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RESOLUTION OF DOMESTIC VIOLENCE CRIMES COMMITTED BY MEMBERS OF THE INDONESIAN NATIONAL POLICE (A CASE STUDY AT THE SIBOLGA POLICE RESORT)

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This study analyzes the mechanism for resolving domestic violence (DV) offenses committed by members of the Indonesian National Police through the professional code of ethics, with a focus on the Sibolga Police Resort. Employing an empirical juridical method with a qualitative approach, combining field research and literature review, the study finds that enforcement is carried out by the Division of Profession and Security (Propam) through examinations and hearings of the Police Code of Ethics Commission (KKEP). Sanctions imposed range from progressive disciplinary measures to Dishonorable Discharge (PTDH). Obstacles identified include victims' reluctance to report, limited witness availability, cultural perceptions of DV as a private matter, and administrative barriers. Efforts undertaken include legal socialization, safe reporting mechanisms, coordination with the Women and Children Protection Unit (PPA), Bhayangkari involvement, and periodic psychological assessments. The study recommends strengthening transparency, integrating ethical and criminal enforcement, fostering family development, and establishing internal regulations to protect victims and witnesses.

Keywords: Domestic Violence; Indonesian National Police; Professional Code of Ethic

1. INTRODUCTION

Indonesia is a state based on law, as affirmed in Article 1 paragraph (3) of the 1945 Constitution, which requires every citizen to be subject to the supremacy of law.[1] However, in reality, violations remain prevalent, one of which is the criminal act of Domestic Violence (DV). DV is specifically regulated under Law No. 23 of 2004 on the Elimination of Domestic Violence, which provides for victim protection and sanctions for perpetrators. The issue becomes more complex when the perpetrator is a member of the Indonesian National Police, since in addition to being subject to general criminal law, they are also bound by the professional code of ethics as stipulated in Perpol No. 7 of 2022.[2] Cases at the Sibolga Police Resort have shown that police officers have been subjected to sanctions ranging from delayed promotion to dishonorable discharge (PTDH), making this issue worthy of further study .

This research employs an approach combining criminal law and police code of ethics, as well as criminological perspectives such as social control theory (Hirschi), social learning theory (Akers), and strain theory (Merton), which explain the background of DV behavior among law enforcement officers. Conceptually, this study compares *das sollen* (the ideal norms according to the DV Law and Perpol) with *das sein* (the actual practices in the field, particularly at the Sibolga Police Resort), thereby highlighting the gap in legal implementation.

The main problems addressed are: (1) how the mechanism for resolving DV offenses committed by police officers is implemented through the code of ethics, and (2) what obstacles and efforts are undertaken in handling such cases at the Sibolga Police Resort. The analysis focuses on the interrelation between general criminal proceedings and the internal mechanisms of the police institution(Kurniadi, 2024).

Normatively, the DV Law guarantees maximum protection for victims, while Perpol No. 7/2022 provides strict ethical sanctions. In practice, however, obstacles arise, including victims' reluctance to report, the lack of independent witnesses, and

[1] Yesmil Anwar, *Sistem Peradilan Pidana Konsep, Komponen & Pelaksanaan Dalam Penegakan Hukum di Indonesia*, Widya Padjadjaran, Bandung, 2009, hlm 220.

[2] Republik Indonesia, Undang-Undang Tentang Penghapusan Kekerasan Dalam Rumah Tangga, UU Nomor 23 Tahun 2004, Pasal 1 ayat (1).

an organizational culture that tends to conceal violations. This gap between *das sollen* (ideal norms) and *das sein* (empirical reality) underscores the urgency of this research.

Several previous studies are relevant but have certain limitations::

1. Anang Afrizan (2023) examined the role of the police in addressing domestic violence in Semarang, focusing on prevention rather than internal ethical mechanisms.[3]
2. Ario Ade Wicaksono (2023) discussed domestic violence using a restorative justice approach, emphasizing reconciliation rather than the police code of ethics.[4]
3. Susi Yulistiawati (2023) studied violations of the police code of ethics in general, without focusing on domestic violence cases.[5]

Compared to the aforementioned studies, this research offers novelty by specifically highlighting the mechanism for resolving domestic violence cases committed by police officers through the code of ethics at the Sibolga Police Resort, while also linking general criminal proceedings with internal ethical enforcement.

