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# The Intelligence Function of the Bandung City National Narcotics Agency in Preventing Drug Circulation

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#### Abstract

The abuse and illicit trafficking of narcotics has been increasing in Indonesia both in quality and quantity. Not only the general public, but also many law enforcement officials have been proven to be perpetrators of narcotics crimes. Especially when TNI soldiers who maintain the integrity and sovereignty of the territory of the Unitary State of the Republic of Indonesia are involved in narcotics offences. The government established the National Narcotics Agency to eradicate narcotics crimes, which is authorized to investigate and prosecute narcotics crimes in Indonesia. In the procedural law, it has been stated that investigators and investigators of a narcotics crime within the TNI are ANKUM, Military Police, Prosecutors and auxiliary investigators. The authority of BNN in conducting investigations and investigations of narcotics offenses against TNI soldiers in cases of connection is also very limited. The investigation and investigation must be authorized by ANKUM and only for case development to obtain information and data to find other suspects who are civilians. Once the information required by BNN is deemed sufficient, BNN must still refer the case to ANKUM and the Military Police as operational investigators and core investigators in connectivity cases for TNI soldiers.

#### Abstrak

Penyalahgunaan dan peredaran gelap narkotika telah semakin meningkat di Indonesia baik secara kualitas maupun kuantitas. Tidak hanya masyarakat umum, namun para aparat penegak hukum pun sudah banyak yang terbukti sebagai pelaku tindak pidana narkotika. Terlebih ketika prajurit TNI yang menjaga keutuhan serta kedaulatan wilayah Negara Kesatuan Republik Indonesia justru malah terlibat tindak pidana narkotika. Pemerintah membentuk Badan Narkotika Nasional untuk melakukan pemberantasan tindak pidana narkotika yang diberi kewenangan untuk melakukan penyelidikan dan penyidikan tindak pidana narkotika di Indonesia. Dalam hukum acara tersebut telah disebutkan bahwa penyelidik dan penyidik suatu tindak pidana narkotika dalam lingkungan TNI adalah ANKUM, Polisi Militer, Oditur serta penyidik pembantu. Kewenangan BNN dalam melakukan penyelidikan dan penyidikan tindak pidana narkotika pada prajurit TNI dalam perkara koneksitas pun juga sangat terbatas. Penyelidikan dan penyidikan tersebut harus seizin ANKUM dan hanya untuk pengembangan kasus guna memperoleh informasi dan data dalam menemukan tersangka yang lainnya yang merupakan masyarakat sipil. Setelah informasi yang dibutuhkan oleh BNN dirasa cukup, BNN tetap harus melimpahkan kasus tersebut kepada ANKUM dan Polisi Militer sebagai operasional penyelidik dan penyidik inti dalam perkara koneksitas bagi yang pelakunya prajurit TNI.

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#### 1. INTRODUCTION

Through deviant behavior growing among society due to lack of balance in economic problems, especially towards Indonesian teenagers who often use alcohol and illegal drugs(Chazawi, 2011). According to Ibrahim & Margianti (2023) They do this because they lack attention from their parents or perhaps because of the invitation of the users or their friends. Drug abuse among high school and middle school students started with offers from drug dealers, initially they were given it several times and after they felt dependent on the drug, the dealer started selling it. After they bought drugs from each other, they were told to become dealers to invite their other friends to try the illegal drugs. The history of overcoming the dangers of Narcotics and its institutions in Indonesia began in 1971 when the Presidential Instruction of the

Republic of Indonesia (Inpres) Number 6 of 1971 was issued to the Head of the National Intelligence Coordinating Agency (BAKIN) to overcome six prominent national problems,

