
THE INFLUENCE OF THE CODE OF ETHICS AND PROFESSIONAL RESPONSIBILITY OF THE POLICE IN PERFORMING PUBLIC SERVICES AND LAW ENFORCEMENT IN THE CILEGON CITY POLICE STATION

Sulasno, Lolitawati, Putri Pratama Ayu Ningsih

Universitas Serang Raya, Indonesia

Email: sulasno19712@gmail.com lolitawati19@gmail.com putripratamaayuningsih@gmail.com

Abstract

This study aims to contribute to the field of police ethics and law enforcement by providing a comprehensive analysis of the factors leading to ethical violations, the responsibilities of police officers in maintaining ethical standards, and the effectiveness of law enforcement practices in dealing with such violations. Data analysis is carried out in a qualitative descriptive manner by understanding and assembling primary and secondary data that have been collected systematically to provide an overview of the problem being studied. Based on this theory, the factors that affect the occurrence of ethical violations and the responsibility of the police profession in carrying out public services and how to enforce the law on violations of the Code of Professional Ethics of the Police Professional Code of Ethics at the Cilegon City Police.

Keywords: Code of Ethics, Law Enforcement, Cilegon City Police

INTRODUCTION

The National Police functions to maintain security, enforce the law, and provide protection, protection, and services to the community. In its duties, the National Police must carry out the law with high professionalism and ethics. Police professional ethics are regulated in Law Number 7 of 2002 and the regulation of the National Police Chief, which binds all members of the National Police. However, cases of code of ethics violations still occur, such as infidelity and gross violations by members of the National Police. For example, a policeman in Cilegon was involved in an affair, and the case of Ferdy Sambo who was fired for planning murder. These cases demonstrate the challenges of maintaining the integrity and professionalism of the police in Indonesia.

The police in carrying out public services are part of the functions of the State government which are required to maintain public order, enforce the law, protect the community, and provide public services to the community. Public services depend on aspects of implementation patterns, human resource support, and institutional management. In terms of implementation patterns, public services have weaknesses including lack of responsiveness, lack of information, lack of accessibility, lack of coordination, bureaucratic, lack of listening to complaints/suggestions/aspirations of the community, and inefficiency. Judging from human resources, the main weaknesses are related to professionalism, competence, empathy, and ethics. Meanwhile, when viewed from the perspective of institutional management, the main weakness lies in the organizational design that is not specifically designed in the context of providing services to the community full of hierarchies that make services convoluted (bureaucratic), and uncoordinated. Behind the weaknesses of public services, there are also advantages of public services that have been carried out to the community in the form of: security and protection to the community, fair law enforcement, traffic regulation, crisis and emergency prevention, crime prevention, providing assistance to the community, commitment to public services, and handling community conflicts. This

advantage shows the important role of the police in public services that are fair, safe, and orderly for the entire community.

The National Police of the Republic of Indonesia in carrying out public services must be based on ethics, police professional ethics are very important to maintain public trust, ensure that they carry out their duties and services that are fair, transparent, professional to the community, and responsible. However, sometimes there are still police members who violate ethics for various reasons, such as individual errors, work pressure, situational pressure, or systemic problems in the organization. It is important to carry out strict law enforcement and internal coaching to prevent ethical violations and maintain public trust in police institutions.

To overcome these conditions, it is necessary to make efforts to improve the quality of continuous public service implementation in order to realize excellent public services because public services are the main function of the government, in this case the police force which is provided as well as possible by the police as public communication. One of the efforts of the police is to implement the principles of good governance, which are expected to fulfill excellent service to the community. The realization of quality public services is one of the characteristics of good governance. For this reason, the police apparatus must carry out their duties and responsibilities effectively and efficiently, because it is hoped that the implementation of good governance can restore and rebuild public trust in the police (Saifulloh et al., 2022).

The National Police of the Republic of Indonesia is the acting duty of the National Police of the Republic of Indonesia in the South Jakarta area, the National Police Headquarters of the Republic of Indonesia is located on Jl. Trunojoyo No. 3, Kebayoran Baru, South Jakarta. The National Police of the Republic of Indonesia is led by Police General Drs. Listyo Sigit Prabowo, M.Si. The Banten Regional Police or Banten Regional Police is the executor of the National Police of the Republic of Indonesia in the Banten Province area. The Banten Police headquarters is located on Jl. Sheikh Moh. Nawawi Albantani No.76, Banjarsari, Cipocok Jaya District, Serang City, Banten 42112, and the Banten Regional Police are led by IJP Abdul Karim, S.I.K., M.Si.

The Cilegon Resort Police or Cilegon Police is the acting officer of the National Police of the Republic of Indonesia in the Cilegon City Area. The Cilegon Police Headquarters is located on Jl. Jenderal Sudirman No.1 5, Ramanuju, Purwakarta District, Cilegon City, Banten 42426, and the Cilegon Police is led by AKBP. Eko Tjahyo Untoro, S.H., S.IK., M.H.