This study is significant as it concerns the integrity of the Indonesian National Police as a law enforcement institution. When perpetrators of domestic violence come from within an institution that is mandated to protect society, public trust is inevitably undermined. Therefore, this research is expected to contribute to strengthening the code of ethics mechanism, ensuring victim protection, and enhancing the accountability of the police.[6]

[3] Anang Afrizan, *Peran Kepolisian dalam Penanggulangan Tindak Pidana Kekerasan dalam Rumah Tangga di Kota Semarang*, Fakultas Hukum Universitas Islam Sultan Agung (UNISSULA), Semarang, 2023.

[4] Ario Ade Wicaksono, *Penyelesaian Tindak Pidana Kekerasan Dalam Rumah Tangga Suami terhadap Istri Berdasarkan Restorative Justice di Polrestabes Semarang*, Fakultas Hukum Universitas Islam Sultan Agung (UNISSULA), Semarang, 2023

[5] Susi Yulistiawati, *Analisis Penyelesaian Hukum Terhadap Pelanggaran Kode Etik Profesi yang Dilakukan oleh Polri*, Fakultas Hukum Universitas Muslim Indonesia (UMI), Makassar, 2023

[6] Moerti Hardianti Soeroso, 2006, *"Kekerasan Dalam Rumah Tangga Dalam Perspektif Yuridis Viktimologis"*, Jakarta: Sinar Grafika, hlm. 35

2. RESEARCH METHOD

This study applies an empirical juridical method with a qualitative approach to examine both written legal norms (law in books) and their implementation in practice (law in action) regarding domestic violence (DV) cases committed by police officers. The research was conducted at the Sibolga Police Resort, where actual DV cases involving officers were resolved through the police code of ethics mechanism, providing contextual empirical.[7]

Primary data were collected through in-depth interviews with members of the Professional and Security Division (Propam), the Women and Children Protection Unit (PPA), and the Police Code of Ethics Commission (KKEP). Secondary data were obtained from legislation, books, journals, and previous studies. Respondents were selected through purposive sampling, supplemented by snowball sampling to broaden the information base. Data collection methods included observation, interviews, and document analysis.

The data were analyzed qualitatively using a descriptive approach, following stages of data reduction, data presentation, and conclusion drawing. Validity was ensured through source and method triangulation, comparing interviews, documents, and field observations to maintain consistency. [8]This process enhanced the credibility of findings, showing not only the formal resolution mechanisms for DV cases but also gaps between normative provisions (das sollen) and empirical reality (das sein). Furthermore, the analysis revealed recurring obstacles and strategies implemented by Propam, offering insights for strengthening ethical enforcement and victim protection.

3. RESEARCH FINDINGS AND DISCUSSION

Within the Indonesian National Police, the professional code of ethics functions as an internal legal mechanism that operates in parallel with, or as a continuation of, the criminal justice process.[9] The Division of Professional and

[7] David Tan, "Metode Penelitian Hukum: Mengupas dan Mengulas Metodologi Dalam Menyelenggarakan Penelitian Hukum" *Jurnal Ilmu Pengetahuan Social*, Vol. 8, No. 8, 2021, hlm.2469.

[8] Maiyestati, *Metode Penelitian Hukum*, Padang: LPPM Universitas Bung Hatta, 2022, hlm 71.

[9] Peraturan Kapolri Nomor 7 Tahun 2022 tentang Kode Etik Profesi Kepolisian Negara Republik Indonesia, Pasal 1 ayat (5).

Security Affairs (Propam) is the principal body mandated to conduct ethical examinations and enforce discipline, with authority grounded in Police Regulation (Perpol) No. 7 of 2022, particularly Articles 5 to 10.[10] The process begins with the submission of a complaint, which may originate from three sources: direct reports by victims, public complaints, or internal detection through supervision and evaluation mechanisms. Based on preliminary findings, the case may either advance to an ethical tribunal or be dismissed due to insufficient evidence.[11]

If a violation is indicated, the case is referred to the Police Code of Ethics Commission (KKEP), which adjudicates disciplinary and ethical breaches. KKEP hearings follow structured stages: examination of the alleged violation, testimony of the accused, witness hearings, and evaluation of evidence.[12] Decisions may impose sanctions ranging from a public apology and postponement of promotion, to demotion, declaration of unfitness, and the most severe sanction Dishonorable Discharge (PTDH). Implementation of PTDH requires approval from the Regional Police Chief (Kapolda) or the National Police Chief (Kapolri), ensuring institutional legitimacy and reinforcing public trust.[13]

