

## THE EFFECTIVENESS OF THE REGULATION OF THE HEAD OF THE POLICE SECURITY MAINTENANCE AGENCY NUMBER 1 OF 2017 CONCERNING PATROLS TO PREVENT CRIMINAL ACTS OF BEATING IN THE JURISDICTION OF THE BALI POLICE

I Komang Bagus Wi Suyasa<sup>1</sup>, Nurianto<sup>2</sup>, Siti Nurmawan Damanik<sup>3</sup>  
Mahendradatta University, Indonesia  
E-mail: Baguswisuyasa8@gmail.com<sup>1</sup>, lawye.nurianto@yahoo.com<sup>2</sup>,  
damanik.world69@gmail<sup>3</sup>

### ABSTRACT

This study aims to analyze the effectiveness of the Chief of the Police Security Maintenance Agency Regulation Number 1 of 2017 concerning Patrols in preventing assault crimes within the jurisdiction of Bali Police. The main issue addressed in this research is the extent to which this regulation can reduce the incidence of assault crimes and the challenges encountered in its implementation. This research employs a qualitative method with a descriptive-analytical approach. Data were collected through in-depth interviews with police officers, document analysis, and direct observation. The data analysis was conducted by identifying patrol implementation patterns and measuring their success in preventing assault crimes.

The research findings indicate that the implementation of the Chief of the Police Security Maintenance Agency Regulation Number 1 of 2017 has been quite effective in reducing the incidence of assault crimes within the jurisdiction of Bali Police, although several challenges remain in its implementation, such as limited human resources and infrastructure to support patrols. The implications of this research suggest the need for enhancing personnel capacity and patrol facilities to improve the effectiveness of crime prevention. Additionally, recommendations for improving regulations and operational procedures are proposed to make them more adaptive to local conditions in Bali.

**Keywords:** Action, Crime, Brawling

### Introduction

Indonesia is a country based on law, this is stated in Article 1 paragraph (3) of the 1945 Constitution of the 4th Amendment (hereinafter abbreviated as UUD RI). Law is the mental infrastructure for people to be able to actualize their potential safely and with dignity (Artidjo Alkostar, 2000). In its implementation, the law can run effectively or not depending on how the community can accept the law and apply it in the life of society, nation, and state (Yoyok Ucuk Suyono, 2019).

The government has so far made many regulations to ensure legal certainty, this is done considering that the government has an obligation to provide protection and protection to its citizens. However, the problem is that the achievement of legal objectives in the criminal justice system has so far only been legal certainty without paying attention to justice and legal expediency.<sup>1</sup>

Menurut Philipus M. Hadjon yang dikutip La Jamaa, bahwa Indonesia sebagai state of law (rechtstaat) has implications for human rights. Clearly, the conception of rechtstaat, and the conception of the rule of law, places human rights as one of the characteristics of a state called rechtstaat and upholds the rule of law. In a democratic state, the recognition and protection of human rights is one of the measures of whether a government is good or bad (La Jamaa, 2014).

Based on this, the law must be believed as a tool to provide equality and certainty in everyday life in order to achieve the goals of the Republic of Indonesia, namely to realize a just and prosperous society based on Pancasila and the 1945 Constitution of the Republic of Indonesia (Carlson, 2022). Therefore, the State has never given the right and authority to civilians even within the scope of the crowd to gang up on suspected persons or perpetrators who are caught red-handed committing a criminal offense, let alone to death (Johnson, 2021).

Actions taken by the community without regard to the rule of law are referred to as Vigilantism or Eigenrichting and one form of this action is beating. In the large Indonesian dictionary, Pengeroyokan is taken from the word keroyok, which means attacking with a crowd, which is then added with the prefix "pe" and the suffix "an" to become pengeroyokan, which means the process, method, act of ganging up (Thompson, 2019). In the legal dictionary, egenrichting is an act of exercising rights according to one's own will which is nothing but an act of exercising rights according to one's own will which is arbitrary, without the consent of other interested parties, this is the implementation of sanctions by individuals (Baker, 2023). Therefore, it can be concluded that the act of vigilantism by beating is an act committed together or crowded with or without complying with the rule of law with the intention of giving punishment or deterrent effect on the victim (Wijaya, 2019).

As mentioned earlier, one of the legal problems that occurs in this country is the act of eigenrichting in the form of beatings. The act of eigenrichting in the form of beating is an act that violates human rights, as stated in the 1945 Constitution of the Republic of Indonesia Article 28 I which reads:

1. The right to life, the right not to be tortured, the right to freedom of thought and conscience, the right to religion, the right not to be enslaved, the right to be recognized as a person before the law, and the right not to be prosecuted on the basis of retroactive laws are human rights that cannot be diminished under any circumstances.

