

## **Implementation of the Policy of Involving Bhabinkamtibmas as Investigators in Resolving Cases Through Restorative Justice at Sekongkang Police**

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### **Abstract**

This research discusses the implementation of the policy of involving Bhabinkamtibmas as investigators and investigators in resolving cases through restorative justice at the Sekongkang Police. The aim of this research is to describe the implementation of the policy of involving investigators and investigators in resolving cases through restorative justice at the Sekongkang Police. The type of research used in this research design uses a qualitative descriptive method with a comparative approach. The results found that the implementation of the Policy of Involving Bhabinkamtibmas as Investigators and Investigators in Resolving Cases Through Restorative Justice at the Sekongkang Police Station was based on George C. Edward III's Theory, namely a). Communication: by conveying messages, programs and ideas from the Sekongkang Police Chief to members of the criminal investigation unit and all members of the Sekongkang Police Department, West Sumbawa Police, with the aim being that every personnel from the criminal investigation unit and Sekongkang Police Headquarters understands the policy in its entirety, and can be accepted by all criminal investigation unit personnel. and the entire Sekongkang Police Department, Security and Security and Community Service and obtained increased case resolution results. The obstacle found is that there has not been a persuasive 2 (two) way communication so that there has been no direct feedback from the communicant, namely the investigator and investigator; b). Resources: there are different understandings regarding restorative justice related to explanations but they contain the same meaning, namely resolving cases through family means. The obstacle found was that of the three Bhabinkamtibmas people who were the research sample, only one Bhabinkamtibmas person had a first-degree education, besides that, not all Bhabinkamtibmas people had attended education and development of the criminal investigation function; c). Disposition or attitude: the implementor's attitude, support from leadership greatly influences policy implementers to achieve goals effectively and efficiently. The manifestation of this leadership support is placing policy as a policy priority, paying attention to the balance of region, religion, ethnicity, gender and other demographic characteristics. The obstacles found were the lack of motivation and commitment of members as investigators and investigators; d). Bureaucratic structure: Sekongkang Police does not yet have norms/guidelines in the form of Standard Operating Procedures (SOP) involving Bhabinkamtibmas as investigators and investigators. The obstacles found were the placement of bureaucrats who did not match their abilities, the ability of Bhabinkamtibmas in the fingerprint investigation process was still limited. So, it can be concluded that the implementation of the Policy for Involving Bhabinkamtibmas as Investigators and Investigators in Resolving Cases through Restorative Justice at the Sekongkang Police has not been fully implemented in accordance with standard SOPs for investigations and investigations and there are still obstacles found in communication factors, resources, disposition or attitude and organizational structure.

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## **1. INTRODUCTION**

The Republic of Indonesia Police Institution, abbreviated as Polri, is one of the institutions that enforces criminal law in Indonesia. When referring to Article 13 of Law Number 2 of 2002 concerning the Police of the Republic of Indonesia, the main duties of the Police are: maintaining security and public order, enforcing the law, providing protection, guidance and service to the community.

In the context of enforcing criminal law, which can provide harmony in society and realize the resolution of criminal acts by prioritizing restorative justice which emphasizes restoration to its original state and balancing the protection and interests of victims and perpetrators of criminal acts that are not oriented towards punishment is a legal need for society.

Restorative justice is an approach to resolving criminal acts that is currently being widely voiced in various countries, such as the United States, the Netherlands and France. Through a restorative justice approach, it is hoped that victims and perpetrators of criminal acts can achieve peace by prioritizing win-win solutions, and emphasizing that victims' losses are replaced and victims forgive the perpetrators of criminal acts. Apart from that, it is able to reduce budget expenditure due to the placement of perpetrators in correctional institutions.

To increase the resolution of cases through restorative justice by the Police, the need for support from all police forces including the involvement of Bhabinkamtibmas as investigators and investigators and for legal certainty for investigators and investigators, the Police have issued Republic of Indonesia State Police Regulation Number 8 of 2021 concerning Handling of Criminal Acts Based on Restorative Justice.

Knowing the importance of increasing case resolution through restorative justice, the author is interested in conducting research related to the implementation of the policy of involving Bhabinkamtibmas as investigators and investigators in resolving cases through restorative justice at the Sekongkang police station.

## 2. RESEARCH METHOD

This research uses a qualitative descriptive method with a comparative approach. The qualitative descriptive method with a comparative approach can describe social phenomena or human behavior based on data collected through observation, interviews and document analysis. This research focuses on in-depth understanding of certain situations or contexts from the perspective of research informants.