Nowadays, the prevention of drug abuse has reached the city/district level on a massive scale. The city level national narcotics agency or hereinafter referred to as BNNK is a vertical agency of the national narcotics agency which carries out the duties, functions and authority of the national narcotics agency in the city area. (Sadjijono, 2018). According to Chazawi (2014) The city's national narcotics agency has the task of formulating and implementing national policies regarding the prevention and eradication of the abuse and illicit trafficking of narcotics and narcotics precursors. Then the City-level BNN also coordinates with the head of the Republic of Indonesia's state police in preventing and eradicating the abuse and illicit trafficking of narcotics. The city level BNN functions as the preparation and formulation of national policies in the field of preventing and eradicating the abuse and illicit trafficking of narcotics, psychotropics and precursors and other addictive substances except addictive substances for tobacco and alcohol, hereinafter abbreviated as P4GN. Responding to the development of drug problems which continue to increase and become more serious, then MPR-RI Decree Number VI/MPR/2002 through the General Session of the People's Consultative Assembly of the Republic of Indonesia (MPR-RI) in 2002 has recommended to the DPR-RI and the President of the Republic of Indonesia to make changes to Law Number 22 of 1997 concerning Narcotics. Therefore, the Government and DPR-RI ratified and promulgated Law Number 35 of 2009 concerning Narcotics, as an amendment to the law.

Likewise, the intelligence function, which includes investigation, security and mobilization to maintain the stability of security and conducive public order, must be able to anticipate various developments in the situation so that if a factual threat arises it can be handled professionally and proportionally. (Chazawi, 2011). According to Hadisoeprapto (2011) It is stated that intelligence contains basic intelligence where basic intelligence is used for basic knowledge or basic notes for those who use it which aims to provide meaning to symptoms and changes that occurred at some time in the past. Without basic knowledge about a particular problem, it is difficult to accurately assess a phenomenon or change that occurs regarding that problem, and there may be no meaning 6 knowledge about developments regarding that problem in the future, especially regarding developments in security and social order. (Rusman, 2017). Within the National Narcotics Bandan there is also an intelligence role, information provided by BNN intelligence members which aims to provide input to leadership for early detection is not merely provided in raw form, but through processing stages with high analysis. The following is an investigation into criminal cases of drug abuse in the Bandung city area based on data from 2019 to 2022:

Table 1.1 Recap of Case and Network Data in Bandung City

| <b>Q</b> ahun | Case Reveal |             | Network Revealed |             |
|---------------|-------------|-------------|------------------|-------------|
|               | Target      | Realization | Target           | Realization |
| 2019          | 25          | 70          | 2                | 4           |
| 2020          | 20          | 69          | 2                | 7           |
| 2021          | 25          | 47          | 3                | 6           |
| 2022          | 30          | 66          | 2                | 8           |

Source: Bandung City BNN, 2023

From the data in table 1.1 above, there are still several cases of drug abuse in the city of Bandung, indicating that data on drug crimes committed by teenagers in the city of Bandung from 2020 to 2022 has definitely increased. Data on drug abusers who reported self-reported or voluntary drug abuse and who received rehabilitation services at the Bandung City BNN in 2017 were 111 people, in 2018 there were 135 people, in 2019 there were 221 people, in 2020 there were 100 people and in 2021-August there were as many as 100 people. So the total number of drug abusers who have self-reported as of August 2021 is 710 people. This figure is not a small number because narcotics are indeed very dangerous for society,

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Based on the background explained previously, the research has identified problems in several parts including 1) What is the role of the Bandung City BNN in preventing drug trafficking in the jurisdiction of Bandung City; 2) What are the supporting and inhibiting factors for the Bandung City BNN in preventing drug trafficking in the Bandung City jurisdiction; and What efforts have been made by the Bandung City BNN to handle or overcome obstacles in preventing drug trafficking in the Bandung City area.

