



Tackling the crime of aggravated assault by the Criminal Investigation Unit of the Baubau Police Station

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ABSTRACT

Various acts of persecution that often occur in Baubau City, especially serious persecution, are a big task for law enforcement officials of Baubau Police in overcoming them. the problem that will be used as a source of reference to be researched is how to overcome the crime of serious persecution by Baubau Police satreskrim and its inhibiting factors. This type of research is normative empirical with primary and secondary data types and will then be analysed using descriptive qualitative. based on the results of the study it was found that the handling of cases experienced fluctuations in the number where there was a significant increase in the last year. The conclusion is that the process of overcoming crimes of serious maltreatment committed by the Baubau resort criminal police unit in the jurisdiction of the Baubau resort police must build a pattern of cooperation with other agencies in order to overcome the obstacles experienced in overcoming crimes of serious maltreatment influenced by the lack of personnel members of the Criminal Investigation Unit infrastructure facilities, and community culture.

Keywords: *Serious Offences; Countermeasures; Baubau Police Department*

1. Introduction

Law in its development is not only used to regulate existing behaviour in society and maintain existing customary patterns, law is always faced with social changes that are so dynamic along with changes in people's lives, both in the context of individual life, social and political state. One of the adequate means is the law with various forms of existing legislation (Lulciuc & Franguloiu, 2024). Acts of crime, one of which often occurs and is experienced by the community, is the crime of violence or persecution. Acts of persecution not only harm oneself but also harm others and the wider community (Mansyah dkk., 2024). Violent crime or persecution is a problem that always arises in the midst of society (Buggs dkk., 2022).

The state has a responsibility to protect its citizens from persecution, whether committed by other individuals or by state officials. This responsibility includes prevention, providing access to justice for victims, and punishing perpetrators. Raising public awareness about acts of maltreatment that clearly violate the inherent rights of the victim is a form of countermeasure intended to encourage prevention and reporting of offences. Not only can better education and awareness contribute to the protection of the rights and dignity of every individual, as well as creating a more just and humane society, repressive measures are also indispensable in the business of such countermeasures.

The act of persecution is one of the phenomena that is difficult to disappear in social life. Various acts of maltreatment that often occur such as beatings and physical violence often result in injuries to the body or limbs of the victim (Attaqwa dkk., 2024), often leaving the victim physically disabled for life, or even resulting in death (Alviyan, 2020).

Looking at the phenomenon of maltreatment that occurs, especially in the jurisdiction of Baubau Police Station, it seems that it is not something that just happens but is thought to be related to various factors such as social influence and delinquency, thuggery, social jealousy, economic pressure and inequality, disharmony in household relationships or with other people, competition, conflicts of interest and others (Wilkinson dkk., 2019). One example of a case of maltreatment using a sharp weapon such as a machete that occurred in several places in Baubau city such as Nganganaumala Village (Kanakea) a few years ago, maltreatment a few months ago in Wameo, a recidivist machete, and many more.

The police as one of the frontline agencies in law enforcement has an important role in crime prevention. Law Number 2 of 2002 concerning the Indonesian National Police (hereinafter referred to as the Police Law) is a regulation that contains the duties, functions and authorities of the police in carrying out their duties. So based on that, every member of the police force must equip themselves both skills and knowledge in accordance with the duties they carry out. One of the roles of the police in the disclosure of a criminal offence is to act as investigators and investigators. Investigators are police officers of the Republic of Indonesia who are authorised by this law to conduct investigations while an investigation is a series of investigator actions to search for and find an event suspected of being a criminal offence in order to determine whether or not an investigation can be carried out according to the procedures regulated in this law (Firdaus dkk., 2023).

In criminal law, there are five legal interests that must be protected, namely, human life, human body, freedom, honour, and property/wealth. The human body is a very valuable organ for humans (Purba & Silalahi, 2020). Actions in the form of attacks on the body or parts of a person's body that cause pain or injury to the point of death, can be punished as crimes against the body or criminal acts of persecution regulated in the Criminal Code (KUHP) in book II Chapter XX on persecution article 351 which reads: 1) Persecution shall be punished by a maximum imprisonment of two years and eight months or a maximum fine of three hundred Rupiahs; 2) If the offence results in a serious injury, the offender shall be punished by a maximum imprisonment of five years; 3) If the fact results in death, he shall be punished by a maximum imprisonment of seven years; 4) With maltreatment shall be equated intentional damage to health; and 5) Attempt to commit this crime is not punishable.

The criminal law on maltreatment in Indonesia consists of three different levels of punishment, namely light, medium and serious maltreatment. The three levels of maltreatment are regulated in Article 352 (1) of the Criminal Code for light maltreatment, Article 351 (1) of the Criminal Code for maltreatment, and Article 353 (2) of the Criminal Code for maltreatment causing serious injury. Every injury must be linked to these three articles. The impact of the injury plays an important role for the judge in determining the criminal sanction that should be imposed in accordance with a sense of justice. Maltreatment resulting in death is the last category with the most severe punishment under Article 353 (3) of the Penal Code (Sanjaya, t.t.).

