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## The Rule Of Law Corrupted By Law Enforcers: a Study Of Police Misconduct

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**Abstract:** The purpose of this study was to study and know the provisions of the Police Code of Ethical Principles that are the basis for the performance of duty, to study and know the responsibility of the police for violating the Code of Ethical Principles, and to know the responsibility for the violation of the Code of Ethical Principles. According to the provisions of the Regulation of the Chief of the National Police of Indonesia No. 14 of 2011 on the Code of Ethical Principles of the National Police of Indonesia, Article 1 regarding the definition of KEPP, viz. "The Code of Ethical Principles of the POLRI, hereinafter abbreviated as KEPP, is the norms or rules that constitute the unity of ethical or philosophical foundations regarding behavior and speech in relation to things that are required, prohibited, appropriate or inappropriate to be done by members of the POLRI in the performance of the duties, powers and responsibilities of the position.

**Keyword:** Polri, Law, Corrupt

### INTRODUCTION

The police face a number of significant and unavoidable challenges amidst the complex dynamics of society. An orderly community life is necessary for a country that wants to be advanced and modern. This orderly life is a reflection of the implementation of justice through law enforcement. Being the instrument of the government, the police is the custodian and executor of rules and laws, and its direct position in front of the community makes the police bear moral responsibility and truth in the aspect of law enforcement, in that the police is neutral, shows no favoritism, and is professional in law enforcement. Thus, it is clear that

the police play an extremely important role here in realizing an advanced and modern society. The people demand a democratic government that realizes the supremacy of the people, that is, a government apparatus that is above the people's interests and does not use its power to torment the people, especially in this era of reform. This urgent and immediate change faced by the police makes the police the "spearhead" and "victim" of these changes. The Indonesian nation is currently experiencing several crises, one of which is the crisis of law enforcement.

One of the crises is the crisis of law enforcement, which is when law enforcement only prioritizes aspects of legal security to the exclusion of aspects of justice and legal benefits to the community. The saying that the ideal of law is justice has changed in the context of the development of the 21st century. In the rhythm of legal movements in society, the century of modern nationalism, which gives priority to the power of reason, almost never satisfies the human mind about the meaning and importance of justice (*rechtsvaardigheid*). For it is clear that the law or the rules of legislation, especially when applied, are supposed to be just, but what actually happens is unjust (unjustness). Although the law is related to justice, in practice, law enforcement officials have not fully realized this. In addition to the crisis in law enforcement, there is also a tendency to ignore the law, disrespect and distrust of the law.

Pursuant to the provisions of Regulation No. 14 of 2011 of the Chief of the Indonesia National Police on the Professional Code of Ethics of the Indonesia National Police, Article 1 regarding the definition of KEPP, viz. "The Professional Code of Ethics of the Indonesian National Police, hereinafter abbreviated as KEPP, is the norms or rules that constitute the unity of ethical or philosophical foundations regarding behavior and speech regarding things required, prohibited, proper or improper for members of the Indonesian National Police.

It is defined as "Behavior and Speech Regarding Things Required, Prohibited, Proper, or Improper to be Done by Members of the POLRI in Performing Their Duties, Powers, and Responsibilities". From the above description, it can be concluded that the definition of KEPP is a standard or rule used as a reference or basis for good conduct and regulates things allowed and not allowed in performing duties and obligations of POLRI members.

When a police officer violates the code of ethics of his profession, it is the same as violating the law. This is because the violation violates their profession as well as their duties and authority as protectors, servants and guardians of the community. Meanwhile, the code of ethics itself is mandated by the law and has been formulated in the KAPOLRI regulation in such a way that violation of the mandate of the law is the same as violation of the law.

From the above description, it can be concluded that when a member of Polri violates the Code of Ethics of his profession, it is the same as when the member of Polri violates the law. The violation of the law is in the form of his duties and authority as a member of the police in terms of serving and protecting the community. In this case, a police officer's job is to keep his community safe and this definition is a guide for police officers to maintain public safety.