#### 2. RESEARCH METHOD

What is meant by a research method is a series of scientific procedures for obtaining data with certain objectives and uses(Sugiyono, 2018). Also explained in(Silalahi, 2012)that research design is a research plan and structure that has been prepared in such a way that researchers can obtain answers to questions that have been created based on problems found in the field. So the general goal made in research is to solve problems using steps that are relevant to the problem so as to find the best solution to a problem that occurs. According toSilalahi, (2012)Data sources are subjects from which data can be obtained, in qualitative research the data collected is related to the research focus. Data sources are obtained in two ways, namely:

- a. **Primary Data Source**namely data that comes from humans and data that comes from references, literature, observation results, documents and so on. Human data is obtained from people who are informants, in this case people who are directly research subjects. In this research, the research sources are: the sub-district head, the sub-district secretary and government officials and the community requesting electronic KTP services at the Solokan Jeruk District Integrated Services.
- b. **Secondary Data Sources**, where the data obtained comes from documents in the form of notes, recorded images or photos, and observation results related to the research focus

The data collection technique used is the participant observation technique, where in participatory observation, the researcher observes what people do, listens to what they say, and participates in their activities. In this research, the emphasis will be on research design with observational dimensions and literature reviews that have been supported by the latest data from relevant sources, so that this research can still be fully accounted for.

In this research, a method was used that was in accordance with the objectives to be achieved in the research, where this research looked at the role and function of intelligence from the Bandung City National Narcotics Agency in disclosing or preventing the circulation of narcotics in Bandung City so that there was no abuse of narcotic substances in Bandung City. So the method used in this research is a qualitative descriptive method, which provides an accurate, factual and systematic picture of the role and intelligence function of the Bandung City National Narcotics Agency in preventing drug trafficking. According to (Yusi & Idris, 2016) In this research model, researchers can specifically use it to describe the results of observations into a narrative or a picture so as to get answers to the problems being observed with more definite results.

By using and approaching appropriate research methods, it is hoped that this research can provide insights and improvements to the function and intelligence role of the Bandung City National Narcotics Agency in alleviating narcotics abuse in Bandung City. It is hoped that the findings obtained in this research can become benchmarks and analysis material for stakeholders.

#### 3. DISCUSSION

The city of Bandung is located in the West Java region and is the capital of West Java Province, has an area of 16,729.65 hectares with a population of 2,483,977 people. The Bandung City area consists of 30 sub-districts and 151 sub-districts. Bandung City is the largest metropolitan city in West Java. Apart from that, the city of Bandung is also known as a shopping city, with many malls and factory outlets spread across the city, and currently the city of Bandung is gradually becoming a culinary tourism city. The city of Bandung is one of the main destinations for tourism and education. As a tourist destination, the National Narcotics Agency of Bandung City attracts tourists both from other regions in Indonesia and foreign tourists who come to visit

Bandung. Starting from this, The opportunities for drug abuse in the city of Bandung are very large. Therefore, serious attention and treatment in an integrated manner is needed to minimize drug abuse in the Bandung City area, both in terms of distribution and use.

The role of the Bandung City National Narcotics Agency has an important role by covering a fairly large and densely populated area in the city of Bandung with its territory. By supporting the vision of creating a healthy West Java society, free from drug abuse and illicit trafficking, in order to support the creation of quality and competitive West Java province human resources in all fields; supported by the mission to unite and mobilize all the potential of the West Java community in efforts to prevent, rehabilitate and eradicate illicit drug abuse. The main tasks of the Bandung City BNN:

- 1. Develop and implement national policies regarding the prevention and eradication of abuse and illicit trafficking of Narcotics and Narcotics Precursors;
- 2. Prevent and eradicate the abuse and illicit trafficking of Narcotics and Narcotics Precursors;
- 3. Coordinate with the Head of the National Police of the Republic of Indonesia in preventing and eradicating the abuse and illicit trafficking of Narcotics and Narcotics Precursors;
- 4. Increasing the capacity of medical rehabilitation and social rehabilitation institutions for Narcotics addicts, both those organized by the government and the community;
- 5. Empowering the community in preventing the abuse and illicit trafficking of Narcotics and Narcotics Precursors:
- 6. Monitor, direct and improve community activities in preventing the abuse and illicit trafficking of Narcotics and Narcotic Psychotropics;
- 7. Through bilateral and multilateral cooperation, both regional and international, to prevent and eradicate the illicit trafficking of Narcotics and Narcotics Precursors;
- 8. Developing a Narcotics and Narcotics Precursors laboratory;
- 9. Carrying out administrative inquiries and investigations into cases of abuse and illicit trafficking of Narcotics and Narcotics Precursors; And
- 10. Make an annual report regarding the implementation of duties and authority.