Based on the background taken by the author, this study will examine what are the factors that affect the occurrence of violations of the code of ethics and the responsibility of the police profession in carrying out public services and how to enforce the law on violations of the code of ethics of the police profession in carrying out public services at the Cilegon City Police. The research aims to contribute to the field of police ethics and law enforcement by providing a comprehensive analysis of the factors leading to ethical violations, the responsibilities of police officers in maintaining ethical standards, and the effectiveness of law enforcement practices in dealing with such violations.

RESEARCH METHOD

This study uses qualitative methods to obtain in-depth and meaningful data, without using population and samples. The type of research used is juridical sociology or field research, which examines legal provisions and the reality that occurs in society. The specification is analytical descriptive research that reveals laws and regulations related to legal theories as the object of research.

The data sources of this research consist of primary data obtained directly from the original source, secondary data obtained from library materials such as official documents

and books, and tertiary data such as dictionaries and encyclopedias. Data collection is carried out through field observation. Data analysis is carried out in a qualitative descriptive manner by understanding and assembling primary and secondary data that have been collected systematically to provide an overview of the problem being studied.

RESULT AND DISCUSSION

Factors Affecting Violations of the Code of Ethics and Responsibility of the Police Profession in Performing Public Services

In the explanatory dictum of Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia, it is stated: the development of social progress is quite rapid, along with the outbreak of the phenomenon of legal superpower, human rights, globalization, democratization, decentralization, transparency, and accountability, has given birth to various new paradigms in looking at the objectives, duties, functions, authorities and responsibilities of the National Police of the Republic of Indonesia which further causes the growth of the National Police of the Republic of Indonesia various demands and expectations of the community for the implementation of the duties of the National Police of the Republic of Indonesia which are increasing and more oriented to the community it serves (Supriadi, 2018).

The police are state apparatus and government bureaucracy, the function of the police universally is to eradicate crime (fighting crime), maintain law and order (maintaining law and order) and protect citizens from danger (protecting people). Therefore, the police are commonly formulated as a law enforcement agency as an order maintainer, as a peacekeeper and as a public servant.

Although it plays a role as a law enforcer, the vision and goals of the totalitarian Police body serve the rulers. The police as a political tool to perpetuate power so that its appearance becomes antagonistic. The police are given the authority to use violence if forced to do so for the purpose of saving and controlling the community. This authority is only operationalized on a limited basis (not the use of total force as possessed by the TNI/military). The urgency of police professional ethics is expected to prevent the police from acting emotionally, ethnic, religious, and other sectarian spirits (Wajdi & Lubis, 2019).

According to Lewis and Gilman, public service is defined as follows: Public service is public trust. Citizens hope that public services can serve with honesty and proper management of income sources, and can be accounted for to the public. Fair and accountable public services generate public trust. Public service ethics are needed as a pillar and public trust as the basis for realizing a good government (Sunantara et al., 2021).

The National Police of the Republic of Indonesia is the National Police in Indonesia, which is directly responsible under the President. The National Police carries out police duties throughout Indonesia. The National Police is led by a Chief of the National Police of the Republic of Indonesia (Kapolri). In accordance with its main characteristics as a law enforcement officer, the National Police of the Republic of Indonesia (Polri) has considerable authority in enforcing the law. So it can be concluded that the National Police is the Indonesian national police or a law enforcement agency, in accordance with the regulations (Law on the National Police) Law Number 2 of 2002 concerning the Police. According to Article 2 of the National Police Law, "the function of the police is one of the functions of the state government in the field of maintaining security and order, law enforcement, protection, protection, and service to the community." According to Article 5 of the National Police Law, it is stated that "the police is a state tool that plays a role in maintaining public security and order, enforcing the law, and providing protection, protection, and services to the community in the context of maintaining internal security."

The professional code of ethics is an ethical order, which has been agreed upon by a certain group of people. A professional code of ethics is a guidance or moral or moral guideline, for a certain profession or a list of obligations in carrying out a profession, which is compiled by the members of the profession themselves and binding them in practice. The code of ethics is generally included in social norms, but if there is a code of ethics that has rather heavy sanctions, it is included in the category of legal norms.

The code of ethics can also be interpreted as a pattern of rules, procedures, signs, and ethical guidelines in carrying out an activity or work. The code of ethics is a pattern of rules or procedures as a guideline for behavior. The purpose of the code of ethics is for professionals to provide the best service to their users or customers. The existence of a code of ethics will protect unprofessional acts (Devi, 2021).

The occurrence of a violation of the Police professional code of ethics as a reflection of the behavior and attitude of members of the National Police in carrying out their main functions and duties as unprofessional law enforcers, this will have an impact on the image of the Indonesian National Police Institution is not good in the eyes of the public. The National Police Institution of the Republic of Indonesia must enforce cases of violations of the Police professional code of ethics committed by members of the National Police through the Komisi Police Code of Ethics (Hariyanti & Mugiati, 2023).