The various acts of maltreatment that often occur in Baubau City, especially serious maltreatment, are a big task for the law enforcement officers of Baubau Police to overcome. So from the description described above, the author is interested in conducting scientific research with the title: Countering the Crime of Serious Maltreatment by Baubau Police Satreskrim. Based on the background of the problem above, there are several problems that will be used as a source of

reference that will be researched is how to overcome the crime of serious maltreatment by the Baubau Police satreskrim and its inhibiting factors.

2. Methods

This type of research is normative empirical. The normative empirical research approach is research that examines the implementation or implementation of positive legal provisions (legislation) and documents on certain legal events that occur in society. The location of this research was conducted at the Baubau City Police, precisely at the Criminal Investigation Unit (Satreskrim).

The data source of this research uses two data, namely primary data and secondary data. Primary data is obtained directly from the field. From the direct process in the field, it is then analysed in the form of primary materials consisting of legislation, official records or minutes in legislative acts and judges' decisions.

The data analysis technique used, namely descriptive qualitative where the author describes the situation, research conditions by discussing the data and information obtained by connecting the theories obtained, is related to normative juridical which is qualitative research that refers to legal norms contained in various laws and regulations, or court decisions.

3. Findings and Discussions

3.1 Countering the Crime of Serious Maltreatment by the Baubau Police Criminal Investigation Unit

The crime of serious maltreatment has become a crucial issue in the context of public security and order. This crime not only threatens the safety of individuals, but also has a broad impact on social stability and the mental health of the community. In recent years, data shows an increase in the number of serious maltreatment cases in urban areas, which are often triggered by various social, economic and cultural factors.

Law enforcement in the jurisdiction in Baubau remains within the corridors of the criminal justice system which aims to tackle every crime. For the benefit of criminal investigations and identification services for the prevention of serious maltreatment is an obligation by the police in carrying out their duties, for the benefit of police work with the participation of various parties ranging from, the community, police medicine, forensic laboratories and psychology listed in Article 14 paragraph (1) letter (h) of Law Number 2 concerning the Indonesian National Police.

These roles in the handling and examination of a criminal act of persecution, especially serious persecution, will greatly help the Baubau Police Satreskrim reveal and how to overcome criminal persecution, even this is also important in the examination at the trial. Therefore, the investigator's efforts to conduct the investigation process at the beginning of the examination of the case are important and must be done.

The examination of the scene of the crime where the maltreatment took place immediately after the maltreatment occurred. The crime scene is evidence that may be found at the crime scene of the crime of serious maltreatment such as several years ago dikanakea, wameo, These actions aim to obtain the material truth of a case against the crime of maltreatment and determine the elements of the article of suspicion or allegation against the case process handled and to be able to provide legal certainty to the reporter in order to stop the investigation of the reported case process. Data on serious maltreatment cases handled by the Baubau SATRESKRIM can be seen in the following figure:

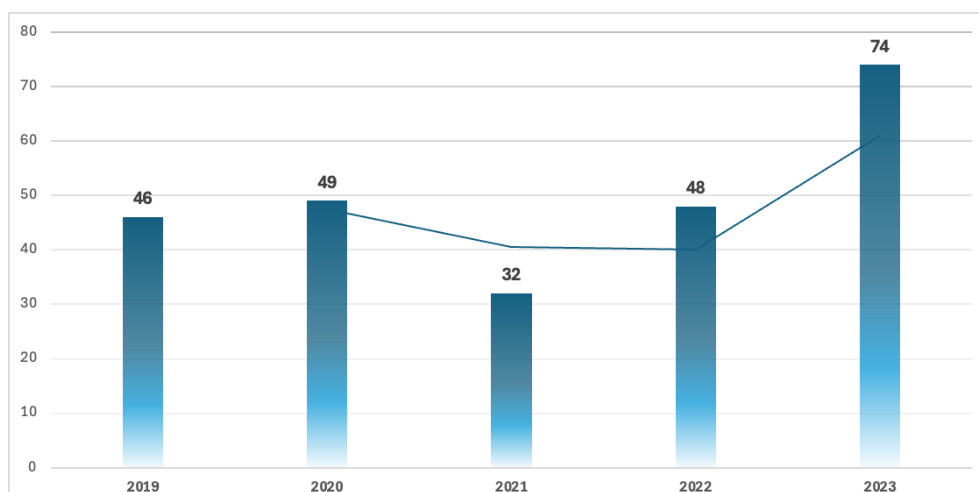


Figure 1. Number of serious maltreatment cases handled in the jurisdiction of the Baubau Resort Police Criminal Unit

Source : Baubau Resort Police Criminal Investigation Unit

Based on the data above, it can be seen that there is an increase in the number of cases handled. From the graph it can be seen that from 2019 to 2022 there was no significant increase, but in 2023 the number of cases handled experienced a significant increase. From the latest data, the readiness of Baubau Police in this case is Satreskrim to conduct socialisation involving stakeholders, including the community, community leaders, local government, religious leaders based on mapping locations prone to violence.