## a. The Role of Bandung BNNK Intelligence in Preventing Drug Abuse

BNN is a professional institution and is able to act as Indonesia's focal point in the field of preventing and eradicating the abuse and illicit trafficking of narcotics, psychotropic substances, precursors and other substances in Indonesia in carrying out its main tasks and functions in the field of preventing and eradicating the abuse of drugs and narcotic precursors. BNN has an intelligence function (under the authority of the deputy for eradication) to support its main tasks and functions based on the laws and regulations covering BNN's activities, where it is directly responsible to the President of the Republic of Indonesia through coordination from the police chief of the Republic of Indonesia. The intelligence function of BNN is part of law enforcement intelligence in the field of Narcotics, as well as an intelligence function at a strategic level,

Implementation of the role of intelligence officers in drug crime investigation activities by Bandung City BNN Intelligence is as follows:

- 1. Assist the Head of Eradication Division in planning and compiling intelligence activities in Intelligence investigations.
- 2. Assist the Head of Eradication Division in preparing Tactical Intelligence Operational activity plans
- 3. Carrying out intelligence operational activities which include investigation, security and mobilization of both factual and phenomenal nature to uncover narcotics networks.
- 4. Assist the Head of Eradication Division in preparing UUK/Operation Targets and carrying out supervision and control of operational tasks.
- 5. Carry out mapping of areas prone to narcotics trafficking, develop intelligence information and networks to uncover narcotics cases and narcotics syndicate networks.
- 6. Make reports on the results of carrying out tasks in the form of Assignment Reports or other reports. for Head of Intelligence, Kabid.

## 7. Providing advice and input on eradication

BNN Intelligence Serves as the eyes and ears of the National Narcotics Agency which is obliged to carry out early detection and provide warnings about problems and changes in social life in society(Yuli W & Winanti, 2019). And BNN intelligence is also tasked with identifying threats, disturbances or obstacles to Kamtibmas, for example Investigation, Security and Mobilization. BNN Intelligence carries out the task of open investigations, investigations carried out to collect information in the form of facts and data openly using research techniques/research into cases of narcotics crimes by studying the chronology of events/modus operandi of perpetrators, network patterns of time and place of incident, facilities and infrastructure. used, the perpetrator's identity background, the perpetrator's motivation as well as the backing and support for the perpetrator's activities in committing narcotics crimes(Soesilo, 1974). Apart from that, intelligence also carries out closed investigations, namely investigations carried out to collect information in the form of facts and data in a closed manner using observation and description techniques, namely observing the person suspected of being the perpetrator and the place where the perpetrator committed the crime.

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Based on data obtained from the Bandung City BNN, data on drug abuse has increased in 2019-2021, in 2019 there were 20 cases, increasing in 2020 to 25 and in 2021 to 30, from the data obtained, it is necessary to question the implementation again. The role of BNN intelligence in carrying out its role in preventing drug abuse, the implementation of BNN's intelligence role in providing intelligence products in the framework of P4GN (Eradication of Abuse and Prevention of Illicit Drug Trafficking) has not been optimal, as evidenced by the increase in the number of drug abuse every year.

## b. Inhibiting and Supporting Factors for Bandung City BNN Intelligence

In general, the supporting factors for BNN intelligence in Bandung city are still very minimal and not too many, where the supporting factors for BNN Intelligence in preventing drug trafficking abuse are the existence of equipment which is supported starting from the facilities provided or the infrastructure that is perceived by intelligence officers. Apart from that, there is routine intelligence training held by the Bandung City BNN and additional budget support specifically for intelligence section activities at the Bandung City BNN. Support from leadership can also have a positive impact on performance in eradicating narcotics abuse.

