



# Optimization And Existence Of The Role Of National Police Investigators In The Investigation And Investigation Of Corruption In Local Government Grant Spending (Research Study At The Riau Islands Police Directorate)

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**Abstract.** *The crime of corruption in local government grant spending is a serious problem that has an impact on state losses and public trust in the government. This research focuses on optimizing and existing the role of National Police investigators in the investigation and investigation of corruption crimes at the Riau Islands Police Directorate of Criminal Investigation (Riau Islands). The background of this research is the importance of the role of the National Police in uncovering and eradicating corruption, as well as the challenges faced in its implementation. The purpose of this study is to identify the obstacles faced by National Police investigators and find optimal solutions to increase the effectiveness of investigations and investigations into corruption in local government grant spending. The research method used is a qualitative method with a case study approach. The data was obtained through in-depth interviews with investigators at the Riau Islands Police Directorate of Criminal Investigations, analysis of legal documents, and direct observation of the investigation and investigation process. Data analysis was carried out using triangulation techniques to ensure the validity and reliability of the findings. The results of the study show that National Police investigators face various obstacles, including limited human resources and technology, the complexity of corruption cases, political intervention, weaknesses in the internal supervision system, and a less supportive legal culture. The proposed solutions include increasing the capacity and competence of investigators through special training, procurement of advanced technology, increasing operational budgets, and strengthening cross-agency cooperation such as with the KPK and BPKP. In addition, adequate legal protection for investigators and reform of local government internal supervision are essential to ensure the independence and effectiveness of investigations. This study suggests that National Police investigators continue to improve their capacity and competence, the community actively participates in supervising the use of grant funds, and local governments strengthen the supervision and transparency system. With this holistic approach, it is hoped that the role of National Police investigators in eradicating corruption in local government grant spending can be optimized and its existence will be further strengthened.*

**Keywords:** *Optimization, Police Investigators, Corruption, Grant Spending.*

## 1. INTRODUCTION

Eradication of corruption is one of the main priorities in the criminal justice system in Indonesia. Corruption is a crime that harms the state and society at large, hinders development, and creates social injustice. Therefore, the Indonesian government has established various policies and efforts to combat corruption, including through the role of the Indonesian National Police (Polri) Investigators as one of the law enforcement institutions that plays a role in investigating and investigating corruption, including corruption in regional government grant spending. The Republic of Indonesia is a state based on law, as stated in the explanation of the 1945 Constitution, it is a state based on law (Rechtsstaats) and the law of power alone (machtsstaats), so that the government and state institutions in carrying out any action must be based on law and must be legally accountable. In the formal legal formulation, the term corruption is stipulated in Chapter II in Article 2-

16 of Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning Eradication of Criminal Acts of Corruption. Article 2 of Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning Eradication of Criminal Acts of Corruption states that: "Any person who, with the aim of benefiting himself or another person or a corporation, abuses the authority, opportunity or means available to him because of his position that can harm the state's economic interests."

The role of the National Police Investigators in conducting investigations and inquiries into corruption in regional government grant spending is very important in order to realize good governance and prevent corruption at the regional government level. However, in practice, the optimization and existence of the role of the National Police Investigators in the investigation and inquiry into corruption in regional government grant spending still faces various challenges. There are several problems faced by the National Police Investigators, such as limited resources, resistance from parties involved in corruption cases, and the potential for political intervention or certain interests that can hinder efforts to eradicate corruption effectively.

Several cases of corruption handled by the Riau Islands Police's Directorate of Special Criminal Investigation in 2023 include cases based on Investigation Order Letter Number: SP.Sidik/19/III/2023/Ditreskrimsus, dated March 7, 2023, alleged corruption as referred to in Article 2 paragraph (1) of the Republic of Indonesia Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption as Amended by the Republic of Indonesia Law Number 20 of 2001 concerning Amendments to the Republic of Indonesia Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption in conjunction with Article 18 in conjunction with Article 55 paragraph (1) to 1 of the Criminal Code on Grant Expenditures for the Riau Islands Provincial Government using the 2020 Fiscal Year APBD which occurred around 2019 to 2020 in the Riau Islands Province Region which was carried out by suspect AR as the person who committed, or who ordered or participated in committing the act, individually or together with TW, AS, OM, ZF, AP and MS, each of whose investigations were carried out separately (filed separately).

