



The Challenges of Enforcing the Police Code of Ethics in the Ethical Tribunal Procedures for Police Officers

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ABSTRACT

Police code of ethics law enforcement is a crucial aspect in creating a police institution that is professional, accountable, and trusted by the public. This article discusses the problems faced in the procedure for the code of ethics trial for Polri members, with a focus on the law enforcement mechanism for violations of the professional code of ethics in the police. Although there is a clear regulatory framework, including Police Regulation Number 7 of 2022, the implementation of the code of ethics trial is often marred by a lack of transparency and accountability. The trial, which is carried out behind closed doors, results in public distrust of the integrity of the law enforcement process. In addition, the sanctions imposed are often considered disproportionate to the severity of the violation, creating the impression that violators can avoid more severe consequences. This study also highlights other issues that arise, such as the overlap between the code of ethics trial process and criminal justice, as well as the neglect of victims' rights in the legal process. By analyzing these problems, this study provides an effort for the necessary reforms in the Polri Code of ethics and law enforcement mechanism to ensure justice and accountability and increase public trust in the police institution.

Keywords: Code of Ethics Trial, Law Enforcement, Police Code of Ethics.

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INTRODUCTION

Maintaining domestic security is carried out through the implementation of police functions, which include maintaining public security and order, law enforcement, protection, patronage, and service to the community. This is carried out by the Indonesian National Police as a state apparatus, with support from the community, while upholding human rights. According to Article 2 of Law Number 2 of 2002 concerning the Indonesian National Police, the police function is one of the functions of state government in the field of maintaining public security and order, law enforcement, protection, patronage, and service to the community (Alrejjal et al., 2022). Article 34 paragraphs (1) and (2) stipulate

that "Officials of the Indonesian National Police are required to comply with the Indonesian National Police Professional Code of Ethics."

The Code of Ethics of the Indonesian National Police serves as a guideline for other police functions in carrying out their duties by the applicable laws and regulations within their working environment (Anasti, 2020). In performing their duties and functions as law enforcement officers, the police are obliged to comply with applicable laws and regulations, including regulations governing professional ethics, namely the Indonesian National Police Regulation Number 7 of 2022 concerning the Code of Ethics for the Profession and the Code of Ethics Commission of the Indonesian National Police (Fisher et al., 2020). The National Police are entrusted with the expectations of the community, who desire an ever-improving performance of duties oriented towards the interests of the community they serve. As an institution within the constitutional structure, the Indonesian National Police has the primary duty of maintaining public security and order, as well as protecting, nurturing, and serving the community (Assunção et al., 2023). In carrying out its duties, the National Police always strives to be close to and synergize with the community in maintaining security and order to achieve domestic security stability and meet the demands and expectations of the community in the reform era.

The police institution in Indonesia is regulated under Law Number 2 of 2002 concerning the Indonesian National Police. The National Police functions as a law enforcement agency with the primary duty of maintaining national security, and in carrying out its obligations, the National Police always uphold human rights (HAM) and applicable law (Azzutti, 2022). The police are expected to carry out their duties fairly and wisely, to create security and comfort for the community. A National Police force that carries out its obligations fairly and wisely, and can bring security and comfort, can be referred to as a competent police force. Police theory in each country is strongly influenced by the teachings that develop within the society of that nation (Fine et al., 2020). This makes the philosophical study of the obligations and roles of the police as law enforcement officers very important. Considering that national law is recognized in international consensus, the teachings that underlie the role of the police as law enforcement officers form the basis for international recognition, both in terms of the implementation of that role and in other aspects. In carrying out their profession, police officers are required to follow a code of ethics aimed at the police institution and those carrying out police functions (Barak et al., 2020). The police professional code of ethics is not only based on professional needs but has also been normatively regulated in Article 34 of Law Number 2 of 2002. The role of law enforcement in this country is crucial in determining the effectiveness of law enforcement, making it something that needs serious attention from law enforcement for police officers.

