyanto, 2020). Several other views regarding the factors that cause individual members of the National Police to commit narcotics crimes are:

a. The police

The reason that contributes to police officers being involved in narcotics crimes is mental factors. A police officer with a solid mental personality can control himself from his desire not to consume or abuse narcotics, even if the problems he faces are complex. On the other hand, if the police have a low mental state, they cannot control themselves because illegal drugs influence them. In such conditions, the mental factors of the police, especially in handling drug cases within their institutions, must be trained so that they are not easily influenced by trying to consume drugs. What members of the National Police need to remember is that the National Police institution has the main task of guiding, protecting, serving, and enforcing the law in society.

b. Economy

Economic factors are sometimes the root cause of a crime. A person tends to carry out actions or deeds that violate the rules if they feel that the urgent needs of life are not being met, namely, police officers as ordinary people. The high level of living needs forces the police concerned to seek additional or side income in many ways, including abusing their authority for things that should not be done, such as the practice of accepting bribes and participating in protecting narcotics traffickers. They are even taking part in consuming or abusing narcotics and, at the same time, acting as a dealer. They do this solely to meet their and their families' living needs.

c. Environment

Environmental factors can be used for psychological reasons, job demands, and biological and socio-cultural elements. Family background shapes a person's personality to become a good and quality person. In this family environment, there is a need for openness and mutual trust between members; supervision is no less critical. This is expected in a family where no disputes or issues will cause one of the relatives to make hostile demonstrations due to wrong direction and management or lack of consideration from the family. Likewise, in families that cannot provide direction management and consideration for individual relatives, any movement carried out by one of the relatives feels that the activity he is carrying out is protected and does not consider the activity to be positive or negative for him. Therefore, it is from the family that qualities and standards must be instilled for individuals to live their lives (Rustam, 2016). To achieve the desired legal objectives, the legal function must first be empowered (Abu, 2019).

3.2. Law Enforcement Against Individual Police Members Proven to Have Committed Narcotics Crimes

Law enforcement is a series of processes or activities that uphold and function as absolute legal norms or guidelines for behavior in social and state life (Arief, 2007). Siswanto Sunarso mentioned 3 concepts of the meaning of law enforcement. First, policing is the idea of all-out implementation; this idea requires that all the qualities behind legal standards be enforced no matter what. Second, the idea of policing the idea of

complete requirements implies that this idea understands that the idea must be fully limited by regulations to protect individual interests. Next is true policing (implementation idea), which emerged after receiving supervision in policing regarding restrictions related to foundations, restrictions on the nature of human resources, regulatory constraints, and the absence of local areas. Support or employment (Sunarso, 2012). Law enforcement is also a procedure to make legal ideals a reality (Romdoni, 2023).

Departing from the concept of law enforcement above, violations of the law or abuse of narcotics committed by members of the National Police are processed based on legal rules that apply in a total enforcement concept. These concepts align with the provisions of Article 27, paragraph (1) of the 1945 Constitution, which clearly states that "all citizens have equal status under the law." Therefore, individual members of the National Police who are proven to be involved in narcotics crimes must be processed according to law with the same treatment as the community in general, especially for members of the National Police who, in order to carry out their duties, are bound by the police professional code of ethics.

Several legal provisions apply to police officers involved in narcotics crimes, both regulated by normative law and based on the police professional code of ethics. Thus, the process of law enforcement against individuals who are members of the National Police who are proven to be involved in narcotics crimes is subject to criminal law and a code of ethics.

a. Enforcement of the Police Code of Ethics

Ethics is a branch of philosophy that examines correct and good behavior in human life (Asshiddiqie, 2014). Ethics in the Polri institution is called the professional code of ethics within the Polri, namely rules as moral or philosophical reasons for behavior and discourse about things required and rejected by individuals from the Polri in completing their positions. Within the National Police itself, there are disciplinary rules that every member of the National Police must obey, which are the compliance and obedience of members of the Indonesian National Police to the disciplinary regulations of the Indonesian National Police. The impact of drug abuse carried out by officers has an impact on damaging the name of the institution and tarnishing the institution (Ilham, 2022).

Based on the above regulations, police officers involved in narcotics crimes are deemed to have violated the disciplinary rules and code of ethics established because members of the National Police must uphold the law while maintaining the honor, reputation, and dignity of the Indonesian Police. The code of ethics will also be examined in case of a violation of the disciplinary rules. If it is proven, sanctions will be imposed. According to the provisions of Article 21 of Perkap no. 14 of 2011, there are at least 7 (seven) types of sanctions for violations of the Police Professional Code of Ethics imposed on every member of the National Police who violates the provisions of Article 20 paragraph (2) of the National Police Chief Regulation no. 14 of 2011.