---

<sup>1</sup> *Ibid*

2. Every person shall have the right to be free from discriminatory treatment on any grounds and shall have the right to protection against such discriminatory treatment.

In addition, it also violates the provisions contained in the principle of equality before the law, which is stated in Article 28 D of the 1945 Constitution of the Republic of Indonesia, which reads "Everyone is entitled to recognition, a guarantee of protection, and fair legal certainty and equal treatment before the law".

Basically, the crime of beating has been regulated in Article 170 of the old Criminal Code and Article 262 of Law Number 1 of 2023 concerning the new Criminal Code which is valid 3 years from the date of enactment, namely 2026 (Miller, 2020).

Based on Article 170 paragraphs (1) and (2) of the Criminal Code read:

- a. Any person who openly and with united forces uses violence against persons or property, shall be punished by a maximum imprisonment of 5 years and 6 months.
- b. The offender shall be punished:
  1. by a maximum imprisonment of 7 years, if he intentionally destroys property or if the violence used results in an injury;
  2. by a maximum imprisonment of 9 years, if the violence results in a serious physical injury
  3. by a maximum imprisonment of 12 years, if the violence results in death.

Acts of beating that occur in the community are reported in various kinds of media including print, online, and television media, because it is inevitable that the criminal act of beating itself has become a trend in society in various regions, especially in big cities in Indonesia (Nugroho, 2020). Many of these cases are legally processed in accordance with the applicable provisions but not a small number are simply released due to lack of evidence. In addition, the crime of beating which is explained by Article 170 of the Criminal Code is clearly an unlawful act with the element of committing violence together against persons and objects.

**Table 1**  
**Brutality Cases Occurring in the Legal Area of Bali Police in 2022-2024**

No	Year	Number Of Cases
1	2022	26
2	2023	31
3	2024	23

Source: Ditsamapta Polda Bali

One example of a case of beating that occurred was the case of beating and stabbing in Sempidi, Badung which killed Adhi Putra Krismawan. According to information obtained on Tuesday, January 23, 2024, there are five perpetrators who have been arrested in the case of beating in Sempidi that killed Adhi Putra Krismawan (23) from Jalan Pulau Sumatra Widyasari Gg. VIII C, RT, Kampung Baru, Buleleng. Of the

five suspects, two were arrested in Jember. The beating began when a group of about a dozen people were waiting for their target on Monday (15/1/2023) night. This group is suspected of being hostile to another group of youths so they intend to brawl. Ahead of the incident, the youths saw the victim riding a motorcycle on Jalan Raya Sempidi-Kwanji. The victim was not their target. However, because the victim was wearing a shirt similar to the targeted group, they violently beat Adhi and damaged his motorcycle near a bend in the road not far from where Adhi's body was found. The victim's body was lying bloodied in front of a cooperative, about 500 meters from where he was ganged up. Police confirmed the death of the young man from Singaraja, Buleleng Regency was due to a stab wound to the chest based on the results of an autopsy of the body at Prof IGNG Ngoerah General Hospital in Denpasar. In addition, the victim Adhi suffered bruises and abrasions all over his body (Sutanto, 2019).

The consequence of this regulation is that all people, whether perpetrators or victims, have their rights and interests protected by the State and no one is allowed to remove or take away the rights attached to each individual without permission and procedures set by the State (Prabowo, 2020). The act of *eigenrichting* that occurred was an act carried out without the consent of the State and did not comply with the procedures that had been set, this act was carried out with a form of violence, namely by persecuting the victim to the point of taking the victim's life, the Indonesian State is a State of Law, which means that every action/act committed by a person who meets the elements in the law must be accounted for according to the rules that govern it (Robinson, 2019). Law is a tool of the state that has the aim of bringing order, reconciliation, and organizing the life of a nation in order to achieve justice and balance between rights and obligations.

The government of a country must be governed by laws and sanctions for violations of these laws. 'Law is the entire collection of rules or methods in a common life that can be enforced with a sanction'. The law is a set of laws and regulations containing commands and prohibitions that manage the order of a society and therefore must be obeyed by the society itself (Harsono, 2022).