Legal and sociological aspects are also of concern in efforts to optimize the role of Police Investigators in eradicating corruption in regional government grant spending. From a legal perspective, it is important to understand the legal framework that regulates the role and authority of Police Investigators in conducting investigations and inquiries into corruption crimes. Also, an in-depth legal analysis is needed to identify the obstacles and

legal challenges faced by Police Investigators in their practice. From a sociological perspective, it is important to examine the social and political dynamics that influence the implementation of the role of the National Police Investigators in eradicating corruption in regional government grant spending. This study will examine the social and political factors that influence the work of investigators, including relationships with stakeholders, interactions with the community, and the organizational environment that influence the performance of National Police Investigators in eradicating corruption.

In this context, this study aims to comprehensively examine how to optimize and exist the role of Police Investigators in the investigation and prosecution of corruption in regional government grant spending, as well as the challenges and obstacles they face. Through this study, it is hoped that appropriate recommendations and solutions can be found for efforts to eradicate corruption in regional government grant spending, especially in relation to the role and performance of Police Investigators. The findings of this study are expected to be an important contribution in strengthening the law enforcement system and preventing corruption at the regional government level, as well as increasing public trust in law enforcement in Indonesia.

Several legal issues related to the role and authority of the National Police Investigators in investigating and prosecuting corruption crimes can also be the focus of research. For example, the authority of investigators, legal restrictions on wiretapping or monitoring, and the potential for human rights violations in the investigation and prosecuting process. National Police Investigators are in a complex social and political environment, and relationships with stakeholders and political pressure can affect their independence and objectivity in handling corruption cases. This research can consider the social and political factors that influence the role of National Police Investigators.

Based on the background description above, the author raises several problems that will be discussed further. The problems are as follows:

1. How is the legal regulation of the role of Polri investigators in investigating corruption crimes in regional government grant spending?
2. How is the optimization and existence of the role of Polri investigators in investigating corruption crimes in regional government grant spending?
3. What are the obstacles and solutions to the optimization and existence of the role of Polri investigators in investigating corruption crimes in regional government grant spending?

Based on the formulation of the problem stated above, it can be seen that the objectives of this research are:

1. To find out and analyze the legal regulation of the role of Polri investigators in investigating corruption crimes in regional government grant spending.
2. To find out and analyze the optimization and existence of the role of Polri investigators in investigating corruption crimes in regional government grant spending.
3. To find out and analyze the obstacles and solutions to the optimization and existence of the role of Polri investigators in investigating corruption crimes in regional government grant spending.

## **2. LITERATURE REVIEW**

The duties and authorities of the police in Indonesia are regulated in Law Number 2 of 2002 concerning the Indonesian National Police. This law provides a comprehensive legal framework regarding the role and responsibilities of the police in maintaining public order and security, as well as legal protection for citizens. Overall, the duties and authorities of the police as regulated in the laws and regulations demonstrate the state's commitment to ensuring security, order, and legal protection for the community. The police act as an important pillar in the law enforcement system, with the responsibility to carry out their duties fairly, professionally, and respecting human rights. The police function as protectors of society in all kinds of social conditions and have an important role in ensuring security and comfort in community life. The role of the police can be described as part of their position as protectors of society. According to Law Number 2 of 2002 concerning the Indonesian National Police, the definition of the police is everything related to the functions and institutions of the police in accordance with laws and regulations. The police function as an organization and function of government, with the responsibility to supervise and force the authorities not to take actions prohibited by law.

According to Soejono Sukanto, a role is a dynamic aspect of a position or (status). If someone carries out the rights and obligations according to their position, then they are carrying out a role. The police are a law enforcement tool that can provide protection, shelter, and prevent the emergence of crime in the life of society. This is in accordance with Rahardi's

opinion that "The police as one of the functions of the state government in the field of maintaining public security and order. The police are officers or officials because in their daily lives they work and deal directly with the community. Initially, the police meant a strong person who could maintain the security and safety of his group members. However, in the form of a polis or city state, the police must be distinguished from ordinary people, so that the people clearly know that they are the ones who can ask for protection, can complain, and so on. By being given these attributes, it means that with these attributes the police have the authority to enforce the rules and protect the community.