Various obstacles experienced by the National Police in enforcing the Professional Code of Ethics in realizing a clean and authoritative police. Such as legal factors. The police have two foundations in implementing discipline in the regulations of police members, regulated through Government Regulation Number 2 of 2003 and Regulation of the National Police Chief Number 4 of 2011. The problem contained in the regulation is that it is difficult to separate internal rules and always overlap in them. Then the law enforcement factor in the police organization as an official has not been able to provide sanctions to its members through the police code of ethics commission hearing, so that the hope that even the slightest violation will be followed up with corrective action or sanctions is not achieved. There are inadequate facilities and facilities and budget limitations, so that it interferes with the smooth running of duties. Furthermore, the fact of legal awareness in the community and members of the National Police and cultural factors such as if a junior makes a mistake will be directly dismissed by his seniors and vice versa, if the senior makes a mistake, the junior does not have the right to punish him and the senior can give a threat and must maintain confidentiality.

There were various cases of violations of the police professional code of ethics committed by its members in 2021 based on police data, there were 1,305 cases of violations of the code of ethics committed by personnel in 2021. A total of 2,621 cases of disciplinary violations and there were 1,024 cases of criminal violations committed by police personnel throughout the year. Efforts to enforce the Police Professional Ethics are required to be able to sanction members of the National Police who commit violations through the Professional Code of Ethics Commission (KEEP) Session and disciplinary hearings. The formulation of the problem to be studied is to analyze how violations of the Code of Professional Ethics for Members of the National Police in Indonesia. Then the obstacles of the National Police in enforcing the professional code of ethics to its members. This type of research uses the library research method. Data sources are studied using literature studies that dig up data from various literature and legislation, journals and websites related to articles (Fathoni et al., 2023).

The police process, including the enforcement of the police professional code of ethics, involves five closely related factors because they are the core of the police force itself. These factors include legal factors, police factors, community factors where police members are subject to the law of the police professional code of ethics, as well as cultural factors both in

police organizations and the general public. The assessment of these five factors is a parameter to measure the effectiveness of the police professional code of ethics, the extent to which these factors affect the implementation of the police professional code of ethics as a form of responsibility for the implementation of the police professional code of ethics. from professional ethics (Nurwandri et al., 2024).

As with the law enforcement process in general in the application of the Police Professional Code of Ethics, it is also inseparable from five factors that are closely related to each other because they are the essence of law enforcement itself. Starting from the legal factors, the law enforcement factors, the community factors, in this case members of the National Police as the object of law enforcement of the Police Professional Code of Ethics and cultural factors in the National Police organization and in society in general, and to find out the extent of these five factors as a benchmark for the effectiveness of law enforcement of the Police Professional Code of Ethics.

Departing from this theory, the factors that affect the implementation of the Police Professional Code of Ethics as a form of accountability for the performance of the National Police. Regarding police irregularities in Indonesia, it has basically been anticipated by the National Police through various instruments of supervision of police personnel. First, through the existence of legal instruments in the form of regulations. In addition to criminal offenses that are generally regulated in the Criminal Code, in carrying out the function of supervising its personnel, the National Police has two main foundations, namely through the existence of disciplinary regulations and professional codes of ethics.

The disciplinary regulations for members of the National Police are regulated through Government Regulation No. 2 of 2003. The second foundation is the Police Professional Code of Ethics which is regulated in the Regulation of the National Police Chief Number 14 of 2011. The problem is that it is difficult to firmly separate between these various internal rules, there is always a gray color, there is always a light side and a dark side, there will always be an overlap between these various rules. Another problem besides the above problem is that the regulations governing the Police Professional Code of Ethics are often changed. As is known before the enactment of the National Police Chief's Regulation Number 14 of 2011 concerning the Police Professional Code of Ethics, previously there were two National Police Chief Regulations that regulated the same matter, namely the Decree of the National Police Chief No. Pol: KEP/32/VII/2003 and the National Police Chief Regulation Number 7 of 2006. This means that the regulations on the Police Professional Code of Ethics have been changed twice. In addition, the new Regulation on the Police Professional Code of Ethics does not provide an adequate explanation or even no explanation at all. As a result of the multi-interpretation regulation, each party will have different interpretations, so that it can open up opportunities for manipulation in law enforcement which ultimately causes legal uncertainty.

The functions of the Police Professional Code of Ethics include as a guide to the behavior of members of the National Police in carrying out their professional service and as a supervisor of conscience so that members of the National Police do not commit reprehensible acts that are contrary to ethical values and do not abuse authority over the Police profession they run. The code of ethics for the police profession is a crystallization of Tribata values based on and imbued with Pancasila and reflects the identity of each member of the National Police in the form of moral commitment which includes personality ethics, state ethics, institutional ethics and ethics in relations with the community. In the previous regulation, the professional ethics of the National Police only included service ethics, institutional ethics and state ethics (Situmorang, 2016).