The rules regarding sanctions that can be imposed on police officers who violate the code of ethics are regulated in National Police Regulation Number 7 of 2022 concerning the Code of Ethics for the Profession and the Code of Ethics Commission of the National Police (hereinafter abbreviated as Perpol Number 7 of 2022) (Berk, 2021). This regulation states that if an officer intentionally violates the code of ethics, they may be subject to

ethical or administrative sanctions. The most severe sanction that can be imposed is dishonorable discharge (PTDH). Administrative sanctions in the form of a recommendation for PTDH, as regulated in Article 109 paragraph (1) letter e, are determined through a Professional Code of Ethics Hearing (KKEP) after the violation has been proven through the general court process up to a final and binding judgment (Douvris et al., 2022). Based on the provisions of Article 29 paragraph (1) of Law Number 2 of 2002, members of the National Police are obliged to comply with the authority of the general court. This shows that members of the National Police are civilians and are not subject to military law. The professional code of ethics can be considered a guideline for every member of the profession in carrying out social control functions (Carroll et al., 2020). Therefore, it can be said that the professional code of ethics serves as a guideline for members involved in the profession, thus there is a systematic relationship between ethics and the legal profession.

Regarding ethical violations related to criminal offenses committed by police officers, the resolution has not been carried out optimally to date (Chen et al., 2022). The ethical judicial mechanism within the police institution is still far from the principles of justice and human rights (HAM). The Police Code of Ethics Commission hearings often become a loophole to provide immunity to perpetrators and legitimacy to avoid legal accountability, resulting in the Police Code of Ethics Commission's judicial mechanism being unable to provide effective remedies for victims of violations committed by police officers. The current Police Code of Ethics Commission hearings are unable to resolve existing problems and are deemed not to provide justice for victims (Chen et al., 2022). One of the problems lies in the mechanism applied, which is not transparent, as ethics hearings have tended to be conducted behind closed doors. Whereas, in the judiciary, the principle of openness is recognized, where the public has the right to know the trial process unless otherwise determined by law. The provisions regarding the openness of Ethics Commission hearings were regulated in Article 51 paragraph (1) of the Regulation of the Chief of the Indonesian National Police Number 19 of 2012 concerning the Organizational Structure and Working Procedures of the Code of Ethics Commission of the Indonesian National Police.

However, after being replaced by the Indonesian National Police Regulation Number 7 of 2022 concerning the Code of Ethics for the Profession and the Code of Ethics Commission of the Indonesian National Police, Article 40 paragraph (2) letter (a) states that the Police Code of Ethics Commission has the authority to decide whether hearings on violations of the Police professional code of ethics are conducted openly or closed, thus hearings by the Police Code of Ethics Commission can be held behind closed doors. In comparison, ethics hearings held by other institutions, such as the Corruption Eradication Commission (KPK), are conducted with a process that is open to the public and can be covered by the media (Cortright et al., 2020). Based on the previous explanation, this study will discuss the mechanism for law enforcement of professional code of ethics violations in the police and the problems that arise in law enforcement for violators of the police professional code of ethics.

RESEARCH METHODOLOGY

In this study, the research method of the statute approach or statue approach, which can also be called normative legal research, is a process to find a legal rule, legal principles, or legal doctrines to answer legal issues regarding statutory provisions related to the law enforcement mechanism for violations of the code of professional ethics in the police and the problems that arise in law enforcement for violators of the code of professional ethics of the police (Flores-Macías & Zarkin, 2022). The case approach is an approach that is carried out by analyzing, examining, and being used as a guideline for legal problems regarding the law enforcement mechanism for violations of the code of professional ethics in the police (Jassal, 2020). Then, the conceptual approach is an approach that is carried out based on the views and patterns of doctrine or thoughts of experts that have developed in legal science (Goldstein et al., 2020). The various approaches and legal research presented will answer the law enforcement mechanism for violations of the code of professional ethics in the police and the problems that arise in law enforcement for violators of the code of professional ethics of the police.

RESULT AND DISCUSSION

From a subject perspective, law enforcement can be approached in two ways: broadly and narrowly. Broadly, law enforcement encompasses all legal subjects involved in legal relationships. Every individual who carries out or fails to carry out normative provisions based on applicable legal norms is considered to be participating in the law enforcement process (Jassal, 2020). Conversely, from a narrow subject perspective, law enforcement is defined as the effort of law enforcement officers to ensure and provide certainty that legal regulation is applied appropriately. In terms of the object, the definition of law enforcement also includes broad and narrow meanings. Law enforcement refers to the values of justice contained in formal legal provisions as well as justice that can be felt in society. In a narrow sense, law enforcement is only related to the formal application of written rules.