The Code of Ethics of POLRI is regulated by KAPOLRI Regulation No. 14 of 2011, which replaces KAPOLRI Regulation No. 7 of 2006. The regulation of the Code of Ethics of POLRI in the form of a KAPOLRI regulation is in compliance with the provisions of Act No. 10/2004 on the formation of laws and regulations. According to Article 7(4) of Act No. 10/2004, other laws and regulations are recognized and have binding legal force if they are prescribed by higher laws and regulations. In the explanation of the article, it is stated that one type of other laws and regulations are regulations issued by the Minister. KAPOLRI is a ministerial-level official because it is directly responsible to the president, so the regulations issued by KAPOLRI have binding force.

The regulations issued by the KAPOLRI are binding not only for the members of the KAPOLRI but also for other police functionaries and at the same time become a code of conduct and a moral guideline for the members of the KAPOLRI as an effort to glorify the

police profession which functions as a guide, devotion as well as a supervisor of the conscience of each member of the KAPOLRI to avoid despicable acts and abuse of authority. Article 1 paragraph (5) of the National Police Chief Regulation No. 14/2011 on the Professional Code of Ethics of the Indonesian National Police states that: "The Police Professional Code of Conduct, hereafter referred to by the abbreviation PPCC, is the standard or rule which constitutes the unity of the ethical or philosophical basis for the conduct and speech of the members of the National Police in the performance of their duties, powers and responsibilities, whether required, prohibited, appropriate or improper."

Professionalism is the quality and behavior characteristic of qualified and professional people. It can be defined as the attitude, mindset, actions, and behaviors of police officers who are dedicated to humane or human protection as the most important asset of the country in the form of maintaining public order and the rule of law. To measure professionalism according to Sullivan, it can be seen from 3 (three) parameters, namely motivation, education and income. To obtain quality law enforcement officers, they must fulfill Well MES, namely: First, well motivation, police motivation must be seen in dedication to the community. Second, good education, the police should have certain educational standards. The basic education of the police must not be followed by students who have high strata, but weak in mentality, but the standard curriculum, which must be arranged in accordance with the pattern of education in the police. Thirdly, good salaries deserve the attention of the police leadership. If the salaries of the police officers are not in line with their performance, which must be more in line with the demands of the community, the police officers will be inclined to use their authority for irresponsible discretion.

The police is a civilian public institution that regulates law and order. The national police force in Indonesia is called the National Police of the Republic of Indonesia or Polri. The National Police is directly under the President. Polri performs police duties throughout the entire territory of Indonesia. Polri's mission is to protect, promote and serve the community, which should be an example of discipline for the community. However, members of the National Police are still human beings, there are still many members of the National Police who commit violations of discipline.

The following are some of the disciplinary infractions committed by Polri members:

a) Minor disciplinary violations:

Failure to carry a complete identity card, violation of the rules of conduct, violation of the proper use of the police uniform, attributes and equipment, violation of the duty, violation of the motor vehicle equipment, violation of the use of the official equipment, failure to carry a gun license or a loaned official equipment, leaving the office during official hours without the permission of the management.

b) Serious disciplinary offenses:

Absence or failure to perform superior duties (desertion); Committing a crime punishable by more than three months; Committing immoral acts; Participating in and/or aiding and abetting a crime.

The sanctions imposed for the minor disciplinary violations are in the form of disciplinary measures, while the sanctions imposed for the serious disciplinary violations are in the form of disciplinary punishment. Police ethics is a way of achieving trust and pride as a policeman, which may be a source of pride of the community, achieving success of tasks, promoting cooperation, partnership as a basis of forming community involvement, achieving professional, effective, efficient and modern police, which is clean and reliable, respected and beloved by the community.