The Indonesian National Police (Polri) is the national police force of Indonesia that is directly responsible to the President of the Republic of Indonesia. The National Police is led by a Chief of the Indonesian National Police (Kapolri). Based on Article 5 of Law of the Republic of Indonesia Number 2 of 2002 concerning the Indonesian National Police, State Gazette of the Republic of Indonesia of 2002 Number 2 and Supplement to the State Gazette of the Republic of Indonesia Number 4168. The Indonesian National Police (Polri) is a state instrument that plays a role in maintaining public security and order, enforcing the law, and providing protection, protection, and services to the public in the context of maintaining domestic security (Anderson, 2023).

The police function is a function of state government in the field of law enforcement, protection, and community service as well as community guidance in order to ensure order and the rule of law (Kartika, 2021). The police as an integral part

of the state government function, it turns out that the function has a very broad measure, not only the repressive aspects in relation to the criminal law enforcement process but also includes preventive aspects in the form of tasks carried out which are so inherent in the main functions of state administration ranging from guidance and regulation to police actions that are administrative and not the competence of the court (Harsono, 2022). In the era of globalization, human life activities seem to know no boundaries of space and time where supported by the swift flow of information and the rapid development of science and technology, the quality and quantity of crime are increasing with a more varied and sophisticated modus operandi and difficulty of proof ranging from conventional crime, organized crime, collar crime.

These situations and conditions are a challenge for the National Police as an institution trusted by the community in protecting, protecting, and serving the community, enforcing the law, and maintaining security and public order. Related to this, various policing patterns continue to be developed, so that it is expected to be able to suppress the occurrence of every problem of community life so that crime or other kamtibmas disturbances do not occur.

The main tasks of the National Police are regulated in Article 13 of Law of the Republic of Indonesia Number 2 of 2002 which states that: "the main tasks of the National Police of the Republic of Indonesia are:

- a. Maintaining public security and order;
- b. Enforcing the law; and
- c. Provide protection, protection, and service to the community".

The Indonesian National Police has two main tasks, among others:

"Preventive and Repressive Duties. Preventive duties are carried out in the form of patrols carried out in a directed and regular manner, conducting questions and answers with passers-by, including crime prevention efforts or the implementation of preventive duties, maintaining order, and ensuring public safety. Meanwhile, repressive duties are carried out by collecting evidence in connection with the investigation of cases and even trying to recover stolen goods, making arrests, and then being handed over. into the hands of the prosecutor who will then forward it to the Court".

Of all the elaboration of Police duties above, the Police duty that is considered the most effective to overcome the occurrence of crime in the prevention and disclosure of a criminal offense is the preventive task because the broad task is almost limitless, formulated with the words do anything as long as security is maintained and as long as it does not violate the law itself. Preventive is carried out with 4 main activities; organize, guard, escort, and patrol (TURJAWALI).

The police patrol function is highly expected as one of the spearheads of the POLRI which is engaged in yustisil repressive, namely investigations which are expected to improve their professional abilities to anticipate all the tricks and abilities of criminals which are also increasing day by day. Based on the Big Indonesian Dictionary, the patrol has a very short meaning, namely surveillance, and based on the Decree of the National



Police Chief with NO: SKEP/608/VI/1997, "patrol is one of the police activities carried out by two or more members of the police as an effort to prevent the meeting of intentions and opportunities, by visiting, exploring, observing, supervising, paying attention to situations and conditions that are expected to cause all forms of Kamtibmas disturbances, and demanding the presence of the police to carry out police actions to maintain order and ensure the general security of the community". Police patrols are carried out to find out about the social conditions of the community and its culture so that the routine of the community in one place is known, in the end, if one day things are found that are out of the ordinary in the area, it will be known immediately, and it is easy to overcome crime in the area. In line with this, the community can feel safer and feel the existence of protection and legal certainty for themselves. In addition, we must also realize and recognize that the community must actively participate in creating security and tranquility in the midst of society. The obstacles faced by officers in carrying out patrols to tackle crime include the following: a limited number of personnel, inadequate budget, and lack of knowledge and awareness of the community and maintaining kamtibmas. The purpose of this study is to determine the effectiveness of the Head of Police Headquarters Regulation Number 1 of 2017 concerning patrols to prevent criminal acts of beating in the jurisdiction of the Bali Police and to find out the obstacles in the implementation of patrols in accordance with the Head of Police Headquarters Regulation Number 1 of 2017 to prevent criminal acts of beating.

### Research Method

This type of research uses empirical legal research, which is a legal research method that uses empirical facts taken from human behavior, both verbal behavior obtained from interviews and real behavior carried out through direct observation. Empirical research is also used to observe the results of human behavior in the form of physical relics and archives. Primary Data: Collected through fieldwork, including direct observations of patrol activities and in-depth interviews with police officers, victims of criminal acts of beating, and community members within the Bali Police jurisdiction. Secondary Data: Gathered from official documents, reports, legal texts, and relevant literature. This includes the Regulation of the Head of the Police Security Maintenance Agency Number 1 of 2017, crime statistics, and prior studies on the effectiveness of police patrols.

