

The Role of Community Policing for Law Enforcement in Resolving Issues Outside of Court

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ABSTRACT

The role of the Community Development Unit (Binmas) of the Bone Bolango Police is very important. Its existence can be one of the efforts to prevent crime through community-based prevention efforts. The type of research used is empirical legal research. The results show that the role of the Community Development Unit (Binmas) of the Bone Bolango Police is being played with an emphasis on improving the efficiency and technical capabilities of the police, but it still has shortcomings because even though the handling or resolution of problems that occur in the community is only a matter of violations, minor crimes need to be improved. The inhibiting factors are first in terms of the quantity of the number of personnel; second, the supporting facilities or facilities are still minimal; and thirdly, the lack of legal awareness of the community participating in counseling or socialization activities.

Keyword: *Bhabinkamtibmas, Community Policing, Crime*

ABSTRAK:

Peran Satuan Pembinaan Masyarakat (Binmas) Polres Bone Bolango sangat penting. Keberadaannya dapat menjadi salah satu upaya mencegah terjadinya kejahatan melalui upaya pencegahan berbasis masyarakat.. Jenis penelitian yang digunakan adalah penelitian hukum empiris. Hasil penelitian menunjukkan bahwa Peran Satuan Pembinaan Masyarakat (Binmas) Polres Bone Bolango adalah dengan penekanan pada peningkatan efisiensi dan kemampuan teknis polisi telah terlaksana namun masih memiliki kekurangan karena meski penanganan atau penyelesaian masalah terjadi di masyarakat hanya masalah pelanggaran, pidana ringan saja sehingga perlu ditingkatkan lagi di tahun berikutnya kemudian faktor penghambat Pertama dari segi kuantitas jumlah personil, Kedua sarana atau fasilitas pendukung yang masih minim dan Ketiga kurang kesadaran hukum masyarakat mengikuti kegiatan penyuluhan atau sosialisasi..

Kata Kunci: *Bhabinkamtibmas, Pemolisian Masyarakat, Kejahatan*

Introduction

The Law on the Police of the Republic of Indonesia states that the purpose of the establishment of the Polri institution is to realize internal security, which includes the maintenance of public security and order, order and enforcement of the law, the implementation of protection, protection, and service to the community, as well as the establishment of public peace by upholding human rights.¹

One of these tasks is the development of security and order for the community (bhabinkamtibmas), namely for members of the National Police who are tasked with fostering public security and order (kamtibmas).²

The concept of community policing demands that the police prioritize civil democracy, so the character of the police must be more civil. The police are civilians, which means that when they do their job, the police must not make people lose their human dignity by using militaristic methods like violence.

Bhabinkamtibmas is a member of the National Police who has the task of carrying out the development of security and public order and, at the same time, carrying out the function of community policing in the village or sub-district.³

The goal to be achieved in the Bhabinkamtibmas activity is the realization of a stable and dynamic security and security situation in the context of securing and succeeding in national development. Meanwhile, what

is meant by kamtibmas is a dynamic condition of society that is marked by the assurance of order and law enforcement as well as the establishment of peace, which has the ability to foster and develop the potential and strength of the community in preventing, preventing and overcoming all forms of law violations and other forms of disturbance that can be troubling. Community, which is one of the conditions for the implementation of national development.

The main guideline for implementing Bhabinkamtibmas duties is the Field Manual on Bhabinkamtibmas in Villages and ward No. Pol.: Bujuklap/17/VII/1997, which was amended by Decree of the Chief of Police of the Republic of Indonesia No. Pol.: Kep/8/XI/2009 dated November 24, 2009 regarding the Amendment to the Field Manual for the Chief of Police of the Republic of Indonesia No. Pol.: Kep/618/VII/2014, which became the Smart Book of Bhabinkamtibmas 2014, Law Number 2 of 2002 concerning the Indonesian Nation.

In fact, according to research by Yoslan K. Koni in 2019 that in Gorontalo Province it has not been fully implemented because there are still many shortages of police personnel assigned to each work area.⁴ Many criminal acts faced by police investigators need assistance from community policing to jointly prevent the occurrence of criminal acts.⁵

Along with the development, in order to carry out the duties of the police in maintaining security and public order,

¹ Dkk Ramadhan, Rinaldi, "Peran Polisi Masyarakat Dalam Mewujudkan Sistem Keamanan Dan Ketertiban Masyarakat," *Ilmiah Metadata* 3 (2021): 274-92.