Despite this structured mechanism, significant obstacles hinder the effective resolution of domestic violence (DV) cases involving police officers. The first obstacle is psychological: victims often hesitate to report due to fear, shame, stigma, or concern for the perpetrator's career and family stability. Unequal power relations amplify this reluctance, as perpetrators' positions within law enforcement generate implicit intimidation. Second, technical difficulties arise in evidence collection and witness testimony, particularly because incidents often occur within police housing complexes, limiting independent witnesses and creating risks of bias from colleagues bound by professional solidarity. Third, strong socio-cultural perceptions treat domestic violence as a private family matter, discouraging victims from

[10] Peraturan Kapolri Nomor 23 Tahun 2010 tentang Susunan Organisasi dan Tata Kerja pada Tingkat Mabes Polri, Bab IV tentang Divisi Propam.

[11] Ipda Chandra Purba, Kanit Provos Si Propam Polres Kota Sibolga, *wawancara*, Sibolga, 11 Agustus 2025.

[12] Briptu M Robby Lubis, Anggota Provos Si Propam Polres Kota Sibolga, *wawancara*, Sibolga, 11 Agustus 2025.

[13] Peraturan Kapolri Nomor 7 Tahun 2022 tentang Kode Etik Profesi Kepolisian Negara Republik Indonesia, Pasal 17.

pursuing formal legal channels. These factors, compounded by administrative and structural constraints, weaken case quality and undermine accountability.

In response, the Sibolga Police Resort has implemented multifaceted strategies addressing preventive, curative, and repressive aspects. Preventive measures include continuous legal socialization and mental development programs for officers and families to strengthen awareness of DV as both a crime and an ethical violation. To overcome victims' reluctance, Propam established a confidential hotline as a safe reporting mechanism, ensuring security and privacy. On the technical side, coordination with the Women and Children Protection Unit (PPA) has been strengthened through joint investigative teams, fast-track procedures, and standardized deadlines to preserve evidence integrity.[14]

Family-centered interventions have been pursued in partnership with Bhayangkari, the police wives' organization, to empower them in early detection, counseling, and victim support. Bhayangkari's trusted access to families enables proactive monitoring and strengthens peer support networks for victims.[15] Structurally, Propam collaborates with the Human Resources Division (Bag SDM) to implement periodic behavioral assessments and psychological testing, enabling early identification of risk factors for misconduct. Administrative safeguards include reassigning reported perpetrators to non-operational roles and enforcing strict confidentiality protocols, thereby reducing risks of intimidation and retaliation.[16]

4. Conclusion

The resolution of domestic violence (DV) offenses committed by members of the Indonesian National Police is handled internally through the professional code of ethics mechanism managed by the Division of Profession and Security (Propam). The stages include the receipt of reports, preliminary examination, ethical examination, hearings before the Police Code of Ethics Commission (KKEP), the

[14] Ipda Chandra Purba, Kanit Provos Si Propam Polres Kota Sibolga, *wawancara*, Sibolga, 11 Agustus 2025.

[15] Brigadir Mamar Nasution, Anggota Unit Pelayanan Perempuan dan Anak Polres Kota Sibolga, *wawancara*, Sibolga, 11 Agustus 2025.

[16] Briptu M Robby Lubis, Anggota Provos Si Propam Polres Kota Sibolga, *wawancara*, Sibolga, 11 Agustus 2025.

imposition of sanctions, and the implementation of decisions. This process, as regulated in Police Regulation No. 7 of 2022, confirms that DV committed by police officers constitutes not only a criminal act under Law No. 23 of 2004 concerning the Elimination of Domestic Violence but also an ethical violation that undermines the dignity of the police profession. Consequently, the code of ethics mechanism operates as a parallel instrument to the criminal justice system, with sanctions ranging from minor disciplinary measures to Dishonorable Discharge (PTDH), reflecting its role in maintaining institutional integrity and moral accountability.

Nevertheless, implementation faces obstacles such as victims' reluctance to report due to fear or stigma, lack of independent witnesses within police housing, cultural views of DV as a private matter, difficulties in gathering evidence, and structural limitations within Propam itself. To address these challenges, the Sibolga Police Resort has adopted several efforts: legal awareness programs, confidential reporting mechanisms, close coordination with the Women and Children Protection Unit (PPA), Bhayangkari involvement in family guidance, regular psychological testing and supervision through the Human Resources Division, temporary reassignment of reported officers to non-operational duties, and strict safeguards to ensure investigations remain free from interference. These combined measures highlight the importance of integrating ethical enforcement with criminal law to strengthen victim protection, accountability, and public trust in the police institution.

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