Violations of police ethics occur frequently. The forms of violations of the Professional Code of Ethics of the Indonesian National Police include violations of personal ethics, state ethics, institutional ethics, and ethics in relations with the community. The process of

enforcement of the Professional Code of Ethical Conduct of the Indonesia National Police takes place through the stages of disciplinary review. The investigation of disciplinary violations is a follow-up to the receipt of reports, arrests, and findings by officers. It is carried out in the form of activities in the form of summoning the investigated and witnesses, preparing the investigation report or BAP, and examining expert witnesses. The process of trial for violating police discipline passes through several stages, namely the stage of preparing the trial, the stage of conducting the trial and the stage of executing the decision of the trial.

Law enforcement is the process of endeavoring to maintain or establish legal norms in reality, which serve as a guide to conduct in traffic or legal relations in the life of society and the state. In terms of the subject, law enforcement can be carried out by a broad subject and can also be interpreted as an effort to enforce the law by the subject in a limited or narrow sense. In a broad sense, the process of law enforcement involves all legal subjects in any legal relationship.

The definition of law enforcement can also be considered from the point of view of the object, i.e. the law. In this case, the definition also includes a broad and a narrow meaning. In a broad sense, law enforcement also includes the values of justice contained in the sound of formal rules and the values of justice that live in society. In a narrow sense, however, law enforcement is concerned only with the enforcement of formal and written rules. This distinction between the formal nature of the written legal order and the scope of the justice values contained therein is also evident in English with the development of the notion of the "Rule of Law" as opposed to the "Rule of Justice", or in the notion of the "Rule of Law" as opposed to the "Rule of Man through Law". The term "the rule of law" includes the meaning of government by law, but not in its formal sense, but also includes the values of justice contained therein. The term "the rule of law and not of men" is used to emphasize that the government of a modern constitutional state is essentially carried out by law, not by men. The opposite term is "rule by law," which is intended to mean government by men who use the law as a mere instrument of power.

## **METHOD**

The research is based on primary legal materials in the form of applicable laws and regulations, and secondary legal materials in the form of law books relevant to the legal issues raised in this journal, using a normative legal research method with a statutory approach and a comparative legal approach. This jurisprudential study utilizes the normative jurisprudential study approach with secondary data through literature searches. This legal research uses a legal approach. The research specification used is descriptive-analytical. That is, by describing the applicable laws and regulations in conjunction with legal theory and legal implementation practices regarding the above issues.

## **RESULT AND DISCUSSION**

Police forces, like any other organization, have "ethics" that show the need to act in accordance with rules and expectations that demand "discipline" in the performance of their duties according to the mission they are carrying out, always have internal rules to improve performance, professionalism, organizational culture and ensure the maintenance of order and the performance of tasks according to the goals, roles, functions, authorities and responsibilities where they are on duty and everything for the benefit of the public.

Ethical issues are issues of human life. It is not about acting on instinct or impulse alone, but about aiming and striving in community. Ethics comes from the Latin word *ethos* or *ethikos*. It may be called *mores*, *mos*, which also means good customs or habits.

A summary of the aforementioned police ethics can be found in Articles 34 and 35 of Law No. 2 of 2002. These articles stipulate that every member of the National Police must be able to reflect the personality of a full-fledged State Bhayangkara in exercising his duties and powers.

It requires awareness and technical skills to serve as an instrument of law enforcement whose duties and powers are directly related to the rights and duties of citizens. Therefore, in his or her attitude and conduct, every member of the National Police must live and breathe the ethics of the police profession.

The POLRI Code of Ethics is aimed at trying to make the Police Ethics correspond to the society. At the same time, the Police is also trying to provide a provision of confidence that the internalization of the true, good and solid police ethics is a means to

- 1) Realize self-confidence and pride as a policeman, which can then become pride for the community.
- 2) Achieve mission success.
- 3) Promote togetherness, partnership as a basis for the formation of community participation.
- 4) Achieve a professional, effective, efficient and modern police force that is clean and authoritative, respected and loved by the community.

Fundamentally, POLRI must uphold the honor and dignity of the state, the government, and the Indonesian National Police, and must abide by the applicable laws and regulations, both those related to official duties and those applicable at large. By committing a crime, POLRI violates the disciplinary rules.