## 3. RESULTS AND DISCUSSION

### A. Research result

In implementing a policy, factors will be found that can influence the success of policy implementation in accordance with George C. Edward III's theory. To know about implementation the policy of involving Bhabinkamtibmas as investigators and investigators in resolving cases through restorative justice at the Sekongkang police station has been conducted with interviews with research informants at the West Sumbawa Regional Inspectorate as follows:

#### 1. Communication

In connection with the implementation of communication, an interview was conducted with the Sekongkang Police Chief as the Leader with the following answers:

*“Restorative Justice is a principle of law enforcement that focuses on resolving conflicts and restoring relationships between all parties involved in a crime, including victims, perpetrators and their families. It is an alternative approach to the traditional penal justice system and emphasizes dialogue, mediation and*

*reconciliation." And explain*

*"During his tenure as Sekongkang police chief since April 2024, the police chief emphasized that all personnel, especially the criminal investigation unit and its members, along with all bhabinkamtibmas police station sekongkang must participate in the settlement of matters through restorative justice. And make every effort to the maximum, every matter should be able to be resolved by restorative justice except for certain matters". And explain*

*"The steps that the police chief took to move members in resolving cases through restorative justice, namely initially the police chief gathered all the Sekongkang police detective units and all bhabinkamtibmas The Sekongkang Police then provided general directions regarding this involvement, then provided the steps to be taken in resolving the case through restorative justice in the jurisdiction of the Sekongkang Police." And explain*

*"The involvement of Babinkamtibmas as investigators and investigators in resolving cases through restorative justice can be carried out, only its implementation in the inquiry and investigation process has not been carried out. At the police station We have carried out this involvement since April 2024 and the involvement bhabinkamtibmas "It succeeded in increasing case resolution through restorative justice."*

Next, an interview was conducted with the Head of the Sekongkang Police Criminal Investigation Unit with the following answers:

*"The Restorative Justice process must be carried out using fair and transparent procedures. Each party must have an equal opportunity to speak and listen, as well as giving them an insight into the events that happened".*

*"The form of communication between the police chief with the criminal investigation unit and Babinkamtibmas is namely. Every time there is a case, the police chief coordinates and orders the criminal investigation unit to immediately create a mindik with the involvement of the detective unit and Babinkamtibmas where the detective unit completes the mindik, and carries out examination of witnesses, while bhabinkamtibmas immediately move to the victims, perpetrators and interested figures to find a solution and then coordinate with the relevant police chief regarding the readiness time for mediation."*

## 2. Resource

Regarding resource support in implementing a policy, an interview was conducted with the Sekongkang Police Chief with the following answer:

*"There are several requirements that must be fulfilled by members of the police to become investigators or assistant investigators regulated in the Republic of Indonesia State Regulation No: 3 of 2024 concerning the appointment and dismissal of investigators from the State Police of the Republic of Indonesia in Article 13 there are several document requirements, namely administrative documents for the appointment of Police Investigators, consist of:*

- 1) Copy of proof of completion of education for the development of specialization in the Investigation function;*
- 2) Curriculum Vitae;*
- 3) Photocopy of undergraduate diploma or equivalent, for Investigators;*
- 4) Certificate/recommendation letter from the Head of the Working Unit stating that the Investigator has good discipline, performance and behavior in carrying out their duties;*
- 5) Photocopy of certificate of passing the technical assessment of Investigator*

competency;

- 6) Photocopy of computer certificate;
- 7) Certificate of physical and mental health from a doctor; And
- 8) Psychology graduation certificate from a National Police psychologist.

"Meanwhile, regarding these requirements, not all members of the criminal investigation unit and Babinkamtibmas are members that fulfill all conditions. In fact, of the seven Kamtibmas Babin in the Sekongkang Police, only one-member bhabinkamtibmas which already has a SKEP investigator/assistant investigator and only one member Bhabinkamtibmas whose education is a bachelor's degree or equivalent. Then other requirements such as a Dikbangpers certificate for investigative functions are not yet available. Meanwhile, other requirements can be met." "And not all criminal investigation units and Babinkamtibmas Sekongkang Police have participated in training activities, education and development of specialization in investigative functions, especially for criminal investigation units."

Next, an interview was conducted with Bhabinkamtibmas Sekongkang Subdistrict Sekongkang Police with the following answers:

"Babinkamtibmas Lower Sekongkang already has an investigator's SKEP because he once served as a member of the detective unit before serving as babinkamtibmas. "However, up to now, the education level of the lower Sekongkang Babinkamtibmas is still high school," apart from that

"Babinkamtibmas Lower Sekongkang has participated in training activities, education and development of specialization in the Investigation function of the criminal investigation function in 2016.