Soerjono Soekanto argues that in law enforcement, there are factors that can exert influence and meaning, which in turn can affect the success of law enforcement both positively and negatively. Problems in law enforcement often arise when there is a discrepancy between norms, regulations, and patterns of behavior. Law enforcement cannot be realized if there is a mismatch between existing legal doctrines and applicable regulations, and if there are undirected patterns of behavior that can disrupt a harmonious social order. Thus, law enforcement will not be able to function properly or may even be hindered in its implementation and enforcement (Jennings et al., 2021). There are influences on law enforcement, namely the legal factor. What is meant by law here is the law (UU). Law enforcement related to these legal regulations is the first step in the law enforcement process. These regulations become a reference for law enforcement officers and the general public. Written law or legislation should reflect the values that exist in society. Therefore, in the process of law-making, especially written law or legislation, it is necessary to consider the aspirations of society. Law enforcement through legislation may

face several obstacles, including: Lack of adherence to the principles of applicability of legislation, Absence of adequate program policies to effectively implement legislation, Unclear definitions of terms in legislation can lead to divergent interpretations and applications.

Ambiguity in the use of terms in the formulation of articles is often caused by the use of words that have broad meanings. This can lead to varying interpretations and inconsistent implementation, which can ultimately cause problems in law enforcement (Winograd et al., 2020). The law enforcement factor includes officers who are directly or indirectly involved in law enforcement, including the Police, Prosecutors, Judges, the Corruption Eradication Commission (KPK), Advocates, and correctional officers. According to Purnadi Purbacaraka and Soerjono Soekanto, law enforcement officers must always maintain integrity in their implementation in society. The method used should be logical, which means being able to distinguish between right and wrong and acting ethically in a correct and not arbitrary manner.

The lack of discipline among law enforcement officers in enforcing the law according to the provisions can have negative impacts on law enforcement itself. Some of the causes include: first, the low quality of judges, prosecutors, police, and advocates; second, disregard for the principle of "the right man in the right place"; third, poor accountability in law enforcement; fourth, the absence of an integrated, modern, and effective law enforcement mechanism; fifth, the strong influence and interference of politics and authority in the virtual world, especially in the police and prosecutor's office; and finally, allegations of corruption and organized crime among law enforcement officers, including allegations of a judicial mafia (Karimpour et al., 2021). The implementation of law enforcement becomes increasingly difficult due to the lack of coordination among law enforcement officers, both in theoretical and practical aspects, as well as at the operational level. In fact, good coordination is one of the crucial factors for empowering law in society. With the background of inadequate coordination among law enforcement officers, the desire to create an integrated legal approach toward justice becomes increasingly urgent. In such a situation, law enforcement officers are unable to enforce the law as stipulated in the legislation, thus resulting in negative impacts on law enforcement as a whole.

The mechanism for law enforcement related to violations of the professional code of ethics in the police and the problems that arise in law enforcement for violators of the Polri's professional code of ethics can be seen from a broad and narrow perspective. Law enforcement includes the principles of justice contained in formal regulations as well as the teachings of justice that develop in society. In a narrow sense, law enforcement is only related to the application of formal and written rules (Li et al., 2021). The mechanism for law enforcement against code of ethics violations in the Indonesian National Police is carried out by the Police Code of Ethics Commission (KKEP), which is part of the internal police structure to resolve problems that arise among police officers. Based on Article 42 of Police Regulation Number 7 of 2022, the organizational structure of the KKEP consists of: Chairperson, who is an Inspector of General Supervision of the National Police or a

High-Ranking Police Officer, referring to a member of the National Police who serves as Deputy Chief, Deputy Chairperson who is an Assistant Chief for Human Resources or a High-Ranking Police Officer, Members who are consisting of High-Ranking Police Officers.

The membership of the KKEP is established with an odd number, a minimum of three, and a maximum of five people. The appointment of KKEP members is carried out by the authorized official. If a KKEP member is unable to carry out their duties, the KKEP Chairperson has the right to appoint a replacement (Wang, 2019). The Police Code of Ethics Commission (KKEP) hearings, based on Articles 61 and 62 of Police Regulation Number 7 of 2022, consist of two types of hearings: hearings with Expedited Examination and hearings with Ordinary Examination.

Expedited Examination

The Prosecutor, Secretary, and the Alleged Violator must be present in the courtroom before the hearing begins.

The KKEP Chairperson opens the hearing.

The Prosecutor reads out the charges.

The KKEP Chairperson reads out the decision.