² Koesparmono Irsan and Anggreany Haryani Putri, "Polisi, Kekerasan Dan Senjata Api," *Krtha Bhayangkara* 12, no. 1 (2018): 1-24, <https://doi.org/10.31599/krtha.v12i1.28>.

³ Bayu Suseno, "E-Polmas: Paradigma Baru Pemolisian Masyarakat Era Digital," *Jurnal Keamanan Nasional* 2, no. 1 (2016), <https://doi.org/10.31599/jkn.v2i1.39>.

⁴ Yoslan K Koni, "Penerapan Peraturan Kapolri Nomor 3 Tahun 2015 Tentang Pemolisian Masyarakat Dalam Penegakan Hukum Di Provinsi Gorontalo," *Kertha Patrika* 41, no. 1 (2019): 52, <https://doi.org/10.24843/kp.2019.v41.i01.p05>.

⁵ Zasima Margawaty Djamil, "Peran Phayangkara Pembina Keamanan Dan Ketertiban Masyarakat (Bhabinkamtibmas) Kepolisian Sektor Yendidori Dalam Penanganan Tindak Pidana Ringan," *Jurnal Ilmu Hukum Kyadiren* 2, no. 1 (2020): Hlm. 1-11.

enforcing the law, providing legal protection, protection and service to the community, it is necessary to have the ability of members of the police to implement community policing strategies to build partnerships and cooperation by involving the community in maintaining security and order in the community environment. Bhabinkamtibmas members are usually easy to spot early on, especially when it comes to gathering information about an event or a new trend.

Police for the community, as regulated in Article 1 Point 2 of the Regulation of the Chief of Police of the Republic of Indonesia Number 3 of 2015, is an activity to invite the community through partnerships with members of the police of the Republic of Indonesia and the community, so that they are able to detect and identify problems of security and public order (Kamtibmas) in the environment and find a solution to the problem. In the Gorontalo Province, the Bone Bolango Police Resort, the Bhabinkamtibmas are important because they play a big part in making sure that crime doesn't happen in the community.

Method

The type of research used in this research is empirical legal research. The research was carried out in the Binmas Unit of the Bone Bolango Police Legal Area. Sources of data in the form of primary and secondary data. Data collection techniques in the form of observation, interviews, and literature studies Data analysis is used using qualitative data to obtain prescriptive truth.

Discussion

1. The Role Of Binmas Police Of The Bone Bolango Resort In Carrying Out Community Policing In The Bone Bolango District

According to Siswanto Sunarso in the theory of the law enforcement system or criminal law enforcement, as part of a criminal policy or crime prevention efforts, there are two means of crime prevention through law enforcement, namely using penal facilities or law enforcement by imposing criminal sanctions and law enforcement by using non-penal means of imposing criminal sanctions (penal).

That is, without law enforcement by means of a pen, the goal is for people to obey the law. People's obedience to the law is caused by three things, namely: a) fear of sinning, b) fear because the power of the authorities is related to the imperative nature of law, c) fear of being ashamed to commit a crime. Law enforcement with non-penal means has goals and objectives for internalization purposes.⁶

Law enforcement with non-penal means is also carried out by Bhabinkamtibas, which is mentioned as community policing. In this context, the application of the National Police Chief Regulation Number 3 of 2015 concerning community policing in law enforcement at the Boealano Resort Police is seen as one of the main tasks of the Indonesian National Police.