Of the seven types of punishment for violations of the Police Professional Code of Ethics mentioned above, the relevance to the actions of members of the Police who abuse narcotics is Article 21 paragraph (1) letter a, namely that the actions carried out by the perpetrator are considered disgraceful acts. Perkap no. 14 of 2011 concerning the Police Professional Code of Ethics does not explain what disgraceful acts mean. In the author's opinion, members of the National Police who abuse narcotics are a disgraceful act. The legal sanction that can be imposed on members of the National Police who commit narcotics abuse is dishonorably discharged as members of the National Police, based on the provisions of Article 21 paragraph (1) letter g of Perkap No. 14 of 2011, after a decision was made that declared the perpetrator guilty, the results of the examination also received a decision at the National Police Code of Ethics Commission Session.

The behavior of Polri members is not only regulated in the police professional code of ethics regulations but the behavior of Polri members can be found in mandatory disciplinary regulations that must be obeyed. If there is a disciplinary violation, the violator can be subject to disciplinary sanctions based on those mandated in the Republic of Indonesia Government Regulation Number 2 of 2003 concerning Disciplinary Regulations for Members of the Indonesian National Police. Every member of the National Police proven to have violated disciplinary rules will be subject to sanctions, namely disciplinary action or punishment. The concept of disciplinary regulations for members of the Indonesian National Police is a series of rules for providing guidance, maintaining the orderly life of members of the National Police, and enforcing discipline. The purpose of disciplinary punishment is punishment from superiors to members as subordinates, carried out through a disciplinary hearing.

Police members violating disciplinary regulations related to their actions in narcotics crimes are related to the prohibition specified in Article 5 Letter A of Government Regulation of the Republic of Indonesia Number 2 of 2003 concerning Disciplinary Regulations for Members of the National Police of the Republic of Indonesia, which contains a prohibition on doing things that could lower the honor also the dignity of the National Police. By the provisions of Article 12 (1) in the same regulation mentioned, the imposition of disciplinary sanctions does not eliminate criminal charges.

b. Criminal Charges

Disciplinary sanctions imposed for violations of the code of ethics do not eliminate criminal charges against police officers involved in Article 12 paragraph (1) of Government Regulation No. 2 of 2003 concerning Disciplinary Regulations for Members of the Indonesian National Police in conjunction with Article 28 paragraph (2) of the National Police Chief Regulation No. 14 of 2011 concerning the Code of Professional Ethics for the National Police of the Republic of Indonesia, therefore, every member of the National Police who is found using, abusing or distributing narcotics will still be processed legally, either through criminal procedural law or undergoing a disciplinary hearing as well as a trial for violating the ethical code. Referring to the provisions of Article 8 paragraph (1) of Law no. 48 of 2009 concerning Judicial Power states that, in essence, "Everyone who is suspected, arrested, detained, charged, or brought before a court before a court decision has legal force is still considered innocent."

Likewise, police officers suspected of committing narcotics crimes are also in the process of being investigated/investigated. They are still considered innocent until proven in a court decision with permanent legal force, known as the principle of presumption of innocence. UU no. 35 of 2009 concerning Narcotics (Narcotics Law) has explicitly outlined sanctions against narcotics abuse and narcotics dealers based on class, type, size, and quantity of narcotics. The narcotics regulations made are a form of effort in the field of criminal law from the government, especially in terms of eradicating narcotics crimes and preventing narcotics abuse (De Ornay, Budiarta, & Sugiarta, 2022). Narcotics abusers are conceptualized as people who use narcotics illegally (without rights) or against the law. Legal sanctions imposed by narcotics abusers are regulated in Article 127 paragraph (1) of the Narcotics Law, where abusers can be subject to sanctions based on the class of narcotics they possess; the sanctions vary, with a maximum of 4 (eight) years for class I, 2 (two) year for group II and 1 (one) year for group III.

The concept of a drug dealer is a person who controls, uses, distributes, and hands over drugs to other parties to make a profit. Legal sanctions that can be applied or given to drug abusers and dealers are different legal sanctions based on Articles 111 to 126 of the Narcotics Law (Kuba, 2023). The sanctions that can be imposed on dealers are a minimum of 4 years in prison and a maximum of the death penalty as well as a minimum

fine of IDR 800,000,000 (eight hundred million rupiah) and a maximum of IDR 10,000,000,000 (ten billion rupiah).