### 3. Disposition or attitude

One of the influencing factors of effective Policy implementation is the attitude of the implementer. If implementors agree with parts of the content of the policy then they will implement it happily but if their views differ from those of the policy maker then the implementation process will experience many problems. And an interview was conducted with the Sekongkang Police Chief with the following answers:

*The police chief's way of overcoming the shortage of detective unit personnel* Of course, the police chief needs to have creative and innovative ideas in dealing with this problem, one way is to involve the Sekongkang police chief as an investigator. Then try to ensure that every case can be resolved through restorative justice so that it doesn't take a long time to complete the case handling process. Apart from that, every month the police chief gathers all investigators and then carries out analysis and evaluation related to case handling at the Sekongkang police station.

"Regarding the policy, initially there were members who agreed and there were members who disagreed, because they thought it would increase the duties and responsibilities of the members. bhabinkamtibmas Sekongkang police station, but after it started, the members felt the good impact of the policy, of course the members became increasingly supportive and what encouraged the members was that the policy was used as a learning process for Babinkamtibmas members, because not all bhabinkamtibmas don't understand the process of handling things."

Next, an interview was conducted with Bhabinkamtibmas Sekongkang Subdistrict Sekongkang Police with the following answers:

"Regarding the police chief's policy of involving Bhabinkamtibmas as investigators and investigators in resolving cases through restorative justice, Babinkamtibmas actually supports the police chief's policy, because this policy will certainly increase our insight into the law enforcement process. And previously

*several times bhabinkamtibmas involved in resolving matters through restorative justice, as for some cases involving bhabinkamtibmas namely cases of theft committed by minors, however only just to help but in a way, administration enter as member investigator bhabinkamtibmas never been involved."*

#### 4. Bureaucratic Structure

Discussing the implementing agency for a policy cannot be separated from the bureaucratic structure. In this regard, an interview was conducted with the Sector Police Chief with the following answers:

*"Implementation of the policy of involving Bhabinkamtibmas in resolving cases through restorative justice at the police station can be realized as before. The Police Chief gathered all members of the criminal investigation unit and Babinkamtibmas Sekongkang Police then the police chief conveyed the policy and asked for support from all members. And the police chief explained to support members' duties primarily bhabinkamtibmas, then the police chief published an investigation warrant and an investigation assignment warrant by including bhabinkamtibmas as an investigator or investigator.*

*Then the police chief for the following year will nominate the Bhabinkamtibmas to take part in development and training of employee function criminal investigation making it easier for members to submit SKEPs for investigators/assistant investigators."*

Next, an interview was conducted with Bhabinkamtibmas Sekongkang Subdistrict Sekongkang Police with the following answers:

*"The Sector Police Chief has carried out analyzes and evaluations related to workload by involving Bhabinkamtibmas as an investigator and investigator in resolving cases through restorative justice. Starting with checking the progress of the investigation results from the detective unit and Babinkamtibmas Sekongkang Police. Then provide input for the handling process." And activity in the police chief's room.*

## B. Discussion

### 1) Communication

From communications it was found that the West Sumbawa Police Sekongkang Police had implemented a policy regarding involvement of bhabinkamtibmas as a researcher and investigator in resolving matters through Restorative Justice.

Implementation of Sekongkang Police policies with involvement Bhabinkamtibmas as an investigator and investigator in resolving cases through Restorative Justice in communication, namely by conveying messages, programs and ideas from the Sekongkang Police Chief to members of the detective unit criminal and throughout bhabinkamtibmas Sekongkang Police, West Sumbawa Police, the aim of which is for every personnel of the detective unit criminal and Babinkamtibmas Sekongkang Police fully understand the policy, it can be accepted by all criminal investigation unit personnel and all bhabinkamtibmas Sekongkang Police and get the results of the resolution of the increased cases.

Successful implementation of policy implementation in engagement bhabinkamtibmas as a researcher and investigator in resolving matters through restorative justice is influenced by several factors, among others:

1. Communication between organizations and implementation activities.
2. Characteristics The implementing bodies are starting from the leadership elements, namely the Sector Police Chief, the criminal investigation unit and the West Sumbawa Police Department, Sekongkang Police Department and

Bhabinkamtibmas.

3. Economic, social and political environment
4. Trend implementers, namely all members, regarding the basic measures and objectives of resolving cases through restorative justice.