In Law Number 2 of 2002 concerning the Police, it states that "The function of the police is to carry out one of the functions of the State Government in the task of enforcing the Law, in addition to protection, protection and service to the community". Article 2 of Law Number 2 of 2002 states that, "The function of the police is one of the functions of the state government in the field of maintaining public security and order, law enforcement, protection, protection and service to the community. Based on these principles, the image of the police in Law Number 2 of 2002 has changed. The function of the police has become flexible, meaning that they can handle incidents firmly, but can also work together with the community to initiate preventive measures in certain situations. Therefore, they must have the ability and understanding of the changes that occur in society, as well as their need for security protection. This situation requires the police to know when and how to act if there is a significant violation of society.

According to Sadjipto Rahardjo, the Police are divided into several main tasks based on their substance and sources. The main task of maintaining public security and order is based on the general obligation of the police to guarantee public security, and the main task of enforcing the law is based on certain laws and regulations. In addition, the main task of the Republic of Indonesia Police is to provide protection and protection to the community. The development of criminal acts of corruption is now growing very rapidly, initially corruption was classified as an ordinary crime, but now it has become an extraordinary crime. Corruption has a negative impact on the order of national life and even corruption is a deprivation of the economic and social rights of the Indonesian people. Corruption in Indonesia is now systemic and endemic, not only detrimental to state finances but also threatening the nation's economy.

Article 2 paragraph (2) of Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption states that, "in the case of criminal acts of corruption as referred to in paragraph (1) being committed under certain circumstances, the death penalty may be imposed." Corruption is very complex and related to various problems, not only legal problems and weak law enforcement but also concerning moral/mental attitude problems, lifestyle problems, culture and social environment, economic needs and economic disparities, cultural/political system problems and development mechanisms and weak bureaucracy/procedures including supervision in the financial and public service sectors.

Local government grant spending is one of the financial instruments used by local governments to support various initiatives and activities that are beneficial to the community and regional development. This grant spending is intended for individuals, groups, or organizations that meet certain criteria, with the aim of supporting the implementation of activities that are in accordance with local government priorities and policies. Thus, regional government grant spending not only serves as a tool to support activities that provide benefits to the community, but also as a means to increase public trust in regional governments through good and responsible regional financial management practices.

### **3. RESEARCH METHOD**

The specification of this research only carries out analysis up to the level of synthesis, namely analyzing and presenting facts systematically so that they can be more easily understood and concluded. The specification and/or type of this thesis research is normative legal research while combining it with sociological (empirical) legal research using secondary data obtained directly from the first source through field research through interviews and primary data as a source/information material in the form of primary legal materials, secondary legal materials and tertiary legal materials.

The approach method in this study is a combination of the normative approach method "Legal Research" with the empirical approach method "Juridical Sociologies". The research mechanism with this combined approach method is carried out by describing the explanation of the inductive research method leading to the deductive method and vice versa. This is done by the author to help explain the relationship between research variables and research objects so that it can produce an understanding that is very helpful for readers, especially researchers and academics.

The location of this research is carried out in Batam City, Riau Islands Province. The selection of the location is adjusted to the research object used in writing this thesis. The population is all parties involved in the research object. As for the sample used by the author is a random technique to determine several respondents and informants who are competent in this study.

#### **4. RESULTS AND DISCUSSION**

##### **A. Legal Regulations on the Role of Police Investigators in Investigating Corruption Crimes in Regional Government Grant Spending**

Legal regulations regarding the role of police investigators in investigating corruption crimes involving regional government grant spending, by explaining the related articles in the law:

1) Law Number 2 of 2002 concerning the Indonesian National Police

Article 13 of Law Number 2 of 2002 concerning the Indonesian National Police states that the main duties of the Indonesian National Police (Polri) are: The first main duty of the Indonesian National Police (Polri) is to maintain public security and order. This task includes various preventive and proactive activities aimed at preventing disturbances to security and order, as well as creating a sense of security for the community. The Polri carries out routine patrols, monitors crime-prone areas, and carries out enforcement operations to ensure the environment remains conducive.

2) Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption which has been amended by Law Number 20 of 2001

Article 2 Paragraph (1) of Law Number 20 of 2001 concerning the Eradication of Criminal Acts of Corruption states that anyone who intentionally unlawfully commits an act to enrich themselves or another person or a corporation which can harm state finances or the state economy shall be punished with life imprisonment or imprisonment for a minimum of 4 years and a maximum of 20 years, and a fine of at least IDR 200,000,000.00 and a maximum of IDR 1,000,000,000.00.

3) Criminal Procedure Code (KUHAP)

Article 1 Number 1 of Law Number 8 of 1981 concerning the Criminal Procedure Code (KUHAP) states that investigators are police officers of the Republic of Indonesia or certain civil servants who are given special authority by law to conduct investigations. Article 5 Paragraph (1) of the KUHAP explains that investigators have

the authority to receive reports or complaints from a person about a crime, take first action at the scene of the incident, and secure evidence.

## **B. Optimization and Existence of the Role of Police Investigators in the Investigation of Corruption Crimes in Regional Government Grant Spending**

In the context of investigating corruption in regional government grant spending, Polri investigators have a very important role in collecting evidence. Investigators are responsible for collecting evidence that shows the existence of corruption. This includes examining witnesses, looking for relevant documents, and conducting searches if necessary. As stipulated in Article 14 of Law Number 2 of 2002, Polri investigators have the authority to conduct investigations and inquiries into corruption crimes. Investigators must ensure that every step of the investigation is carried out in accordance with applicable legal procedures to avoid procedural errors that could invalidate the legal process. Police investigators must also coordinate with other institutions such as the Attorney General's Office and the Corruption Eradication Commission (KPK) to ensure that investigations are carried out effectively and efficiently. This is especially important in cases involving local government grant funds which often involve many parties and have complex cash flows.

According to Police Commissioner Braiel Arnold Rondonuwu, in 2023, the Riau Islands Police's Directorate of Special Criminal Investigation handled several cases of alleged corruption in regional government grant spending. One prominent case was the misuse of grant funds at the Riau Islands Province Youth and Sports Service, which occurred in 2019 to 2020. This case involved several officials, including AR, who served as Head of the Asset Sub-Division of the Riau Islands Province BPKAD. AR is suspected of illegally managing and misusing grant funds, ordering the implementation of fictitious activities, and obtaining personal benefits of IDR 269,150,000.00. This case includes violations of Article 2 paragraph (1) and Article 3 of Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption which has been amended by Law Number 20 of 2001.

According to Kompol Salahudin, the investigation found that the grant funds that should have been used for beneficial public activities were instead misused for personal and group interests. Investigations and inquiries conducted by Polri investigators succeeded in uncovering this pattern of misuse, as well as identifying the flow of funds that flowed into the personal accounts of the perpetrators. In addition to



direct action in investigations, the role of the police also includes preventive efforts to prevent future corruption. In this context, Polri investigators play a role in providing recommendations to local governments on improving the management and supervision system of grant funds. Investigators can suggest improvements to internal verification and audit mechanisms, as well as the implementation of a better transparency system in reporting and using grant funds. Polri not only plays a role in exposing and prosecuting corruption perpetrators, but also contributes to building a better system to prevent corruption in the future. Through this comprehensive approach, Polri investigators can improve the effectiveness of law enforcement and help create a cleaner and more transparent environment in regional financial management.

### **C. Obstacles and Solutions to Optimizing and Existing the Role of Police Investigators in Investigating Corruption Crimes in Regional Government Grant Spending**

Obstacles to the optimization and existence of the role of Polri investigators in the investigation of corruption crimes in Regional Government grant spending by Polda Kepri are:

- 1) One of the main obstacles in optimizing and existing the role of Polri investigators is limited resources, both in the form of personnel, budget, and technology. Investigating corruption cases often requires in-depth investigations and complex data analysis. The limited number of investigators trained in the field of corruption, as well as the lack of sophisticated technological support to track the flow of funds and process digital evidence, can hinder the effectiveness and efficiency of the investigation process. In addition, a limited budget can affect the ability of investigators to carry out operational activities such as searches and seizures, as well as limit opportunities for training and capacity building.
- 2) Corruption in local government grant spending often involves many parties and requires detailed analysis of the flow of funds and financial transactions. The complexity of this case is a significant obstacle for Polri investigators, because it requires special skills in forensic audits and the ability to understand the various financial mechanisms that may be used to hide acts of corruption. In addition, corruption often involves a wide and organized network, which requires cross-agency coordination to uncover the entire series of crimes.