About the ethical features and also the features of the profession. So from all the characteristics that exist in ethics and professions, there are characteristics of professional

ethics. By taking two ethical and professional positions, two outlines of the characteristics that exist in professional ethics can be formulated as follows:

- a. There are very high moral standards. Every worker is expected to work in accordance with his professional code of ethics.
- b. Prioritizing the interests of the community. Every worker is expected to prioritize the interests of the community above personal interests (Hambali et al., 2021).

Law Enforcement for Violations of the Police Professional Code of Ethics in Performing Public Services at the Cilegon City Police

Law enforcement is one of the ways that creates order, security and peace in society, as an effort to prevent or eradicate or take action after a violation of the law. Law enforcement is a task of the State, one of the manifestations of which is by establishing a judicial institution which is at the same time expected to be able to make corrections and corrections to positive laws that apply in accordance with the development of the times which is expected to reflect the value of justice. Law enforcement is an activity of harmonizing stable values and the embodiment of actions as a series of elaboration of final stage values, to create, maintain and maintain peace in life.

Law enforcement is a process of efforts to enforce or function legal norms in real terms as a guideline for behavior in traffic or legal relationships in the life of society and the state. From the perspective of the subject, law enforcement can be carried out by a wide range of subjects and can also be interpreted as law enforcement efforts involving all legal subjects in every legal relationship. Anyone who implements normative rules or does something or does not do something based on the norms of the applicable legal rules, means that he or she is practicing or enforcing the rule of law. Law enforcement efforts for the occurrence of a criminal act are carried out comprehensively by law enforcement officials in all fields, so the steps taken by the police both in raids and in arresting perpetrators of narcotics abuse crimes are in accordance with the Criminal Code (Santoso et al., 2020).

Article 1 paragraph (3) of the Third Amendment to the 1945 Constitution expressly states that the State of Indonesia is a state of law. The provisions of the article make it clear that Indonesia is a country of law that aims to realize public welfare, realize security and order in society and create a just and prosperous society. Furthermore, it is stated that the state of law determines the equipment that acts in accordance with and is bound by the regulations that are determined in advance by the equipment that is authorized to make the regulations.

In a country, the law needs to be enforced indiscriminately. To enforce the law, law enforcement officers are needed, one of which is the police. The police juridically, can take over the duties/functions of the state as the maintenance of order and law enforcement. The people must not act alone and commit acts that are contrary to the law. The welfare state is a development of the idea of the state of law, which Kant used simply to enforce security and order in society (*rust en orde*). It is not surprising that Kant's idea, known as the night watchman state (*nachtwakerstaat*), which in achieving prosperity is left to its citizens in accordance with the principle of liberalism (narrow) with its free competition.

The National Police, which is under the president and is directly responsible to the president, is a state tool that has special duties. The special task in question is to create an atmosphere of safety, order, peace, and law enforcement. In carrying out its duties, the National Police is given authority, both constitutionally and juridically. Because it is part of the executive function, in terms of policy, coaching, supervision, and police operations must be in accordance with government (presidential) policies. In order to carry out police duties optimally and optimally, the National Police must be given a position as a special government institution that is independent and autonomous. Because it is a special

government institution, the appointment and dismissal of the leadership of the National Police (Kapolri) must be completely left to the president's policy, because it is the president's prerogative (Gaussyah, 2014).

It was conveyed at the POLRI Quick Wins Program in the form of Training of Trainers at the Banten Police that the services received by the community when managing at the Police station are still imperfect and sometimes difficult because there are still some individuals who waste time or are convoluted and sometimes even spend additional money that is not in accordance with procedures. The police is a law enforcement tool that is tasked with protecting the community and providing a sense of security to the community, therefore the community entrusts security affairs and the handling of crime cases to the Police. Based on these conditions, the communication factor plays a very important role in improving the quality of public services, in this case the police. Therefore, the communication factor must be a serious concern for public service organizations, in this case the Banten Police.

Failure to build public service communication can result in disruption or blockage of the flow of public service information, and thus of course will affect the quality of public services. The low quality of public services will have an impact on the lower public/citizens' trust in public service providers, the decline in trust in public service providers will have an impact on the weakening of citizens' support for police institutions, especially the Banten Police. The success of the implementation of public services is inseparable from the communication factor. The results of the research conducted by Hardiyansyah concluded that communication has a significant effect on the quality of public services. The magnitude of the influence of communication on the quality of public services is determined by the dimensions of communicators, messages, media, communicators, and effects.