Ordinary Examination:

The Prosecutor, Secretary, and Counsel must be present in the courtroom before the hearing begins.

The KKEP panel takes their designated positions in the courtroom.

The KKEP Chairperson opens the hearing.

The Secretary reads out the rules of procedure for the hearing.

The KKEP Chairperson orders the Prosecutor to present the Alleged Violator before the hearing.

The KKEP Chairperson asks for the identity of the Alleged Violator and inquires about the health and willingness of the Alleged Violator to undergo examination.

The KKEP Chairperson orders the Prosecutor to read out the charges against the Alleged Violator.

The KKEP Chairperson orders the Prosecutor to present Witnesses and evidence for examination.

The KKEP Chairperson orders the Prosecutor to present the Alleged Violator for examination.

Witnesses and/or Experts take an oath in accordance with their religion.

The Chairperson, Deputy Chairperson, and Members of the KKEP examine the Witnesses and the Alleged Violator.

The Chairperson gives the Prosecutor the opportunity to examine the Witnesses and the Alleged Violator.

The Chairperson gives the Counsel the opportunity to examine the Witnesses and the Alleged Violator.

The Chairperson, Deputy Chairperson, and Members of the KKEP request statements from the Experts.

The KKEP Chairperson asks the Alleged Violator or Counsel about the presence of Witnesses or evidence that could be beneficial.

The Prosecutor reads out the demands.

The Alleged Violator or Counsel presents a defense.

The KKEP Chairperson reads out the decision.

Based on Article 108 and 109 of the Republic of Indonesia National Police Regulation Number 7 of 2022, the sanctions that can be imposed on Suspected Violators are ethical sanctions imposed if the violator commits a reprehensible act. Violators are required to apologize verbally before the KKEP hearing and in writing to the leadership of the Police and the injured party (Liao et al., 2020) . In addition, violators are required to undergo spiritual, mental, and professional knowledge training for one month. These Ethical Sanctions are imposed for violations that are classified as minor. Administrative sanctions are imposed on Suspected Violators who commit violations in the moderate and severe categories. The forms of sanctions include: Mutation is a demotion with a minimum period of one year, Postponement of promotion for a minimum of one year and a maximum of three years, Postponement of education for a minimum of one year and a maximum of three years, Placement in a special place for 30 days, Dishonorable Dismissal (PTDH), Imposition of sanctions can be cumulative and/or alternative in accordance with the assessment and considerations of the KKEP Session. In addition, the imposition of code of ethics sanctions does not eliminate criminal and/or civil charges. Code of ethics sanctions are also considered null and void if the Alleged Violator dies.

The imposition of code of ethics sanctions can be considered null and void if the Alleged Violator passes away. To ensure the enforcement of police professional ethics, each head at the police level is expected to impose sanctions on Polri members who commit violations, either through the Police Code of Ethics Commission Hearing (KKEP) or a Disciplinary Hearing (Lin & Long, 2021) . The enforcement of ethics and discipline for Polri members must be carried out by each Head of the Police Organizational Unit as the official authorized to impose sanctions at each level. Any violation, no matter how minor, must be followed up with corrective action or sanctions (Varalakshmi & Swetha, 2020). If this enforcement is consistently maintained, then legal violations by Polri members can be minimized. The mechanism for law enforcement against code of ethics violations is carried out through a KKEP Hearing as regulated in Articles 61 and 62 of Police Regulation Number 7 of 2022, which is held based on the Alleged Violator's work area. If the Alleged Violator is a high-ranking member or an officer, the KKEP hearing is held at the Regional Police (POLDA). If the Alleged Violator holds a higher position, the KKEP hearing is held at the Indonesian National Police Headquarters (Mabes Polri). The higher the rank of the Alleged Violator, the higher the position of the institution authorized to conduct the hearing. A KKEP Hearing is held if the violation committed by the Alleged Violator contains elements of a criminal act or a disciplinary violation, especially if the same violation is committed three times in a row.

Each head at each level of the Police is instructed to impose sanctions on Polri members who commit violations through the Police Code of Ethics Commission Hearing (KKEP) or a Disciplinary Hearing to ensure the enforcement of Police professional ethics. The enforcement of ethics and discipline is expected to be carried out by each Head of the Police Organizational Unit who has the authority to impose sanctions at each level (Lockie, Dawes, et al., 2021). Violations, no matter how minor, must be followed up with corrective action or sanctions. If the enforcement of ethics and discipline is consistently carried out, then legal violations by Polri members can be minimized.