When discussing supporting factors, there are also inhibiting factors, especially BNN Intelligence in preventing drug crimes, which can be classified into internal and external obstacles that hinder the implementation of the Bandung City BNN intelligence function which can be explained as follows:

## **Internal Inhibiting Factors**

- 1) Its main duties are limited by the Law (that basically Article 15 paragraph (2) letter i of Law No. 2 of 2002, explains that the supervision of foreigners is carried out in coordination with the relevant agencies, and in the supervision of foreigners who are highly authorized to Supervising the administration of the travel of foreigners is the immigration agency as stated in article 1 point 1 of Law No. 6 of 2011 concerning the travel of foreigners by observing people entering or leaving the territory of Indonesia.
- 2) Lack of material information from Immigration (In fact, there is a lack of coordination between the Intekam Unit and the Community in terms of exchanging information, so that BNNK itself has difficulty comparing existing data and data held by Immigration.
- 3) The human resources needed to become an investigative network in order to obtain trustworthy information is difficult.

## **Internal Inhibiting Factors**

1) Law Enforcement Officials, law enforcers are those who are directly and indirectly involved in law enforcement. Law enforcement will be limited to groups involved in the field of law enforcement which does not include law enforcement, but also peace

maintenance. Apart from that, law enforcement officials have not been optimal in providing sanctions to police officers who commit violations because the perpetrators are colleagues or were once their superiors, so law enforcers do not carry out their duties professionally.

- 2) Facilities or Facilities, Based on research results, law enforcement against narcotics crimes carried out by the police is still less than optimal or can be said to be less viable due to the lack of adequate facilities and infrastructure and limited budget, so this really disrupts daily activities.
- 3) The influence of the environment or society, according to Igigi, is related to members of the National Police who in this case are the objects of law enforcement. The background and personal characteristics of police officers make them more cunning and intelligent in evading pursuit by officers.
- 4) Media Factors: Police members who abuse narcotics can easily get information about the activities of members of the Intelligence and Security Unit who are carrying out investigations into Narcotics Crimes, because there is a high probability of knowing every action in the field. Especially in the police ranks, information on members who abuse narcotics is complicated and difficult to obtain.

These obstacles are law enforcement factors that result in obstruction of law enforcement against narcotics crimes committed by the police. The National Police must take action against its members who commit criminal acts without protecting its members who are involved in narcotics crimes(Kunarto, 2017). In his researchSamosir (2020)stated that so far there are still unit leaders as law enforcement officers who have not been optimal in providing sanctions to police officers who commit violations. Repressive is an effort to enforce the law against real disturbances or factual threats in the form of prosecution, eradication, repression after a crime has occurred or a violation of the law which aims to provide an example of social learning and create a deterrence effect in order to anticipate the perpetrators repeating their actions.

## c. Bandung City BNN Intelligence Efforts to Prevent Drug Circulation

The efforts made by the National Narcotics Agency in overcoming narcotics abuse in the city of Bandung are efforts that have been carried out every year in overcoming narcotics abuse in three parts, namely Preentif, which is an early prevention effort. Preventive, is an effort that is strategic in nature and is a medium and long term action plan, but must be seen as an urgent action to be implemented immediately, and Repressive, is a countermeasure that is a law enforcement action starting from being carried out by Police intelligence in the investigative process which includes Surveillance, raids and arrests to find narcotics users and dealers and their evidence.

Efforts made further include collaborating with related agencies such as NGOs, government agencies, collaborating with the community, carrying out routine raids on motorized vehicles at every city border route, carrying out routine uniform raids and tests, placing advertisements about the dangers of drugs, collaborating with institutions. medical rehabilitation and social rehabilitation. Apart from that, the efforts made to prevent narcotics abuse in the city of Bandung are that BNNK always provides educational knowledge for all Bandung city residents about the dangers of narcotics, both counseling in schools, both information on the streets, such as banners, so that people know about the dangers of drugs. Then provide information to the public so that people are aware of the dangers of drugs, because drugs can psychologically damage the user, nation and state, then also damage the environment, education in schools, once a month we carry out urine tests and provide knowledge to the public, provide outreach through radio, television and magazines. Then put up banners on the streets, and conduct outreach in every sub-district.