In essence, the Poisi institution and the people in it are judged by how they are able to communicate well with the public, show good behavior and provide excellent service to the community in any case. The concept of image helps the institution of the National Police in correcting the institution as a whole, correcting in the implementation of the duties and responsibilities that the National Police has implemented, in order to be able to improve themselves and continuously increase the positive mind of the community. Providing maximum service to the community, the use of various means or communication media must be maximized, therefore the bureaucracy of service providers must equip themselves with various communication facilities such as social media so that at any time with a fast time the community can get service products and apparatus can maximally be able to provide services and perform service tasks quickly. The Banten Regional Police's social media must be packaged more attractively, both in content and display, so that it is a fairly appropriate means of providing information to people who need services, various information can be included. Currently, one of the information media that is also effective in providing an overview or information about various things related to services to the community, is social media such as Facebook, Instagram and websites because information on various things about services by the bureaucracy can be known without having to come to the police station. Socialization or Police campaigns can also be carried out in order to provide understanding and information about various things about services to the community (Saifulloh et al., 2022).

The Cilegon Police improves public services in an integrated service room complete with service facilities and provides several service units including SPK, FINGERPRINT, SKCK, SIM, Service 110, Provost. The Cilegon Police to provide excellent service made a program in the form of Remedial Teaching innovation. The Remedial Teaching Team is a member of the Cilegon Police Traffic Unit. This innovation aims to help people who do not pass the theoretical and practical test for making a Driver's License (SIM). Remedial Teaching is carried out free of charge. According to Kasat Lantas AKP Yusuf Dwi Atmojo, this Service Innovation is carried out so that there is no longer a reason for the public to be

lazy or afraid of failing in their application for a Driver's License (SIM). This activity or breakthrough is to support the Program to the community towards the Integrity Zone of Corruption-Free Areas and Clean Bureaucratic Areas of Service. The public service strategy of the Cilegon Police as a work unit with the predicate of WBK/WBBM is to provide a one-stop integrated service space with various facilities that support comfort and are child-friendly because it is equipped with a playground so that applicants who bring children can carry out their application procedures comfortably. Officers communicate directly with the community in an inter-personal manner, then the Cilegon Police continue to update information related to services that can be accessed at any time by the public through banners and social media. As is known, social media is closer to the community and can keep pace with the times and enter all circles. Thus, the service process at the Cilegon Police is transparent and can increase public trust in the services of the Cilegon Police (Azzunaika & Havidani, 2022).

In carrying out their duties, there are still many police personnel who violate the professional code of ethics and carry out their duties not in accordance with existing regulations, the occurrence of violations committed by police personnel is caused by several factors that can be internal or external.

Members of the National Police of the Republic of Indonesia who are found to have violated the Disciplinary Regulations Members of the National Police of the Republic of Indonesia are sentenced to disciplinary action and/or disciplinary punishment (Azzunaika & Havidani, 2022). Disciplinary action in the form of verbal reprimands and/or physical actions. Disciplinary action does not remove Anku's authority to impose a Disciplinary Penalty" (Azzunaika & Havidani, 2022).

In the law of the Republic of Indonesia number 25 of 2014 concerning military discipline law in article 1 paragraph 12 states "The Superior Who Has the Right to Punish, hereinafter referred to as Anku, is the Superior who is authorized to impose Military Discipline Punishment on Subordinates under the authority of his command."

Disciplinary punishment in the form of:

1. Written reprimand.
2. Postponement of attending education for a maximum of 1 (one) year.
3. Postponement of periodic salary increases.
4. Postponement of promotion for a maximum of 1 (one) person.
5. Mutations that are decentralized.
6. Exemption from office.
7. Placement in a special place for a maximum of 21 (twenty-one) days.
8. The imposition of disciplinary penalties does not eliminate criminal charges.

Members of the National Police of the Republic of Indonesia who have been sentenced to discipline more than 3 (three) times and are considered no longer appropriate to maintain their status as members of the National Police of the Republic of Indonesia, may be dismissed with respect or dishonorability from the service of the National Police of the Republic of Indonesia through the Session of the Professional Code of Ethics Commission of the National Police of the Republic of Indonesia".

The imposition of disciplinary action is carried out immediately and immediately when it becomes known that a disciplinary violation committed by a member of the National Police of the Republic of Indonesia is known. The imposition of disciplinary punishment is decided in the Disciplinary Session and the determination of the settlement of violations of the Disciplinary Regulations through the Disciplinary Session is the authority of Anku".

The officials authorized to impose disciplinary actions are direct supervisor, indirect superiors, and members of the Provost of the National Police of the Republic of Indonesia in

accordance with the scope of their duties and authority. Officials authorized to impose disciplinary penalties are Ankum, and/or Ankum's superiors.

Ankum's superiors, as mentioned above, have the authority to examine and decide on objections raised by the convict. Ankum within the National Police of the Republic of Indonesia in stages is as follows: 1) Ankum has full authority; 2) Ankum has limited authority; and 3) Ankum has very limited authority.

The provisions as referred to above are further regulated by the Decree of the National Police Chief No. Pol: Kep/42/IX/2004 concerning Superiors who have the right to impose disciplinary punishments within the National Police of the Republic of Indonesia. Before imposing disciplinary punishments, Ankum is obliged to first examine members of the National Police of the Republic of Indonesia who are suspected of violating the discipline.