The mechanism for law enforcement for violations of the code of ethics is carried out through a KKEP Hearing as regulated in Articles 61 and 62 of Indonesian National Police Regulation Number 7 of 2022, which is held in accordance with the area of the Alleged Violator's workplace. If the Alleged Violator has a high rank or is an officer, the KKEP hearing is held at the Regional Police (POLDA) level. However, if the Alleged Violator holds a higher position, the KKEP hearing is held at the Indonesian National Police Headquarters (Mabes Polri). The higher the rank of the Alleged Violator, the higher the level of the institution authorized to conduct the hearing. A KKEP Hearing is held if the violation committed by the Alleged Violator contains elements of a criminal act or is a disciplinary violation, especially if the same violation is committed three times in a row.

Based on several provisions in Indonesian National Police Regulation Number 7 of 2022, if associated with Polri members who commit criminal acts and actions constitute a violation of ethical obligations, It must be obeyed by police officers. This act is classified as a serious code of ethics violation, the sanction for which can be Dishonorable Discharge (PTDH). Before such a sanction is imposed, a code of ethics hearing process must first be conducted by the Police Professional Code of Ethics Commission (Lockie, Moreno, et al., 2021). This process begins with a preliminary examination, which includes an investigative audit, examination, and documentation. However, if the Polri member has been sentenced with a final and binding criminal judgment, an investigative audit is not necessary. After the preliminary examination is completed, a code of ethics hearing can be held.

The main problem that arises related to the mechanism of the code of ethics hearing for Polri members who commit criminal acts is Article 40 paragraph (2) letter (a) of Police Regulation Number 7 of 2022, which gives the Police Code of Ethics Commission the authority to decide whether the hearing will be held openly or closed (Thompson, 2020). This opens the possibility for code of ethics hearings, whether still in the general court process or those that have received a final and binding judgment, to be held behind closed doors. The Police Code of Ethics Commission hearing in its currently regulated form is deemed not to address existing problems and is considered not to provide justice for victims. One of the main issues is the lack of transparency, as code of ethics hearings can be conducted behind closed doors. This is contrary to the principle of hearings open to the public, where the public has the right to know the trial process unless otherwise regulated by law. In accordance with the provisions of Article 13 paragraph (1)

of Law Number 48 of 2009 concerning Judicial Power, all court hearings must be open to the public, unless otherwise regulated by law.

The lack of transparency in the code of ethics hearings conducted by the Police Code of Ethics Commission (KKEP) is one of the main issues in the enforcement of police ethics. Although Police Regulation Number 7 of 2022 provides room for hearings to be conducted openly, in practice, code of ethics hearings is often held behind closed doors (Magaña et al., 2022). This policy raises concerns regarding the lack of accountability in the process of enforcing the code of ethics, where the public as external monitors are not given access to know the proceedings and the decisions taken (Seror & Portnov, 2020). Transparency in law enforcement, especially in police institutions, is important to ensure that the process is fair, objective, and impartial. The principle of hearings open to the public is a basic principle in the judicial system that is upheld by the Indonesian legal system, as regulated in Law Number 48 of 2009 concerning Judicial Power. In this law, open hearings are intended so that the public can monitor the proceedings and ensure that the legal process runs fairly and transparently.

However, in police code of ethics hearings, the application of this principle is still very limited. Article 40 paragraph (2) letter (a) of Police Regulation Number 7 of 2022 gives the Ethics Commission the authority to decide whether the hearing will be conducted openly or closed. As a result, in many cases, hearings are conducted behind closed doors for reasons that are not always clear or in accordance with the public interest. This lack of transparency also creates a negative perception among the public, where closed hearings can give the impression that the process is unfair or influenced by certain interests. This further exacerbates the view that police institutions have a tendency to protect their members who violate the code of ethics, rather than enforcing the law firmly (Martínez-Schuldt & Martínez, 2021). As an institution that is expected to be at the forefront of law enforcement, the police should implement high standards of accountability, including in the conduct of code of ethics hearings. Transparency in the code of ethics hearings is also important to provide justice, not only for police officers who are suspected of violating but also for victims of violations and the wider community. With open hearings, the public can directly assess whether the process is running well and in accordance with legal principles. Therefore, reform in the mechanism for conducting police code of ethics hearings is needed to ensure transparency, accountability, and justice in the law enforcement process within the police force.