Semi-structured interviews are conducted with key stakeholders, including police officers at various levels (from patrol officers to commanders), victims of assaults, and local community leaders. These interviews aim to gather qualitative data on the perceived effectiveness of the patrols and any operational challenges encountered. Direct observations are made during police patrols in different areas within the Bali Police jurisdiction. The researcher observes the frequency, duration, and scope of the patrols, as well as interactions between police officers and the community. This helps in understanding how the regulation is being implemented on the ground.

Document Analysis: Official reports, crime records, and other relevant documents are analyzed to track changes in the frequency of criminal acts of beating before and after the implementation of the regulation. This analysis helps in identifying trends and patterns that indicate the regulation's impact. Descriptive statistics are used to analyze crime data, particularly focusing on trends in criminal acts of beating over time. The analysis seeks to determine whether there has been a statistically significant reduction in such crimes since the regulation was enforced. Validity and Reliability, To ensure the validity and reliability of the research findings, the study employs triangulation by cross-referencing data from interviews, observations, and document analysis. This helps in corroborating the findings and ensuring that the conclusions drawn are well-supported by multiple sources of evidence.

### Result and Discussion

#### **The Effectiveness of Head of National Police Regulation Number 1 of 2017 on Patrols to Prevent Criminal Acts of Brutality in the Legal Area of Bali Police**

Based on the results of an interview with I Kompiang Subagia as Adjunct Police Commissioner Kasi Turjawali Subditgasum Ditsamapta Polda Bali, he stated that the Effectiveness of the Head of Police Headquarters Regulation Number 1 of 2017 concerning Patrols to Prevent Criminal Acts of Brawling in the Bali Police Legal Area, namely the Head of Police Headquarters Regulation Number 1 of 2017 concerning Patrols is an important step taken by the Indonesian National Police to tackle criminal acts of brawling. This regulation aims to improve public security and order through more organized and effective patrol activities. Although it has been implemented for several years, the effectiveness of this regulation is still subject to evaluation, especially in the jurisdiction of the Bali Police. Several cases of beatings still occur, raising questions about the extent to which this regulation has succeeded in achieving its objectives. Since the enactment of Kabaharkam Polri Regulation No. 1/2017, various efforts have been made to optimize patrol activities in the jurisdiction of the Bali Police. Patrols were conducted with more structured methods, involving increased patrol frequency, more strategic route setting, and the use of technology such as CCTV and GPS-based monitoring systems. In addition, cooperation with the community was also enhanced through partnership programs between the police and local communities. Despite these efforts, there are still a number of cases of beatings in the jurisdiction of Bali Police. Some of the incidents are even shocking enough to attract public attention. The data shows that although there has been a decrease in the number of cases of beatings compared to the period before this regulation was enacted, the frequency of occurrence still indicates that this regulation has not been fully effective in preventing criminal acts of beatings. There are several factors that can explain why the Head of National Police Regulation Number 1 Year 2017 has not been very effective in preventing criminal acts of beating in the jurisdiction of Bali Police:

- a. Community Awareness: Despite efforts to improve cooperation with the community, active participation from the community in maintaining neighborhood security is still lacking. Low levels of community awareness and participation can reduce the effectiveness of patrol activities.
- b. Cultural and Social Influences: Cultural and social factors also influence the level of violence in the community. In some communities, battering is still considered a legitimate way to resolve conflicts, so despite increased patrols, battering crimes still occur.

### **Constraints in the implementation of patrols in accordance with Police Headquarters Regulation No. 1 of 2017 to prevent criminal acts of beatings**

Based on the results of an interview with I Ketut Gelis as Police Inspector One Ps. Kanit IV Siturjawali Subditgasum Ditsamapta Polda Bali, he explained that the obstacles in the implementation of patrols in accordance with Kabaharkam Polri Regulation Number 1 of 2017 to prevent criminal acts of beatings, namely the implementation of patrols by the Indonesian National Police is regulated in Kabaharkam Polri Regulation Number 1 of 2017. This regulation aims to improve security and order by preventing criminal acts, including beatings. However, in its implementation, there are still several obstacles faced by police officers, especially in the jurisdiction of the Bali Police. These obstacles include various aspects, ranging from community participation, and socio-cultural factors, to limited facilities and infrastructure. To overcome these obstacles, various efforts have been made to improve the effectiveness of patrols.