- 3) External Political intervention and pressure from interested parties can be serious obstacles in investigating corruption. Corruption cases of regional government grant spending often involve high-ranking officials and political figures with great influence. Pressure to stop or slow down investigations, threats against investigators, and attempts to obstruct the legal process can reduce the independence and effectiveness of Polri investigators. These obstacles require strong protection mechanisms to ensure that investigators can work without fear or pressure.
- 4) Weak internal oversight systems in local governments and a lack of supportive regulations can open up loopholes for corruption. Lack of transparency and accountability in the management of grant funds, as well as the inability to detect and prevent misuse of funds early on, exacerbate the problem. Police investigators often have to deal with unsupportive administrative systems and a lack of accurate data, which can hamper the process of gathering evidence and investigating.
- 5) The unsupportive legal culture in society and within government institutions is also an obstacle for Polri investigators. Permissive attitudes towards corruption, lack of legal awareness, and resistance to change are challenges in efforts to eradicate corruption. Polri investigators need to face apathetic or even collaborative attitudes with perpetrators of corruption from within the bureaucracy, which can hinder the investigation and law enforcement process. Building a legal culture that rejects corruption and supports transparency and accountability is an important step to overcome these obstacles.

## **5. CONCLUSION AND SUGGESTION**

### **A. Conclusion**

Based on the discussion in the previous chapter, the following conclusions can be drawn:

- 1) The legal regulation of the role of Polri investigators in investigating corruption in regional government grant spending is regulated in Article 13 and Article 14 of Law Number 2 of 2002 concerning the Republic of Indonesia National Police, which stipulates the main duties of Polri in enforcing the law, including conducting investigations and inquiries into criminal acts. And it is also regulated in Article 1 paragraph (1) of the Criminal Procedure Code defines investigators as police officials who are given special authority to conduct investigations, while Article 7 paragraph

(1) of the Criminal Procedure Code regulates the authority of investigators in making arrests, detentions, searches, and confiscations. Furthermore, Article 6 paragraph (1) of Law Number 31 of 1999 concerning the Eradication of Corruption stipulates Polri as one of the agencies authorized to conduct investigations, inquiries, and prosecutions of corruption.

- 2) Optimization and existence of the role of Polri investigators in investigating corruption in regional government grant spending at Polda Kepri has not been optimal and can be realized through increasing human resources and technology, strengthening cross-agency cooperation, and implementing adequate legal protection for investigators. Increasing the capacity of investigators through special training, the use of sophisticated technology for financial data analysis, and increasing the operational budget are important steps that can improve the effectiveness of investigations.
- 3) The main obstacles in optimizing and existing the role of Polri investigators in investigating corruption in regional government grant spending include limited resources, the complexity of corruption cases, political intervention, weaknesses in the supervision system, and an unsupportive legal culture. Solutions to overcome these obstacles include increasing the capacity and special training for investigators, procuring sophisticated technology to support investigations, increasing the operational budget, and strengthening cross-agency cooperation such as with the KPK and BPKP. Through this comprehensive approach, the role of Polri investigators can be optimized, so that they are able to carry out their duties more effectively and efficiently in eradicating corruption in regional government grant spending.

## **B. Suggestion**

From this conclusion, the author can provide several suggestions, namely:

- 1) It is recommended that police investigators undergo ongoing and specialized training in the field of corruption investigation, including the use of information technology and financial forensics. This capacity building will help investigators identify, collect, and analyze evidence more effectively, and better deal with the complexity of corruption cases.
- 2) It is recommended that the community be actively involved in monitoring the use of local government grant funds. This can be done by reporting corruption cases to the authorities, participating in legal socialization activities, and supporting transparency and accountability efforts in the management of public funds. Public awareness and

participation are essential to creating an environment that rejects corruption.

- 3) It is recommended that local governments strengthen their internal oversight systems to ensure that the use of grant funds is monitored strictly and in a timely manner. In addition, the implementation of strict transparency policies, such as the publication of financial reports and activities funded by grant funds, will help prevent misuse of funds and increase accountability. These reforms must be supported by clear and consistent regulations to ensure compliance from all parties involved.

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