These sanctions provisions show that the punishment for perpetrators of narcotics abuse varies, up to the imposition of the death penalty (Romdoni, 2022) for perpetrators who are found in possession of illicit goods. The above provisions apply to everyone, including unscrupulous members of the National Police. Suppose there is a criminal decision that has permanent legal force later. In that case, apart from the criminal sanction of imprisonment and a fine, the perpetrator can be dishonorably expelled based on the provisions of Article 12 paragraph (1) letter a of Government Regulation Number 1 of 2003 concerning the Dismissal of Members of the State Police Republic of Indonesia (PP No.1/2003), which in essence, states that members of the Indonesian National Police can be dishonorably dismissed from the Police service if the person concerned is sentenced to prison based on an inkracht court decision as well as the consideration of an official whose authority cannot be maintained in order to remain within the scope of Police. Law enforcement officers who are proven to be narcotics dealers/dealers will be sentenced to death or life imprisonment; apart from that they will also be subject to administrative sanctions (Tumanggor, Ediwarman, & Mulyadi, 2022).

For police officers who have received sanctions because they are proven to have committed a criminal act based on a court decision that has legal force, then at that time, the police must be forgiven humiliatingly if, according to the opinion of their skilled authority, they cannot be maintained, by remaining within the scope of the police as stated in the statement. Article 12 paragraph (1) letter a PP No.1/2003). "Dismissal of police members is carried out after going through a hearing of the Republic of Indonesia National Police Professional Code of Ethics Commission" as stipulated in Article 12 paragraph (2) in the same regulation. Thus, even though members of the National Police are involved in narcotics crimes as citizens, in the process of handling them, there is a difference in treatment from ordinary citizens because, with their inherent profession as members of the National Police, the rules of the game are subject to applicable legislation, apart from being bound they are also subject to disciplinary rules as well. Code of Ethics for members of the National Police (Kuba, 2023). The implication of this research in theory is to strengthen theories of punishment (equality before the law and other theories) as perpetrators of criminal acts must receive sanctions without looking at the background of the perpetrator of the criminal act. Meanwhile, in practice, this research is a warning for law enforcers not to abuse narcotics.

4. Conclusions

Members of the National Police as law enforcement elements are also involved in committing narcotics crimes due to several factors first, the person's factors, both mentally and morally. Second, economic factors are driven by the pressure of high living needs. Third, environmental temptation factors are related to his field of work in the narcotics department, which is always involved in eradicating narcotics crimes. Fourth, there is the factor of weak internal police supervision of members.

Legal responsibility for officers within the National Police who are proven to be abusing narcotics is administrative responsibility and criminal responsibility. Administrative accountability is given in the form of a sanction of dishonorable dismissal because it is deemed to have violated Article 21 paragraph (1) letter a of Perkap Number 14 of 2011 concerning the Police Professional Code of Ethics as well as Article 12 paragraph (1) letter a of Government Regulation Number 1 of 2011. 2003 regarding the Dismissal of Police Members. Meanwhile, criminal liability is given in the form of a prison sentence by the provisions of Articles 111 to 126 of the Narcotics Law for dealers, as well as Article 127 paragraph (1) of the Narcotics Law for abusers.

This research will contribute to the world of research, especially in the field of criminal law research. Because with this research it can be seen how criminal responsibility for police officers who commit narcotics crimes can be given strict sanctions because they are at the forefront of Indonesian law enforcement. Even though the limitations of this research are only within the scope of the Indonesian police, hopefully further research can have a wider coverage such as law enforcement officers, not only police but also prosecutors, judges and other law enforcers who commit narcotics abuse.