The police structure assigned to each village, called Bhabhinkantibmas, has not been fully fulfilled in accordance with the mandate of the National Police Regulation because there is still a shortage of police personnel, so one Bhabhinkantibmas member can develop one village, or even up to five villages within the respective sub-districts or police stations, so if there is a commotion

⁶ Mustating D G Maroa, "Penegakan Hukum Dalam Penanggulangan Tindak Pidana 26| *Jurnal Nurani Hukum : Jurnal Ilmu Hukum*, Vol.5 No.1 Juni 2022, ISSN.2655-7169

Penyalahgunaan Narkotika Di Kabupaten Banggai," *Jurnal Yustisiabel* I, no. I (2017): 56-68.

or a problem in the village, the Bhabhinkantibmas members assigned are tired of dealing with them and are usually late in coming to the problem areas in their fostered villages.⁷

Community policing is proof that in dealing with crimes that have harmed the nation and the state, the apparatus is not sufficient if they only rely on their own abilities. The presence of the community's role to maintain or protect forest areas will make criminals who intend to carry out logging deal directly with the community.⁸

1) Community Development

The police and society are two inseparable subjects and objects: the police are born from the community, and society requires the presence of the police to maintain order, security, and order in society. That's the theory of the birth of the police. (Politedari Yunani Kuno), until the birth of this modern police theory. Therefore, there is a country that does not have one of its armed forces, but there is not a single country that does not have a police force as an orderly, protector, and law enforcer in a country.

The police of the Republic of Indonesia will not be successful in managing a conducive kamtibmas situation if the people in the surrounding environment do not play an active role in cooperating with the police. Based on the data that the author obtained from the Bone Bolango Resort Police, during the last 2 years, community policing, which was formed in partnership between the police and the community through the Police and Community Communication

Forum (hereinafter abbreviated as FKPM), in the Bone Bolango area, has succeeded in helping the police work by completing 21 cases.

The author argues that Binmas aims to prevent and deal with crime by studying the characteristics and problems that exist in a particular environment. The results obtained will be analyzed and resolved jointly, through partnerships developed by the police and the community.

Building and fostering mutual trust is the main goal in fostering partnerships with the community. The police must recognize the importance of partnership and cooperation with the community and the benefits that such cooperation can bring. Bhabinkamtibmas realizes the mission of serving the community in a tangible form so that the role of the police can be felt directly by the village community in the form of a service approach.⁹

Gaining the trust of the community is difficult to obtain because it requires a process, especially communication and social contact, time, and the will of each police officer. The community still expects an increase in the role and duties of the police as protectors, protectors, and community services as well as as clean law enforcers.¹⁰ Meanwhile, the community must also recognize the need to create a strong partnership with the police to create a safe, orderly, and fear-free area.

Where in this case, Bhabinkamtibmas is present in the midst of the community to provide advice and mediate between the disputing parties as

⁷ Koni, "Penerapan Peraturan Kapolri Nomor 3 Tahun 2015 Tentang Pemolisian Masyarakat Dalam Penegakan Hukum Di Provinsi Gorontalo."

⁸ Siti - Marwiyah, "Model Pemolisian Masyarakat Sebagai Upaya Penanggulangan Pembalakan Hutan," *Yustisia Jurnal Hukum* 3, no. 1 (2014), <https://doi.org/10.20961/yustisia.v3i1.10118>.

⁹ Dkk Safrin Salam, *Perkembangan Filsafat Hukum Kontemporer* (Yogyakarta: Zifatama Jawa, 2020).

¹⁰ Diana Verjenia, "Model Pemolisian Masyarakat Sebagai Upaya Pencegahan Tindak Pidana Pencurian Kendaraan Bermotor Di Wilayah Hukum Polsek Dau," *Jurnal Ilmiah Ilmu Hukum* 26, no. 13 (2020): 1655-70.

stipulated in Community Policing model B in Article 11 Letter B Number 1 Regulation of the Chief of Police of the Republic of Indonesia Number 3 of 2015. In its application, it is not always running well.

There are obstacles that occur, including: the low understanding of community policing, the community's legal awareness is still lacking, and the lack of awareness of the importance of mutual attention with the surrounding environment (indifference). People still don't understand the concept of being a policeman for themselves.¹¹

The factors that complicate the creation of mutual trust between the police and the community For decades, people have judged the policing system as tending to be militaristic. The actions and behavior of the police officers of the Republic of Indonesia who deviate in the midst of people's lives, are not firm in handling cases, which increasingly cause the public to distrust the police.