## 2) Resource

After conducting interviews with the parties, it was reviewed from the implementation of the Sekongkang Police policy with involvement Bhabinkamtibmas as an investigator and investigator in resolving cases through Restorative Justice in resources are assets that can be used to carry out policies, such as finances, materials, services, members of the detective unit criminal and members bhabinkamtibmas.

It does not matter how clearly and consistently the policy is implemented and how accurately communications are sent, if the personnel responsible for implementing the program lack the resources to do their job. So, for that you need to do:

1. Adequate and skilled staff according to needs.
2. Information about policies
3. The authority of the executor
4. Existing facilities

Resource Insufficient human resources (number and capacity) result in the program not being able to be implemented perfectly because they cannot carry out supervision properly. If the number of policies implementing staff is limited then what must be done is to increase the skill or ability of the implementers to carry out the policy/program. For this reason, there is a need for good HR management in order to improve the program or policy.

## 3) Disposition or Attitude

Provisions (behavior, attitude) is one of the influencing factors, effectiveness implementation policy is attitude implementor, support from leadership greatly influences policy implementers to achieve goals effectively and efficiently. The manifestation of this leadership support is placing policy as a policy priority, paying attention to the balance of region, religion, ethnicity, gender and so on characteristics and other demographics. Beside that is the provision of sufficient funds to provide incentives for policy/program implementers so that they support and work totally in implementing the policy or program.

## 4) Bureaucratic Structure

Discussing an organization implementing a policy cannot be separated from the bureaucratic structure. Bureaucratic structures are characteristics, norms and relationship patterns that occur repeatedly, which are required to have both potential and real relationships with what they have in implementing policies.

After conducting interviews from various sources, namely the Police Chief, the Criminal Investigation Unit Head and three people bhabinkamtibmas There is no support for SOP (Standard Operational Procedures) related to engagement bhabinkamtibmas as an investigator and investigator in resolving cases through restorative justice. To overcome this deficiency, there are important things that must be taken by the leadership, including: before the police chief takes a policy in involving Bhabinkamtibmas as a researcher and investigator in resolving matters through restorative justice, first Police Chief gathered all members of the criminal

investigation unit and Babinkamtibmas Sekongkang Police then the police chief conveyed the policy and asked for support from all members. And in carrying out tasks bhabinkamtibmas as an investigator and investigator, must be accompanied by a letter of assignment from the investigator's superior or leadership.

#### **4. CONCLUSIONS AND RECOMMENDATIONS**

##### **A. Conclusion**

Based on the problems and objectives of the research and connected with the results of the analysis and discussion in general, the following conclusions can be drawn:

1. Implementation of Engagement policies Bhabinkamtibmas as a researcher and investigator in solving matters through Restorative Justice at Sekongkang Police can draw conclusions based on four variable that is:
  - a. good communication has been established between the police chief, Bhabinkamtibmas and members of the Sekongkang Dalam police criminal investigation unit implementing the task of resolving matters through restorative justice.
  - b. Resources prepared in implementing engagement policies bhabinkamtibmas as an investigator and investigator in resolving cases through restorative justice is not optimal, especially human resources at educational level, but the personnel capabilities obtained from carrying out their duties are maximal.
  - c. Engagement policy disposition bhabinkamtibmas in resolving matters through restorative justice at Sekongkang Polsek has been implemented well and consistently.
  - d. The bureaucratic structure at the Sekongkang Police in resolving cases through restorative justice is quite good but there is no SOP related to involvement bhabinkamtibmas as investigators and investigators so that there are no duties and responsibilities yet bhabinkamtibmas in detail.

#### **5. SUGGESTION**

- a. There is a need for effective and efficient two-way communication between the communicator (Kapolsek) and the communicants (members of both Bhabinkamtibmas and the criminal investigation unit), so that relationships or reciprocity are built between the parties.
- b. There needs to be an emphasis on the Sector Police Chief to provide advice and encouragement to personnel from both the criminal investigation unit and Babinkamtibmas to improve human resources in terms of education, both formal and official education.
- c. Before implementing the policy of involving Bhabinkamtibmas as investigators and investigators in resolving cases through restorative justice, the policy owner must first provide training to personnel, especially Bhabinkamtibmas, who are still unfamiliar with the science of investigations and investigations and the restorative justice process, as well as explaining the actions of each personnel. in resolving cases through restorative justice so that personnel are ready to act if faced with problems.
- d. The Sekongkang Police requires increasing personnel capacity by filling positions with people who are competent in their respective fields. So that an effective organizational structure is formed in implementing each policy.

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