Code of ethics hearings within the police force are often seen as a loophole for immunity for police officers involved in criminal acts. Although this mechanism aims to enforce ethical standards among the police, there are concerns that these hearings are being used to shield members who violate criminal law from due accountability. In code of ethics hearings, the sanctions imposed are administrative in nature, such as transfers, demotions, or even Dishonorable Discharge (PTDH). However, these sanctions are often seen as lighter than the criminal penalties applicable to the general public (Schweitzer Dixon, 2021). This loophole of immunity becomes more apparent when police officers involved in criminal acts are not automatically processed through the general court

system, but instead first undergo a code of ethics hearing. Consequently, many cases show that perpetrators of criminal acts within the police force only receive administrative sanctions without going through the proper criminal justice process. This gives the impression that the police institution tends to protect its members from more severe legal consequences on the grounds that the violation has been resolved through internal mechanisms. The use of code of ethics hearings as a substitute for criminal justice processes also has the potential to obscure justice for victims of violations. For members of the public who are victims of criminal acts by police officers, the code of ethics hearings does not provide an adequate form of redress. The administrative sanctions given to the perpetrators may not be sufficiently just, especially when the criminal act committed has a major impact on the rights of the victims. This can damage public trust in the police institution as law enforcers who should uphold the principles of justice and accountability.

The disproportionate nature of sanctions in the enforcement of the police professional code of ethics is a frequently debated issue. In some cases, the sanctions imposed by the Police Code of Ethics Commission (KKEP) on violators are often not commensurate with the severity of the violations committed. Administrative sanctions such as transfers, delays in promotion, or even Dishonorable Discharge (PTDH) are sometimes considered too lenient for serious violations that actually also fulfill the elements of a criminal act. This creates the impression that perpetrators of serious violations can escape more severe or appropriately just punishment. For example, in cases of serious violations related to integrity or acts of violence, sanctions in the form of transfers or delays in promotion do not reflect the gravity of the offense and the harm caused (Massé, 2020). Due to this disproportionate sanctioning, perpetrators of serious violations can still continue their careers within the police force without facing appropriate consequences, while victims or the affected public do not receive an adequate sense of justice. On the other hand, disproportionate sanctions can also occur in the opposite way, where the sanctions imposed are too severe for relatively minor violations. For instance, in cases of ethical violations that are not criminal in nature, dishonorable discharge might be considered excessive, especially if the violator has a good track record during their service. This creates legal uncertainty and reduces internal trust within the police regarding the enforcement of discipline.

The overlap between code of ethics hearings and criminal proceedings in handling violations committed by police officers creates various problems, both in terms of justice and legal effectiveness. In cases where the violation committed by a police officer not only violates the professional code of ethics but also fulfills the elements of a criminal act, these two processes often run separately. Code of ethics hearings focus on enforcing internal police discipline with administrative sanctions, while criminal proceedings are in the realm of public law aimed at imposing criminal sanctions in accordance with applicable law.

However, the separation between these two mechanisms creates confusion, especially regarding the determination of the appropriate punishment to be applied. On the

one hand, a police officer who violates the code of ethics can receive administrative sanctions such as a transfer, delay in promotion, or even dishonorable discharge (PTDH). On the other hand, if the violation is also a criminal act, they should be tried in a criminal court, which can impose more severe penalties, such as imprisonment (Sarteschi, 2021). The lack of alignment between these two types of punishments often gives the impression that the perpetrator is receiving lighter treatment in one mechanism, which can reduce the effectiveness of the overall law enforcement process. Moreover, the overlap between code of ethics hearings and criminal proceedings can delay the course of justice. The code of ethics process often proceeds more quickly than criminal proceedings, which can take longer due to having to go through various stages of legal examination. This creates a situation where the perpetrator of the violation can first receive a relatively lighter administrative sanction compared to the criminal punishment that is awaiting the judicial process. Consequently, police officers who should face appropriate criminal penalties may instead have the opportunity to avoid more severe consequences by expediting the ethics hearing.