Efforts made to rehabilitate narcotics abusers include carrying out coaching programs or preemptive programs, by carrying out treatment programs or curative programs. Then efforts to restore mental and physical health are shown to drug users who have undergone a curative program. Treatment of drug users is very complicated and requires extraordinary patience

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from doctors, families and sufferers. And there are two types of rehab, there is inpatient care and there is outpatient care, so if you are still in the trial and error stage, but not yet dependent, we will treat it, for a maximum of 3 months, beforehand we make appointments to meet several times for counseling and if it is inpatient for 3 month. Then, in our efforts to rehabilitate patients, we carry out coaching and advising the user to be aware that the abuse is detrimental to himself, his family and the community around him. Regarding narcotics users who are not successfully rehabilitated in the city of Bandung, this is because the family cannot bear to see the child being entrusted to a rehabilitation center, then the lack of funds, and the lack of cooperation between doctors, family and the user, this is one of the factors that makes the sufferer fail to be rehabilitated. If the first stage of rehabilitation is not successful, the next step is second stage of rehabilitation, the second stage of rehabilitation is called post-rehab. In post-rehab there is also a program for 3 months, after post-rehab we also failed to enter the second stage of rehab. Because rehab is the coordination of changing a habit,

The punishment/sanction given to perpetrators of narcotics abuse in the city of Bandung is imprisonment, the amount of the prison sentence depends on the results of the evidence from the arrest, must be jailed for 6 months if according to the report/arrest, with the evidence brought under 3.5 grams.(Aly, 2018).Starke (2008)emphasizes that criminal penalties are not only punished if proven but users are also punished. Now it has started to be implemented, namely the BAP, so the process is through medical assistants, doctors, psychologists as well as the legal team from the police, from BNN investigators. and the user will be punished with a criminal penalty. Then the punishment for dealers is the death penalty, and the users are rehabilitated, depending on the evidence. If the evidence exceeds 3.5 grams, you will be sentenced to death, because you are a dealer.

Based on the description above, it can be concluded that the BNN has made various efforts to deal with various drug problems that occur in the city of Bandung. Then obey(Setyawan & Samudra, 2019)said that efforts to overcome crime through repressive channels focus more on the repressive nature (suppression/eradication/suppression) after the crime has occurred. Meanwhile, the pathway focuses more on preventive properties (prevention/deterrence/control) before a crime occurs. It is said to be a rough difference, because repressive actions are essentially laws that can be seen as preventive actions in a broad sense.

#### 4. CONCLUSION

Based on the analysis and discussion presented above, the following conclusions are obtained:

- a. The authority to determine rehabilitation for perpetrators of narcotics abuse is the authority of judges and investigators, both BNNK investigators and police investigators. The difference between rehabilitation determined by a judge and an investigator is that rehabilitation determined by a judge is a sanction, whereas the determination of rehabilitation by an investigator during the judicial process does not automatically stop the judicial process against perpetrators of narcotics abuse.
- b. Obstacles encountered in the rehabilitation process come from the addict or family. Most addicts and their families are less cooperative in efforts to provide rehabilitation. Things that influence the lack of awareness on the part of addicts and families in providing rehabilitation.
- c. The obstacles in tackling narcotics abuse in the city of Bandung are firstly a lack of community participation, secondly the community does not understand the duties of the BNN, thirdly, drug users are still considered taboo by the community, because people feel ashamed that their families are involved in drugs.
- d. The efforts made by the National Narcotics Agency in dealing with narcotics abuse in Bandung City are in three parts, namely Preemptive, which is an early prevention effort. Preventive, is an effort that is strategic in nature and is a medium and long term action plan, and Repressive is a countermeasure that is a law enforcement action.

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