Disciplinary violation means any speech, writing, or action by Indonesian National Police members that violates disciplinary rules. Sanctions in the form of disciplinary action and/or disciplinary punishment shall be imposed on members of the Indonesian National Police who are found to have violated the Disciplinary Rules for Members of the Indonesian National Police. The disciplinary action is in the form of verbal reprimand or physical action (Article 8 (1) of PP 2/2003). The authority of the superior who has the right of punishment (ankum) to impose disciplinary punishment is not taken away by the disciplinary action. The disciplinary punishment is in the form of (Article 9 PP 2/2003):

- 1)  Written reprimand;
- 2)  Postponement of training for a maximum of 1 (one) year;
- 3)  Postponement of periodic salary increases;
- 4)  Postponement of promotion for a maximum of 1 (one) year;
- 5)  Change that is a demotion;
- 6)  Release from position;
- 7)  Placement in a special place for a maximum of 21 (twenty-one) days.

If the police commit criminal acts such as rape, assault, and murder (shooting) against citizens, then the police have not only committed a crime, but have also violated the discipline and code of ethics of the police profession. Violations of disciplinary and ethical rules are investigated and, if proven, sanctioned, just as in the trial of police officers who commit crimes. The imposition of disciplinary and ethical sanctions does not remove the criminal charges against the police officer. Therefore, even if disciplinary and ethical sanctions have been imposed, police officers who commit crimes will still be prosecuted.

Criminal proceedings against members of the Indonesian National Police are generally conducted according to the procedural law applied in the general judicial environment. This is regulated in Article 2 of Government Regulation No. 3/2003 on the Technical Implementation of Institutional General Courts for Members of the Indonesian National Police. The Hearing of the Police Ethics Commission (KKEP) is a hearing to examine and decide on cases of violations of the Professional Code of Ethics of the POLRI (KEPP) committed by members of the National Police as stated in Article 1 Item 7 of Perkapolri No.

14 of 2011. In addition, KKEP hearings are also conducted for violations of Article 13 of PP No. 2 of 2003.

Article 13 of PP No. 2 of 2003: "Members of the Indonesian National Police may be honorably or dishonorably discharged from the service of the Indonesian National Police through a hearing by the Indonesian National Police Professional Code of Ethics Commission if they have been sentenced to disciplinary punishment more than 3 (three) times and are deemed no longer worthy of maintaining their status as members of the Indonesian National Police."

With regard to disciplinary hearings, there is no regulation that explicitly states which is to be held first, a disciplinary hearing or a hearing before the General Court. It is only stipulated that the disciplinary hearing must be held within 30 (thirty) days after the file of the disciplinary offense is received by AnkuM by the Provos or other officials appointed by AnkuM (Article 23 of PP No. 2 of 2003 and Article 19 (1) of Chief of National Police Regulation No. Pol: Kep/44/IX/2004 on Procedures for Disciplinary Hearing for Members of the Indonesian National Police) Meanwhile, for the KKEP hearing, if the administrative sanction to be imposed on KKEP violators is in the form of dishonorable dismissal (PTDH), then this will be decided through the KKEP hearing after prior proof of the criminal offense through the general judicial process until the court decision has permanent legal effect (Article 22 paragraph (2) Perkapolri 14/2011). The KKEP Session imposes administrative sanctions in the form of PTDH recommendations on

- a. Violators who intentionally commit a crime punishable by imprisonment of 4 (four) years or more and has been decided by a court with permanent legal force;
- b. Violators who commit violations referred to in Article 21(3)(e), (g), (h) and (i).

Prosecuting police officers who have been proven to have committed a misdemeanor or felony is handled in the same way as the community at large, namely through the General Court. Apart from the ordinary courts, police officers guilty of misdemeanor or felony have another source of recourse, namely the internal police force itself in the form of prosecution through the police code of conduct trial. The description of the law enforcement process for police officers who commit criminal offenses, namely:

The stage of investigation, where in this stage of investigation police officers who are suspected of committing criminal offenses can be reported with and from the public complaints. With this complaint, it will be followed up to the relevant police leadership and then submitted to the respective Provos unit to conduct an investigation. If there is strong evidence, the Provos unit will forward the case to the Paminal unit for further investigation, with the participation not only of the Paminal unit but also of the Criminal Investigation Department. If the Paminal Unit considers that the evidence collected is strong, it will be handed over to the Provos Unit to continue investigating the violation of the Police Code of Ethics.