The lack of effectiveness in the recovery of victims of violations committed by police officers is one of the fundamental problems in the enforcement of the code of ethics in this institution. The code of ethics hearing process tends to focus more on internal discipline and the imposition of sanctions on violators without adequately considering the rights of the victims. As a result, victims often feel neglected in the legal process that should involve them. They do not get sufficient access to express their views or needs in the process, which should create more comprehensive justice (Maupin et al., 2020). One form of recovery expected by victims is compensation. However, the code of ethics hearings does not have a clear mechanism to provide compensation to victims. In many cases, even though a violation of the code of ethics is proven, the sanctions imposed on the violator do not always include an obligation to redress the harm suffered by the victim. This makes victims feel that the justice they are seeking is not fulfilled and that the violators are not held fully responsible for their actions. In this case, the dissatisfaction of victims can lead to a loss of public trust in the police institution, which should function as a protector and law enforcer. Furthermore, the aspect of rehabilitation is also often overlooked in code of ethics hearings. Victims may require psychological support or other assistance to overcome the trauma caused by the violator's actions. However, the process of enforcing the code of ethics does not have a holistic approach that considers the rehabilitation needs of victims. Thus, victims not only experience injustice in terms of compensation but also in terms of the emotional and psychological support they should receive after experiencing a violation.

Efforts in Law Enforcement for Violators of the Police Professional Code of Ethics in the Procedures for Trials of the Code of Ethics for Police Members. The law enforcement process against violations of the police professional code of ethics is one of the important aspects of ensuring the integrity and professionalism of the police institution. As law enforcement officers, members of the National Police (Polri) must be subject to the applicable rules and ethical values, which form the basis for every action

they take in carrying out their duties (Millar & O'Doherty, 2020). Therefore, the code of ethics hearing procedure becomes one of the mechanisms used to address violations that occur. The code of ethics hearing is not only a forum for imposing sanctions but also a means to ensure that every member of the National Police can be treated fairly and objectively while maintaining the image and credibility of the institution. Various efforts are needed to ensure that the code of ethics hearing procedure runs properly, effectively, and transparently to create justice and increase public trust in the police institution.

For the code of ethics hearing process to be effective, it is important for members of the hearing board to have a deep understanding of the laws, regulations, and ethical values applicable within the police environment (Ray, Richardson, et al., 2023). This competence enhancement can be achieved through continuous training and education covering current legal topics, hearing procedures, and ethical principles in policing. By strengthening their understanding, the hearing board will be better able to make objective decisions in accordance with existing provisions and ensure that every disciplinary action taken can be legally and morally justified.

To ensure that the ethics hearing process runs properly, it is important to conduct regular monitoring and evaluation of all stages. This is to ensure that each hearing process can run transparently, fairly, and in accordance with applicable guidelines, considering that decisions in ethics hearings have a significant impact on the careers of police officers (Morton et al., 2020). This monitoring can be carried out by an independent internal body to identify potential deviations or irregularities in the hearing process, as well as to ensure accountability and justice for all parties involved.

The approach to enforcing the code of ethics should not only be repressive but also preventive by providing counseling, coaching, and moral guidance to police officers who violate the code of ethics. This coaching can help the members concerned to understand the mistakes that have been made, improve their behavior, and foster a sense of responsibility and commitment to the police profession (Ray, Korzeniewski, et al., 2023). Counseling and coaching can also be a form of rehabilitation that helps restore the integrity of members so that they can return to carrying out their duties with professionalism and in accordance with established ethical standards.

To increase public trust in the police institution, it is very important to provide access to information regarding the process and results of ethics hearings, especially in cases of serious violations. This transparency can include the publication of hearing decisions and the reasons behind these decisions, which will show that the decision-making process is carried out objectively and fairly (Mughan et al., 2020). With transparency, the public can better understand how the police enforce the code of ethics and punish violations, thereby strengthening the accountability of the National Police and enhancing their professional image in the eyes of the public.

The firm and consistent enforcement of sanctions against violations of the code of ethics is very important to show that the National Police will not tolerate actions that undermine the integrity of the police profession (Pike et al., 2021). The sanctions imposed must be proportional to the level of violation committed and must be applied

indiscriminately. The clear and firm enforcement of sanctions can provide a deterrent effect for other members and demonstrate the commitment of the police institution to maintain the credibility and professionalism of its members, as well as to create a working environment that is in accordance with established ethical standards.

Regular socialization of the police code of ethics to all members is an important step in ensuring that every member of the National Police understands and upholds the existing ethical guidelines. This socialization can be carried out through various forums, training, or seminars that discuss the values of integrity, professionalism, and expected behavior in the police force (Pastaltzidis et al., 2022). By providing a clear understanding of the code of ethics, police officers are expected to act in accordance with established standards and know for sure what the impact of violations of the code of ethics is, thus encouraging them to maintain integrity and carry out their duties responsibly.