Some of the factors contributing to the increase in serious maltreatment include social tensions due to poverty, unemployment, and domestic violence. Dense urban neighbourhoods often exacerbate conflicts between residents, increasing the risk of maltreatment. In addition, a lack of legal awareness and education on human rights also exacerbates the situation. The impact of serious maltreatment is extensive. Victims often suffer serious physical injuries and prolonged psychological trauma. This not only affects their personal lives, but can also disrupt social relationships and productivity in society. In the long run, these crimes can create fear and mistrust among citizens, leading to an overall decline in quality of life. Minimise crime by occupying crime-prone areas in accordance with designated areas and conducting routine patrols in Baubau City, especially in crime-prone areas, to prevent crime from occurring. In fact, in the Baubau City area there are areas that are prone to acts of persecution. The Baubau Resort Police responded to this by taking direct action in the field in order to prevent the crime of persecution.

3.2 Factors that hinder the crime prevention process of serious maltreatment at the Baubau City Police Resort

Proactively addressing cases of serious maltreatment can prevent repeat violence. If perpetrators are brought to justice and appropriately sanctioned, this can have a deterrent effect not only for the perpetrator, but also for others in the community who may consider similar acts. The success of crime prevention can increase public trust in the police. When the community sees that the police are active in dealing with cases of maltreatment, they will be more inclined to report if they or someone else becomes a victim. This trust is important to create a good relationship between the police and the community.

Some of the obstacles faced by police investigators at Baubau Police Station in the process of overcoming criminal cases that hinder the implementation of restorative justice based on the statement of the Baubau Police Criminal Investigation Unit, namely, *First*, Legal substance that has not accommodated the implementation of restorative justice completely; *Second*, Law enforcement that has not optimally implemented existing regulations and is still rigid and legal structure / community participation is not optimal; and *Third*, There is no regulation that accommodates all provisions regarding the handling of Children Against the Law (ABH) through a restorative justice approach, socialisation to all law enforcement officials and the community.

There is a transfer of legal responsibility for all cases concerned to the police. The transfer of juridical responsibility for the case file, legal responsibility for the suspect and legal responsibility for any evidence or objects seized. This must then be consequently done by the investigators in the case.

There are no serious problems with the facilities at Baubau Police Station in carrying out crime prevention activities. It is only the number of personnel that has been the main obstacle. In addition, information systems and telecommunications experts in revealing the facts of the incident are still not available and must cooperate with the IT team from the police unit, which is a very basic obstacle.

In the completion of a legal case, the participation of the community is very important, which aims to be one of the mediating parties to achieve peace in society. Therefore, viewed from a certain angle, the community can influence law enforcement. Indonesian society has a great tendency to interpret the law and even identify it with officers. One of the important roles of the community as a partner of the police is to provide important reports with a condition that is happening in the community, especially a criminal offence of persecution.

Community reports related to a criminal offence of persecution are used by investigators as consideration in conducting investigative actions, considering that a perpetrator who commits a criminal offence needs to get the best possible treatment from investigators, therefore it is important that the investigation is carried out carefully so that the investigation can provide legal certainty.

This explanation illustrates that the socialisation of the crime of serious maltreatment has been minimal. On the one hand, it is understood that the community always reports a case of maltreatment in the hope that law enforcement will take legal action. Therefore, in addition to socialisation, there should also be a partnership between law enforcers, in this case the police, and community leaders through the government and customary institutions that have been established in Baubau city.

Identifying the factors that hinder the process of tackling serious maltreatment in the Baubau City Resort Police is an important step towards improving the effectiveness of law enforcement. By addressing resource constraints, increasing public legal awareness, reducing social stigma, strengthening inter-agency cooperation, and accelerating the legal process, it is hoped that the response to serious maltreatment can be better implemented and provide more effective protection for victims.

4. Conclusion

Based on the results of the discussion and field interviews conducted by the author, the researcher concluded that the process of overcoming the crime of serious maltreatment committed by the Baubau resort criminal police unit in the jurisdiction of the Baubau resort police has been carried out based on the

applicable laws and regulations. However, optimisation in terms of the process of overcoming the crime of persecution must establish a pattern of cooperation with other agencies such as the Social Service, local government officials such as Kesbangpol, Lurah, Camat so that it can run effectively and efficiently. Regarding the obstacles experienced by the Baubau Resort Criminal Police Unit in overcoming the crime of serious maltreatment, it is influenced by the lack of personnel, infrastructure, and community culture.

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