In connection with the number of cases like this, it triggers the best solution for the community in law enforcement, but in practice, sometimes the police of the Republic of Indonesia act arrogantly in solving the cases they face. In contrast, Binmas reflects a change in the way of thinking regarding the effective delivery of police services with an emphasis on achieving goals.

2) Mediator

The role of Binmas in handling cases to find a solution based on cases that have been successfully resolved by BHABINKAMTIBMAS for the past 2 years from the results of interviews with AIPDA Muh. Taufik Aziz as PS Kanit Binmas Suwawa Sector Police, said identification of case problems was needed to be able to deal with problems

that occurred in the community, taking the initial steps to resolve through family methods, deliberation.

Where community policing acts as a mediator as well as a facilitator to both parties involved in the dispute to be able to resolve these problems before stepping up to the investigators and court hearings.¹² According to Briпка Kennedy N.Senduk as PS Kanit Binmas Polsek Bone Pantai, explained that an investigator in Binmas acts as a coach if there are problems that cannot be resolved by Binmas then they are delegated to investigators in the existing regional unit/sector police.

In order to prevent the transfer of duties of investigators and Binmas where Binmas is to prevent crime and handle minor crimes (TIPIRING). However, Binmas also play a big role in the community and work with the Indonesian National Police to keep Kamtibmas safe. This is shown, for example, by :

- a. Support existing village/kelurahan development programs as well as LKMD programs.
- b. Receive directions from Babinkamtibmas in the context of Kamtibmas, provide the necessary information, and report on activities that have been and will be carried out locally;
- c. Hold a meeting between members of community policing to discuss planned activities and solutions to solve security and security issues in their area.
- d. Provide intensive counseling and appeals to every community in the

¹¹ Verjenia.

¹² Maroa, "Penegakan Hukum Dalam Penanggulangan Tindak Pidana Penyalahgunaan Narkotika Di Kabupaten Banggai."

environment about the importance of Kamtibmas, thereby indirectly increasing public awareness in the field of Kamtibmas;

- e. In the field of Kamtibmas, neutralize social institutions that have a negative impact and lead to social institutions that have a positive impact.
- f. Interact with the community to detect social issues early.

3) Counseling

According to AIPDA Leonard as PS Kanit Binmas Kabila Bone Police, the role of Binmas ideally is to balance fast reactions to emergency events and situations with proactive efforts in the form of problem solving.

One of the tasks of Binmas is dialogical patrols in their environment. They do this by walking, cycling or using a motorbike. There are two main goals: to teach people about the law in person and to let police officers get away from the fast-paced environment of patrol cars.

Based on this, according to the author, the situation of kamtibmas is different from one place to another, so the organizational structure does not always have to be the same. Adaptation is characterized by the decentralization of decision-making with authority given to the lowest units.

Thus, the old habit of formulating the strategy above and implementing it by the unit below must be changed. The lower units must plan and adapt the use of resources according to their needs. Community policing is an activity to invite the community through partnerships between members of the National Police and the community, so that they are able to detect and identify problems of security and public order

(Kamtibmas) in the environment and find solutions to them.¹³

Binmas' role is very good in the Binmas community because it adheres to the decentralization policy so that Binmas officers feel they have their own neighborhood. Binmas also decentralizes decision-making. This is not only to give the police autonomy and freedom of action, but also to empower all officers to participate in community-based problem solving.

2. Factors Affecting the Role of Binmas in Preventing Crime in Bone Bolango District

The Community Policing Policy has been issued by the National Police Chief through the Decree of the Chief of Police Number 737 of 2005, which was then updated with the National Police Chief's Regulation (Perkap) Number 7 of 2008 concerning Community Policing.

As a strategy, community policing is understood as the implementation of proactive policing that emphasizes equal partnerships between the police and the community in the prevention and deterrence of crime, solving social problems that have the potential to cause disturbances in Kamtibmas in order to improve legal compliance and the quality of life of the community, so that it is no longer merely an object in the implementation of Polri functions, but as a determining subject in managing their own efforts to create a safe and orderly environment facilitated by police officers.

¹⁴

Therefore, the implementation of community policing in the context of realizing order and security in society requires the cooperation of the community with the police to find, identify, analyze, and find solutions to the problems of security and order

¹³ Suseno, "E-Polmas: Paradigma Baru Pemolisian Masyarakat Era Digital."