Officials authorized to examine disciplinary violations are Ankum, direct supervisor, indirect superiors, Provost of the National Police of the Republic of Indonesia, and other officials appointed by Ankum.

If in Ankum's consideration of disciplinary violations committed by members of the National Police of the Republic of Indonesia can be sentenced to disciplinary punishment, then the examination is carried out through a Disciplinary Hearing. The inspection as intended is carried out internally. Ankum is authorized to order the Provost of the National Police of the Republic of Indonesia to conduct an examination of members of the National Police of the Republic of Indonesia who are suspected of violating discipline. Ankum is authorized to order the holding of a Disciplinary Session against its members who are suspected of violating discipline. Before carrying out the Disciplinary Hearing, Ankum asked for opinions and legal advice from the legal development function unit of the National Police of the Republic of Indonesia to determine whether or not a Disciplinary Session should be held. The Provost of the National Police of the Republic of Indonesia is authorized to: 1) Conduct summons and inspections; 2) Assisting the leadership in organizing coaching and discipline enforcement, as well as maintaining the order of life of members of the National Police of the Republic of Indonesia; 3) Holding a Disciplinary Session on the order of Ankum; and 4) Implement the Ankum decision.

Ankum holds a Disciplinary Session no later than 30 (thirty) days after receiving the Preliminary Examination List for Disciplinary Violations from the most STA of the Provost functional unit. In the imposition of disciplinary penalties should be considered: 1) The situation and conditions when the violation occurred; 2) Repetition and daily behavior of discipline violators; and 3) The realization of justice and the ability to cause a deterrent effect, and continue to uphold human rights.

The settlement of disciplinary violation cases is carried out through the following stages: 1) Reports or complaints; 2) Preliminary examination; 3) Examination in front of the disciplinary hearing; 4) Disciplinary punishment; 5) Execution of punishment; and 6) Recording in individual personnel data.

Examinations of members of the National Police who commit disciplinary violations are carried out by paying attention to the following ranks: 1) Enlisted and non-commissioned officers are examined by members of the National Police at the lowest rank of non-commissioned officers; 2) The First Officer is examined by a member of the National Police with the lowest rank of Bintara; 3) Intermediate officers are examined by members of the National Police at the lowest rank of First Officer; and 4) High Officers are examined by members of the National Police as low as the rank of Middle Officer.

The procedures for the implementation of the Disciplinary Session are as follows:

- 1) The Secretary has prepared the completeness of the trial.
- 2) Session Device Entering the Courtroom
- 3) The Secretary read out the order of the proceedings.

- 4) The Chairman of the Session stated that the session was open and declared open/closed to the public.
- 5) The Chairman of the Session ordered the officers to face the Examinee in the courtroom.
- 6) Respect for Officers and Examined to the Chairman of the Session.
- 7) The Officer's report to the Chairman of the Session is ready to face the Examined.
- 8) The officer went outside to take a place.
- 9) The examined sat in the place provided.
- 10) The Chairman of the Session questioned the Examiner. Identity
- 11) The prosecutor read out the alleged violation of the Examined discipline.
- 12) The officers presented witnesses on the orders of the Chairman of the Session.
- 13) The Chairman of the Session asked for testimony on the violation of the discipline of the Examiner.
- 14) The officer handed over evidence in the trial on the order of the Chairman of the Session.
- 15) The Chairman of the Session gave questions to the Examined on the testimony of the Witnesses and the evidence presented.
- 16) The Chairman of the Session invites the Companion of the Chairman of the Session to ask questions to the Examined and Witnesses.
- 17) The Chairman of the Session provides an opportunity for the Examined and Examined Companions to submit their responses
- 18) The Chairman of the Trial ordered the Prosecutor to read out the charges for the articles violated and the sanctions imposed.
- 19) The Chairman of the Session stated that the session was suspended/postponed to provide an opportunity for the Chairman of the Session and the Companion of the Chairman of the Session in the context of deliberation.
- 20) The Chairman of the Session reopened the session.
- 21) The Chairman of the Session handed down a disciplinary decision.
- 22) The Chairman of the Session asked the Examined whether he accepted or rejected the verdict handed down by Ankum.
- 23) The Chairman of the Session closes the trial the Disciplinary Punishment is determined by a Letter.

The decision of the Disciplinary Punishment is delivered to the convict. The Provost implements the Decision of the Disciplinary Session in the form of placement in a special place. Ankum is obliged to report the results of the Disciplinary Session to Ankum's superiors. The Disciplinary Punishment Decree is recorded in the Individual Personnel Data concerned.