Then the next step is to enter the investigation process to eat suspected police officers who commit violations of the Code of Ethics and criminal acts of drug abuse can be investigated according to their unit's location. This is done in accordance with the provisions of the Code of Criminal Procedure in force.

The next stage is the General Court. In accordance with the provisions of the Code of Criminal Procedure, the accused who are not common criminals, as well as members of the police, are treated equally with other criminals during the investigation in the court. This is in accordance with the principle that everyone is equal before the law. The accused is also free to appoint a lawyer or legal representative or to have a legal representative provided by the State.

The Code of Ethics Judicial Stage is the last stage after the judicial process has been completed, so the next process that the accused police members who are drug abusers go

through is a form of enforcement of the Police Professional Code of Ethics. In enforcing this code of ethics, the police provost has a role as the one in charge. In the case of a proven violation of the Code of Ethics by a police officer, the Code of Ethics shall be implemented by means of a disgraceful discharge or removal from the police service. In the event of removal from the police force, the removed member shall also have the responsibility to maintain the confidentiality of the police force after removal from the police force.

To be more precise, the form of the legal responsibility for the members of the National Police who have committed criminal offenses can be carried out through 2 (two) forms, namely

- a. The scope of the session of the Police Professional Ethics Commission, which deals with cases of violations of the Police Professional Ethics Code, which are more likely to lead to errors that are directly related to the police institution itself.
- b. The scope of the Tribunal is defined in the National Police Act No. 2 of 2002, Article 29 (1) and Government Regulation No. 3 of 2003 on the Technical Implementation of the Institutional Tribunal for Members of the National Police who have committed Crimes.
- c. The Scope of the Meeting of the Commission on the Professional Code of Ethics of the Police

Report or Complaint. The investigation stage for members of the Indonesian National Police who commit criminal offenses begins with a complaint filed by a member of the public:

- a. The public
- b. Member of the National Police
- c. Other sources that can be considered

The report or complaint is received by the Propam functionary at each level of the police organization, who then conducts a preliminary investigation of the report or complaint.

The next stage is the Preliminary Investigation. Based on the reports and complaints submitted, a preliminary investigation is conducted. If, as a result of the preliminary investigation, there is a strong suspicion that the report or complaint falls under the category of violating the Police Professional Code of Ethics, the Propam functionary sends the case file and proposes to the authorized Police official to form a Police Professional Code of Ethics Commission.

In this case, the Propam functionary may seek legal advice from the Legal Development functionary. In the performance of their duties, the Commission and the Propam functionaries work with the principle of the presumption of innocence.

At the stage of investigation before the Police Ethics Commission, during the session of the Police Ethics Commission, the person under investigation, in this case a police officer, is obliged to provide information in order to speed up the hearing of the Commission. The session of the Commission is carried out according to the regulated mechanism and what is used as material for examination at this stage is the case file of the examinee, related letters, testimonies of witnesses/experts that can be presented.

After going through the above stages and it is proved that there is a violation of the

Code of Ethics of the Police Profession committed by the examinee, then the imposition of punishment is carried out immediately. The punishment is the imposition of administrative sanctions by the head of the commission in the form of recommendations for the dishonorable dismissal or for the honorable dismissal (PTDH and PDH). The decision will be made no later than 21 (twenty-one) working days after the beginning of the Commission hearing.

The decision on the administrative penalty, in the form of a recommendation for or against the dismissal with or without dishonor (PTDH/PDH), shall be submitted by the head of the Commission to the Chief of Police within eight (8) days after the reading of the

decision. The Commission terminates its work after submitting the decision to the appointing official. After the imposition and execution of the punishment, the police officer shall be recorded in the individual personnel data, which can be used as a consideration for the police officer in order to evaluate the performance of the police officer.