References

- Abu, A. (2019). Tugas Dan Tanggung Jawab Penyidik Polisi Republik Indonesia Dalam Penegakan Hukum Terhadap Tindak Pidana Narkotika Di Polres Wajo. *Al-Hikam*, 1(1), 26–44.
- Ali, A. (2017). *Menguak Teori Hukum (Legal Theory) dan Teori Peradilan (Judicial Prudenci)* (7th ed.). Jakarta: Kencana.
- Arief, B. N. (2007). *Masalah Penegakan Hukum dan Kebijakan Hukum Pidana dalam Penanggulangan Kejahatan*. Jakarta: Kencana.
- Asshiddiqie, J. (2014). *Peradilan Etika dan Etika Konstitusi*. Jakarta: Sinar Grafika.
- Basri, H. (2022, February 10). Selain Kompol Yuni, Berikut Deretan Polisi yang Tersangkut Narkoba Sepanjang 2021.
- Chalil, S. M., & Junior, E. (2021). Efektivitas Fungsi Kepolisian Bina Masyarakat Kota Bandung dalam Melakukan Penanggulangan Tindak Pidana Narkotika Menurut Undang-undang Nomor 35 Tahun 2009 Tentang Narkotika. *Wacana Paramarta*, 20(3), 34–44.
- Chandra, F. A. (2012). Penyidikan Tindak Pidana Narkotika dalam Lingkup Peradilan Militer (Studi terhadap Peran Polisi Militer Kodam Angkatan Darat dalam Penyidikan Tindak Pidana Narkotika Dikalangan TNI Angkatan Darat, Pomdam Iii/siliwangi). *Brawijaya Law Student Journal*, 1–20.
- Darmika, G. A. A., Nahak, S., & Sudibya, D. G. (2019). Penegakan Hukum terhadap Anggota Polri yang Melakukan Tindak Pidana Narkotika. *Jurnal Analogi Hukum*, 1(1), 110–113.
- De Ormay, C. F. L., Budiarta, I. N. P., & Sugiartha, I. N. G. (2022). Penegakan Hukum oleh Aparat Lembaga Pemasayarakatan dalam Menanggulangi Penyelundupan Narkotika. *Jurnal Konstruksi Hukum*, 3(1), 35–39. <https://doi.org/10.22225/jkh.3.1.4231.35-39>
- Fajar, M., & Achmad, Y. (2017). *Dualisme Penelitian Hukum Normatif dan Empiris (IV)*. Yogyakarta: Pustaka Pelajar.
- Ilham, M. (2022). TINDAK PIDANA NARKOBA YANG DI LINDUNGI OLEH APARAT KEPOLISIAN (STUDI KASUS IRJEN TEDDY MINAHASA) DALAM PENYELUNDUPAN NARKOBA DI SUMATERA BARAT. *Journal Legal System*, 1(1), 1–15.
- Ishaq, H., Purba, N., & Mustamam, M. (2022). ANALISIS YURIDIS KEWENANGAN BADANNARKOTIKA NASIONAL DALAM MELAKUKAN PENYIDIKAN TINDAK PIDANA NARKOTIKA DITINJAU DARI UNDANG-UNDANG NOMOR 35 TAHUN 2009 TENTANG NARKOTIKA. *Jurnal Ilmiah Metadata*, 4(2), 102.
- Kuba, S. (2023). Penahanan Tersangka/Terdakwa Pengguna Narkotika Oleh Aparat Penegak Hukum Dalam Perspektif Tujuan Penegakan Hukum. *KRTHA BHAYANGKARA*, 17(1), 141–156. <https://doi.org/10.31599/krtha.v17i1.2110>
- Lamintang, P. A. F. (2014). *Dasar-Dasar Hukum Pidana di Indonesia (I)*. Jakarta: Sinar Grafika.
- Mabruroh. (2022, April 15). Tiga Faktor Penyebab Banyaknya Anggota Polisi Terjerat Narkoba.
- Rahardjo, S. (2009). *Penegakan Hukum Suatu Tinjauan Sosiologis*. Yogyakarta: Genta Publishing.
- Romdoni, M. (2022). *The Reconstitution of Death Criminal Imposition against Persons of Criminal Actions on Narcotics Post-Decision of the Constitutional Court Number 2-3/PUU-V/2007*. Retrieved from www.legal.isha.or.id/index.php/legal
- Romdoni, M. (2023). A critique and solution of justice, certainty, and usefulness in law enforcement in Indonesia. *Journal Of Law Science*, 5(4), 174–181.
- Rustam. (2016). Analisis Yuridis Penerapan Sanksi dari Instansi Kepolisian Terhadap Anggota Kepolisian yang Menyalahgunakan Narkotika. *Jurnal Pelita*, 3(2).

- Saparingka, N. (2021). Kewenangan Polri dalam Menegakkan Kode Etik Anggota Polri yang Melakukan Tindak Pidana Narkoba. *USM Law Review*, 4(2).
- Sunarso, S. (2012). *Victimologi dalam Sistem Peradilan Pidana*. Jakarta: Sinar Grafika.
- Suyanto, B. (2020, November 24). Ketika Polisi Terjerumus dalam Peredaran Narkoba.
- Tumanggor, P., Ediwarman, E., & Mulyadi, M. (2022). Pemberatan pembedaan terhadap aparat penegak hukum sebagai pengedar/bandar narkoba. *Jurnal Normatif*, 2(1), 146–149.
- Widodo, D. I. (2018). PENEGAKAN HUKUM TERHADAP ANGGOTA KEPOLISIAN YANG MENYALAHGUNAKAN NARKOTIKA DAN PSIKOTROPIKA. *Jurnal Hukum Magnum Opus*, 1(1), 1–10.
- Yani, E. I., & Nurshanty, A. T. R. (2021). Penegakan Hukum Tindak Pidana Penyalahgunaan Narkotika yang dilakukan oleh Pihak Berwajib (Kepolisian maupun Anggota Militer). *Jurnal Ilmu Hukum The Juris*, 2(2).