Members of the National Police of the Republic of Indonesia who have been sentenced to disciplinary punishment have the right to file objections. The objection as referred to above is submitted in writing to the Ankum superior through Ankum by stating the reasons for the objection. The grace period for submitting objections is a maximum of 14 (fourteen) days after the convict receives the disciplinary decision. Ankum is obliged to receive objections from the convicted and forward them to Ankum's superiors. If the condemned objection is rejected in its entirety, then Ankum's superiors strengthen the decision that has been made by Ankum which imposes a disciplinary penalty. If the objection is convicted, Ankum's superiors cancel the decision that has been made by Ankum which imposes a disciplinary penalty. If the condemned objection is partially accepted, then Ankum's superiors change the decision made by Ankum that imposes a disciplinary penalty. Ankum's superiors are authorized to reject or grant all or part of the objections by taking into account the opinions

and suggestions of the legal development function unit of the National Police of the Republic of Indonesia.

The decision of Ankum's superiors as referred to above is set at a maximum of 30 (thirty) days from the receipt of the objection. The Decree of Ankum's superiors on the submission of a punitive objection as referred to above, is submitted to the objector. The Ankum Superior's complaint against the conviction is the final decision.

In the author's opinion, the decision of Ankum's superiors on the legal objection can be submitted to the State Administrative Court, because the decision is a State Administrative Decision as referred to in article 1 number 3 of Law Number 5 of 2009 concerning the State Administrative Court, namely a written determination issued by a State Administrative Agency or Officer that contains applicable Administrative legal acts, based on the applicable laws and regulations, which are concrete, individual and final in nature that cause legal consequences for a person or legal entity.

If we look at the elements in these provisions, then the Ankum Superior Decision on the condemned objection is a State Administrative Decision, because all its elements are fulfilled. The decision is a written determination issued by Ankum's superiors who are officials who carry out government affairs, the decision contains legal actions within the scope of the executive and has a concrete nature not abstract, individual which means that the decision is not intended for the public but is addressed to certain people who in this case are members of the police force who commit disciplinary violations and express objections to Ankum's superiors in the face of the trial decision Discipline. In addition, the decision of the Ankum superiors is final, we can see in article 31 of Government Regulation Number 2 of 2003 which states that the decision of the Ankum superiors on the condemned objection is the final decision.

The disciplinary punishment as referred to above applies: 1) If within the grace period of 14 (fourteen) days the convict does not file an objection, then the judgment issued by Ankum takes effect on the 15th (fifteenth) day; and/or 2) If there is no objection from the convict, then the penalty decision takes effect from the date the decision on the objection is decided.

In the event that the convict is not present at the disciplinary hearing and/or after a search is carried out against the convict to convey the results of the Disciplinary Punishment Proceeding, the Disciplinary Punishment Decision shall take effect from the 30th (thirtieth) day from the date the decision is decided.

Based on history, the National Police was born with the proclamation of independence of the Republic of Indonesia. In fact, the Indonesian Independence Preparatory Committee (PPKI) in its session on August 18, 1945, in addition to forming the 1945 Constitution, also formed the establishment of the State Police Agency. On September 29, 1945, General R.S. Soekanto Tjokrodiatmodjo was inaugurated as the first Chief of the State Police. However, even though historically it has been born since the Proclamation, administratively the National Police has not succeeded in organizing its organization properly, let alone nationally. The placement of the State Police Agency under the Ministry of Home Affairs at that time made the hierarchy line or command line from the central to the regions unclear or even did not exist at all.

The government immediately saw that it was not appropriate for the National Police to be under the control of the Ministry of Home Affairs, because the very broad authority of the police became very limited and faced structural and operational obstacles. Therefore, the National Police must be directly under the Prime Minister, on a par with other elements of the law, namely the Prosecutor's Office and the Judiciary of the Republic of Indonesia. This provision is contained in Government Regulation Number: 11 D of 1946, dated July 1, 1946. Therefore, institutionally and in terms of government organizational structure, the existence

of the National Police is at the same level as the Department and the position of the National Police Chief is at the ministerial level. Because of this, "Police Day" or better known as "Bhayangkara Day" is celebrated every July 1, 1946.

On July 1, 2006, the National Police will be 60 years old, if this age is equated with the average age of humans in general, then at that age people are starting to grow old and vulnerable, but behind all that there is maturity in thinking and wisdom in action. The Police as an institution that carries out public duties unfortunately has not yet entered maturity in accordance with its age, the lack of comprehensive and even professionalism in the National Police is one of the reasons.

The general public often feels reluctant and even afraid to contact the police directly, this is because there is a deep-rooted view in the community that dealing with the police is "the end of money". This view is of course contradictory to the role of the National Police as a protector of the community.

CONCLUSION

The implementation of the Police Professional Code of Ethics in the National Police of the Republic of Indonesia is influenced by various supervisory instruments, including disciplinary regulations and professional codes of ethics. Violations of these regulations can result in disciplinary actions and punishments, such as written reprimands, delayed education, salary increases, promotion delays, demotional mutations, office exemptions, and placement in special places. The author advises the National Police to enforce the professional code of ethics properly to achieve a clean and authoritative National Police. The discipline in members must be implemented in accordance with Government Regulation Number 2 of 2003, providing strict sanctions against members who violate the code of ethics. The Cilegon City Police is expected to maintain a high level of attention to its members to prevent violations of the Code of Ethics and uphold justice, providing indiscriminate sanctions for violations and criminals.