To maintain compliance with the code of ethics throughout the ranks of the police, effective internal oversight is needed. The Inspectorate of General Supervision (Itwasum) and the Profession and Security Division (Propam) play an important role in monitoring and evaluating the performance and behavior of police officers in carrying out their duties (Pastaltzidis et al., 2022). Intensive internal oversight will help detect and prevent violations of the code of ethics early while ensuring that appropriate disciplinary action is taken. By strengthening the role of internal oversight, the National Police can more effectively maintain the integrity and professional ethics of its members, as well as strengthen public trust in the police institution.

CONCLUSION

Law enforcement in Indonesia can be analyzed from two subject perspectives: broad and narrow. From a broad perspective, law enforcement includes all individuals involved in legal relationships, where each person plays a role in the implementation of normative provisions. Conversely, from a narrow perspective, law enforcement is more focused on the efforts of law enforcement officers to ensure the proper application of legal regulations. This shows that law enforcement is not only the responsibility of the authorities but also involves the participation of society as a whole. In terms of the object of law enforcement, there are two understandings: first, a broad understanding that encompasses the values of justice present in formal law as well as the justice felt by society; second, a narrow understanding that focuses only on the application of written regulations. The success of law enforcement is strongly influenced by various factors, including the quality and integrity of law enforcement officers and the misalignment between norms, regulations, and societal behavior patterns. Problems in law enforcement often arise due to a lack of coordination among law enforcement agencies, leading to ineffective law enforcement.

The law enforcement mechanism in the Indonesian National Police regulates violations of the code of ethics through the Police Code of Ethics Commission (KKEP). This process includes expedited and ordinary examination hearings aimed at imposing sanctions on Polri members who violate professional ethics. The sanctions imposed can

vary depending on the severity of the violation. However, some obstacles can hinder this law enforcement process, such as unclear definitions of terms in regulations and the possibility of non-transparent code of ethics hearings. This poses a serious challenge in ensuring justice for the public and minimizing legal violations by law enforcement officers. In the enforcement of the police code of ethics in Indonesia, the issues of transparency, accountability, and justice are central issues that must be addressed immediately. Although there are regulations that govern the conduct of open code of ethics hearings, the practice is often carried out behind closed doors, which raises public doubts about the integrity of the process. The lack of public access to monitor the hearings leads to a negative perception that the police institution is more likely to protect its members than to enforce the law fairly. In this regard, reforms that prioritize transparency in the mechanism of code of ethics hearings are needed to increase public trust and ensure justice for all parties involved. In addition, the disproportionality of sanctions imposed in code of ethics hearings also poses its challenges.

The administrative sanctions applied are often not commensurate with the severity of the violation, creating the impression that violators can escape the more severe punishment they deserve. The misalignment between the code of ethics hearing process and criminal proceedings further exacerbates the situation, where violators may face lighter sanctions in one mechanism without accounting for their actions in the criminal sphere. This obscures the principle of justice and reduces the effectiveness of law enforcement in the police institution. The need to pay attention to the rights of victims in the code of ethics hearing process cannot be ignored. Victims are often neglected in the mechanism that should provide protection and justice for them. Code of ethics hearings need to be adapted to accommodate the needs of victims, including providing appropriate compensation and psychological support. Thus, the enforcement of the code of ethics is not only focused on sanctions against violators but also creates a more holistic and fair process for all affected parties. Efforts to improve these aspects will be a crucial step in building a more credible police institution that is trusted by the public.

To ensure effective law enforcement against violations of the police professional code of ethics, various important efforts need to be made to support the smooth and fair process of the code of ethics hearings. Enhancing the competence of the hearing board, monitoring and evaluating the hearing process, and a preventive approach through counseling and coaching are steps that can strengthen the integrity and professionalism of the National Police. In addition, transparency in hearing procedures, firm and consistent enforcement of sanctions, and regular socialization of the code of ethics are very important in maintaining public trust. Strengthening internal oversight is also key to preventing violations and ensuring member compliance with the code of ethics. By implementing all these efforts in an integrated manner, the National Police can create a fair, transparent, and accountable judicial system, which will ultimately enhance the image and credibility of the police institution in the eyes of the public.

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