#### **1. Limited Community Participation**

One of the main obstacles in the implementation of patrols is the lack of active participation from the community. Communities that are not directly involved in maintaining neighborhood security tend to be more vulnerable to criminal acts, including beatings. Awareness of the importance of shared security is often low, so patrols conducted by the police do not get full support from local residents.

#### **2. Social and Cultural Factors**

Socio-cultural factors also pose a significant challenge in preventing the crime of battering. In some communities, battering is still considered a legitimate way to resolve conflicts. This deep-rooted culture of violence makes prevention efforts through patrols less effective. In addition, a lack of emotional control from the community also triggers the occurrence of acts of beating, especially during disputes.

#### **3. Limited Facilities and Infrastructure**

Optimal patrol implementation requires the support of adequate facilities and infrastructure. However, budget constraints are often a major obstacle. The limited number of personnel, inadequate patrol vehicles, as well as other supporting equipment such as CCTV which is still lacking, all contribute to the ineffective implementation of patrols. This limitation causes the area that can be patrolled to be limited and the frequency of patrols carried out is not optimal.



## Conclusion

Regulations issued by the Head of the National Police's Security Maintenance Agency (Baharkam) through Regulation Number 1 of 2017 have provided a strong legal basis for the implementation of patrols in an effort to prevent criminal acts of mobbing in the jurisdiction of the Bali Regional Police. The implementation of this regulation shows its effectiveness in reducing the number of incidents of beatings, especially through increasing the frequency and quality of patrols carried out by the police.

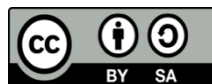
However, the effectiveness of this regulation still faces several challenges, including limited human and logistical resources at the operational level, as well as the need for increased coordination with local communities. Community participation and support from various stakeholders are important factors in supporting the success of preventing criminal acts of beatings.

Thus, to further increase effectiveness, it is recommended to increase training for police personnel, optimize the use of technology in patrols, and strengthen partnerships between the police and the community. This will help create a safer environment and prevent criminal acts of beatings in the jurisdiction of the Bali Regional Police.

## Bibliography

- Anderson, C., & S. J. (2023). Evaluating Police Patrol Strategies in Urban Areas. *Journal of Criminology and Public Policy*, 201–218.
- Artidjo Alkostar. (2000). *A State Without Law: A Street Lawyer's Record*. Book.
- Baker, T. (2023). The Impact of Police Presence on Crime Rates: A Comprehensive Review. *Crime Prevention Research*, 102–117.
- Carlson, R., & T. L. (2022). Challenges in Implementing Police Regulations in Indonesia. *International Journal of Law and Society*, 456–470.
- Harsono, A. (2022). Perception of Police Patrols among Local Communities in Bali. *Indonesian Journal of Criminology*, 77–89.
- Johnson, K. (2021). Comparative Analysis of Crime Prevention through Patrols. *Global Policing Review*, 98–112.
- Kartika, R. (2021). Implementation of Patrol Policy in Indonesia: A Case Study in Bali. *Journal of Law and Policy*, 123–136.
- La Jamaa. (2014). Protection of Victims of Domestic Violence in Indonesia's Criminal Law. *Journal of Legal Thoughts*, I.
- Miller, S. (2020). Policing Strategies for Crime Prevention: An International Perspective. *International Journal of Police Science*, 34–49.

- Nugroho, D. (2020). Assessing the Effectiveness of Police Regulations in Indonesia. *Asian Journal of Law and Policy*, 78–91.
- Prabowo, Y. (2020). Community Response to Police Patrols in Rural and Urban Areas. *Journal of Indonesian Legal Studies*, 201–214.
- Robinson, P. (2019). Patrols as a Deterrent to Violent Crime: Evidence from Southeast Asia. *Asian Criminology*, 267–282.
- Sutanto, W. (2019). Evaluation of the Implementation of Police Patrols in Bali. *Indonesian Journal of Law Enforcement*, 150–168.
- Thompson, E. (2019). Law Enforcement and Community Safety in Tourist Destinations. *Tourism and Security Journal*, 91–105.
- Wijaya, F. (2019). The Legal Framework for Policing in Indonesia. *Journal of Southeast Asian Law*, 56–72.
- Yoyok Ucuk Suyono, D. F. (2019). Penal Mediation: Alternative Case Resolution in Criminal Law. *LaksBang Justiti*.



licensed under a  
**Creative Commons Attribution-ShareAlike 4.0 International License**