REFERENCES

- Azzunaika, R. G., & Havidani, A. (2022). Strategi Pelayanan Publik Polres Cilegon Sebagai Satuan Kerja Berpredikat Wilayah Bebas Korupsi dan Wilayah Birokrasi Bersih Melayani. *JPAP: Jurnal Penelitian Administrasi Publik*, 8(2). <https://doi.org/10.30996/jpap.v8i2.6180>
- Devi, G. A. A. M. K. (2021). *Penyelesaian Pelanggaran Kode Etik Profesi Bagi Anggota Kepolisian Yang Melakukan Tindak Pidana (Studi di Polres Lombok Barat)*. Universitas Muhammadiyah Mataram.
- Fathoni, M. N., Salim, C., & Hermawati, N. (2023). Implementasi Kode Etik Profesi Kepolisian Negara Republik Indonesia. *Siyasah, Jurnal Hukum Tata Negara*, 3(1).
- Gaussyah, M. (2014). *Peranan dan Kedudukan Polri Dalam Sistem Ketatanegaraan Indonesia*. Kemitraan bagi Pembaruan Tata Pemerintahan.
- Hambali, M. R., Da'I, M., Ilmiyah, N., Kurniawati, N., Cahyaningrum, V. D., Fatoni, M., Kartini, A. Y., Lestari, I. W., & Rohmah, R. (2021). *Etika Profesi*. CV. Agrapana Media.
- Hariyanti, D., & Mugianti. (2023). Penegakan Pelanggaran Kode Etik Profesi Polri. *Syntax Literate; Jurnal Ilmiah Indonesia*, 8(8). <https://doi.org/10.36418/syntax-literate.v8i8.13377>

- Kepolisian Republik Indonesia, Keputusan Kepala Kepolisian Republik Indonesia Tentang Tata Cara Sidang Disiplin Bagi Anggota Kepolisian Republik Indonesia, NO. POL: KEP/44/1X/2004, 30 September 2004 (Jakarta, Kepolisian RI, 2004), ps. 18.
- Nurwandri, A., Syam, N. F., Arifin, M. H., Siregar, M. S. A., Dasopang, M. I., Priantika, N., & Pradana, I. (2024). Persepsi Masyarakat Terhadap Profesionalisme Dan Kepatuhan Dalam Penegakan Hukum Oleh Polisi. *Journal of Educational Research and Humaniora (JERH)*, 33–43. <https://doi.org/10.51178/jerh.v1i4.1717>
- Saifulloh, M., Toruan, R. R. M. L., & Moestopo, U. (2022). Komunikasi Pelayanan Publik Kepolisian Polda Banten Melalui Program Training of Trainer (ToT). *Jurnal Pustaka Dianmas*, 2(2).
- Santoso, P., Baderi, B., Dariyono, D., & Marjono, M. (2020). PERAN POLRI DALAM UPAYA PENEGAKAN HUKUM TERHADAP PELAKU PENYALAHGUNAAN NARKOBA. *Transparansi Hukum*, 3(1).
- Situmorang, L. H. (2016). FUNGSI KODE ETIK KEPOLISIAN DALAM MENCEGAH PENYALAHGUNAAN WEWENANG SEBAGAI APARAT PENEGAK HUKUM. *Jurnal Fakultas Hukum Universitas Atmajaya Yogyakarta*, 3(2).
- Sunantara, I. M. U., Ismail, I., & Pananranggi, A. R. (2021). *Fungsi Sosial Kepolisian Republik Indonesia*. Pusaka Al-Maida.
- Supriadi, S. (2018). *Etika & Tanggung Jawab Profesi Hukum di Indonesia*. Sinar Grafika.
- Undang-Undang Nomor 25 Tahun 2009 tentang *Pelayanan Publik*. Tambahan Lembaran Negara Republik Indonesia Nomor 5038
- Undang-Undang Republik Indonesia Nomor 8 Tahun 1974 tentang *Pokok-Pokok Kepegawaian*
- Undang-Undang Nomor 2 Tahun 2002 tentang *Kepolisian Negara Republik Indonesia*. Tambahan Lembaran Negara Republik Indonesia Nomor 4168
- Undang-Undang Republik Indonesia Nomor 2 Tahun 2002 Tentang *Kepolisian Negara Indonesia*
- Undang-Undang Nomor 25 Tahun 2014 Tentang *Hukum Disiplin Militer* Tambahan Lembaran Negara Republik Indonesia Nomor 5038
- Wajdi, F., & Lubis, S. K. (2019). *Etika Profesi Hukum*. Sinar Grafika.

Copyright holders:

Sulasno, Lolitawati, Putri Pratama Ayu Ningsih (2024)

First publication right:

Injurity - Interdisciplinary Journal and Humanity



This article is licensed under a Creative Commons Attribution-ShareAlike 4.0 International