Within the framework of the general justice system, the criminal justice process for members of the Indonesian National Police is generally conducted in accordance with the procedural law that is applicable in the general court environment. This begins with investigating members of the Indonesian National Police who commit criminal offenses, starting with a complaint filed by the public:

- a. Community
- b. Member of the National Police
- c. Other sources that can be considered

Reports/complaints are received by the Propam at each level of the Polri organization, who conducts a preliminary investigation.

Propam function at each level of the police organization, which then conducts a preliminary examination of the report or complaint. An investigation, which includes the treatment of the crime scene, interviews, surveillance observation and undercover informants, is carried out on the basis of these reports and complaints.

These activities are carried out with the goal of searching for and collecting evidence of the criminal acts that occurred and to

criminal activity and to locate the suspect. Enforcement Activities At this stage the following activities are carried out:

Subpoena is aimed at summoning a person to hear and provide information about a criminal act. Arrest is carried out against a person who is strongly suspected of committing a crime based on sufficient preliminary evidence. Arrest may not be arbitrary, but is aimed at those who have actually committed a crime.

A suspect or defendant who is strongly suspected of committing a crime based on sufficient evidence shall be detained or further detained if there are circumstances that give rise to concern that the suspect or defendant may flee, tamper with or destroy evidence, and/or repeat a crime. For suspects and defendants who are members of the Indonesian National Police, the place of detention may be separated from the place of detention for other suspects and defendants.

Police investigators may, in accordance with procedures established by law, conduct house, clothing or body searches for the purpose of investigation. Confiscation may be carried out by investigators only with the permission of the head of the local district court. In a very necessary and urgent situation, where the investigator must act immediately and it is impossible to obtain a prior authorization, the investigator may only confiscate movable objects and for this purpose must report to the president of the local district court to obtain his authorization. to the president of the local district court to obtain his authorization.

Investigating is aimed at obtaining information that may explain how a criminal act occurred. This investigation is conducted on witnesses, experts and suspects. Preparing a curriculum vitae, preparing a BAP, filing and submitting case files or suspects and evidence are among the activities performed in this phase. Prosecuting Defendants Who Are Members of the Indonesian National Police

The prosecution of defendants who are members of the Indonesian National Police in the general court environment is conducted by a public prosecutor in accordance with the applicable procedural law and laws and regulations. The examination before the court session is conducted by a general court judge in accordance with the applicable procedural law and laws and regulations.



Suspected or accused members of the Indonesian National Police are entitled to legal assistance at all levels of investigation in the judicial process. The Indonesian National Police shall provide legal assistance to suspects or accused members of the Indonesian National Police who are suspected or accused of committing crimes related to their duties. Legal assistance shall be provided by using legal counsel from the Republic of Indonesia Police institution and/or other legal counsel.

The development of convicted members of the Indonesian National Police is carried out in correctional institutions in accordance with applicable laws. In principle, members of the Indonesian National Police are subject to the general judicial power as well as civilians in general. This is stated in Article 29 (1) of Law No. 2 of 2002 on the Indonesian National Police. This shows that members of the Indonesian National Police ("Polri") are civilians and not subject to military law. However, by virtue of their profession, members of the Polri are also subject to the disciplinary rules and code of ethics set forth in Government Regulation No. 2 of 2003 on Disciplinary Rules for Members of the Indonesian National Police and Government Regulation No. 2 of 2003 (hereinafter referred to as PP 2/2003). Meanwhile, the police code of ethics is regulated in Perkapolri Number 14 of 2011 concerning the Professional Code of Ethics of the Indonesian National Police. In essence, Polri must maintain the honor and dignity of the state, the government, and the Indonesian National Police (Article 3(c) of PP 2/2003), and abide by the applicable laws and regulations, both those related to official duties and those applicable at large (Article 3(g) of PP 2/2003). By committing a crime, Polri violates the disciplinary rules.

Violation of disciplinary rules means that a member of the Indonesian National Police has spoken, written, or acted in a manner that violates disciplinary rules (Article 1(4) of PP 2/2003). (Article 1 item 4 of PP 2/2003). Members of the Indonesian National Police who are found to have violated the Disciplinary Regulations for Members of the Indonesian National Police shall be subject to sanctions in the form of disciplinary action and/or disciplinary punishment (Article 7 of PP 2/2003).

The disciplinary action is in the form of verbal reprimand and/or physical action (Article 8 (1) of PP 2/2003). Such disciplinary action does not take away the authority of

The superior who has the right to punish ("Ankum") to impose disciplinary punishment. The disciplinary punishment shall be in the form of

- a. Written reprimand;
- b. Postponement of training for a maximum of 1 (one) year;
- c. Postponement of periodic salary increases;
- d. Postponement of promotion for a maximum of 1 (one) year;
- e. Change which is demotion;
- f. Release from the position;
- g. Placement in a special place for a maximum of 21 (twenty-one) days.

As an example, the former head of the North Sumatra Police AKBP Achiruddin Hasibuan was dismissed or dishonorably dismissed from the police (PTDH) after a hearing by the Police Ethics Commission (KKEP) from Tuesday morning to Tuesday evening. The case against AKBP Achiruddin Hasibuan is an improper act committed by a member of the police. AKBP Achiruddin Hasibuan allowed his son Aditya Hasibuan to molest a student named Ken Admiral at Achiruddin's house in Medan some time ago.

According to the police, he played a role, behaved and acted in violation of the police code of ethics. And from the results of the trial, disciplinary sanctions and code of ethics were imposed. Therefore, based on the hearing panel's consideration, it was decided that AKBP Achiruddin Hasibuan violated the Police Professional Code of Ethics, with the articles suspected and applied were Article 5, Article 8, Article 12, and Article 13 of Regulation Number 7 of 2022. Achiruddin is considered to have violated personal, institutional and

social ethics. Achiruddin will also be prosecuted under the general criminal law according to articles 304, 55 and 56 of the criminal code, because he was present at the time of the event. Whether it is participation or not, or letting people who should be helped at that time.

The police must comply with the Police Code of Ethics in the performance of their duties. Violations of the Police Code of Ethics are punishable. The Police Code of Ethics is described in the Regulation of the Chief of the National Police (Perkap) of the Republic of Indonesia No. 14 of 2011 on the Code of Ethics of the National Police of the Republic of Indonesia.

In this regulation, there are 4 areas of Polri Code of Ethics. The first is the state ethics. This means the moral attitude of Polri members towards the unitary state of the Republic of Indonesia, Pancasila, the 1945 Constitution of the Republic of Indonesia, and unity.

The second is the community ethics, which is the moral attitude of the Polri members who always maintain public safety and order, enforce the law, and protect, safeguard, and serve the community by respecting the local wisdom in the Indonesian culture.

The third is institutional ethics. This is the moral attitude of National Police members toward the institution, which is a place of service and should be maintained as an internal and external bond of all Bhayangkara people with dignity and honor according to the values contained in Tribrata and Catur Prasetya.

The fourth is the ethics of personality, which is the attitude of the individual conduct of the members of the Polri in the religious life, in obedience, submission and manners in the family life, in the society, in the nation and in the state.

## CONCLUSION

Code of Professional Conduct and the Code of Ethical Conduct set forth the standards of conduct for the practice of the occupation. And this Code of Ethics is used as a standard for the activities of members of the profession, the Code of Ethics as well as guidelines. If there is an element of violation of the Ethical Code, the case file is submitted to the superior, which has the right of punishment (ankum). If there are elements of a disciplinary violation, the case file will be submitted to the superior who has the right to punish (Ankum), who will then be examined in a disciplinary hearing. If the perpetrator has intentionally committed a crime punishable by at least 4 years of imprisonment, a recommendation for dishonorable dismissal will be made after a hearing of the KKEP.

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