¹⁴ Ramadhan, Rinaldi, "Peran Polisi Masyarakat Dalam Mewujudkan Sistem Keamanan Dan Ketertiban Masyarakat."

disturbances that are being faced. The concept of community policing demands that the police prioritize civil democracy; therefore, the character of the police must be more civil.

The police are civil in character, meaning that in carrying out their work, the police must not cause humans to lose their human dignity by avoiding militaristic methods in the form of violence. Instead, the police must be able and willing to listen to and find out the nature of human suffering.¹⁵ Police actions or behavior should be based on the idea of dialogue and interaction that is full of human nuances.

Therefore, according to Soerjono Soekanto, there are at least four factors for a regulation to really function, namely first, the rule of law or the regulation itself; second, officers who enforce or implement; third, facilities that are expected to support the implementation of the rule of law; and fourth, the four community members who are affected by the scope of the regulation.¹⁶ If it's about Binmas's role, there are a lot of things that affect Binmas's role, like:

1) Law Enforcement Factor

The legal function, mentality, or personality of law enforcement officers play an important role. If the regulations are good, but the quality of the officer is not good, there is a problem. Therefore, one of the keys to success in law enforcement is the mentality or personality of law enforcement. The administrative approach views law enforcement officials as part of a management organization that has a working mechanism that has both horizontal and vertical relationships in accordance with the organizational

structure that applies within the organization. The system used is the administrative system.¹⁷

The law enforcement factor is one of the obstacles to carrying out the role of Binmas in the police area of the Bone Bolango resort in community policing because, in terms of quantity, the number of personnel is still minimal.

On the other hand, the legal area of the Bone Bolango Resort Police that they have to cover is 1,984.31 km, consisting of 17 sub-districts and 1 preparatory sub-district (Pinogu area), 152 villages, and 4 urban villages. Confirmed from an interview with Mr. IPTU Gustin Kasim, Head of Binmas Police of Bone Bolango Regency, stated that the area of Bone Bolango Regency is not supported by the number of personnel that is still minimal.

The Binmas section only has one person for the police area. Meanwhile, the community policing program should ideally be carried out by several members per sub-district or police station. This regulator of law enforcement factors is closely related to the role of Binmas in realizing legal goals, namely legal justice, expediency, and legal certainty. The essence of the presence of Binmas is to create order and order in society.¹⁸

2) Facilities Factors and Facilities

Factors supporting facilities or facilities include software and hardware. One example of software is education. The education received by the police today tends to be practically conventional, so that in many cases, the police experience obstacles in their goals, including knowledge of computer crimes and special crimes that have so far been given authority to prosecutors. This is

¹⁵ Ramadhan, Rinaldi.

¹⁶ Supriyanta, "Demokratisasi Dalam Penegakan Hukum," *Wacana Hukum* VII, no. 1 (2008): 90-99.

¹⁷ Supryanto, "Perkembangan Sistem Peradilan Pidana," *Wacana Hukum* 2, no. 4 (2003).

¹⁸ Safrin Salam, "Rekonstruksi Paradigma Filsafat Ilmu: Studi Kritis Terhadap Ilmu Hukum Sebagai Ilmu," *Ekspose: Jurnal Penelitian Hukum Dan Pendidikan* 18, no. 2 (2020): 885-96, <https://doi.org/10.30863/ekspose.v18i2.511>.

because, technically, the police are considered legally incapable and not ready. although it is also realized that the tasks that must be carried out by the police are very broad and many. Factors supporting facilities or facilities include software and hardware.

One example of software is education. The education received by the police today tends to things that are practically conventional, so that in many cases, the police experience obstacles in their goals, including knowledge of computer crime and special crimes that have still been given authority to the prosecutor.

This is because, technically, the police are considered legally incapable, not ready. Despite the fact that it is recognized that the tasks that must be performed by the police are very broad and numerous.¹⁹

If it is related to the role of the Binmas Police of the Bone Bolango Resort in carrying out community policing, the supporting facilities that are still minimal can be seen from the lack of vehicles to be used to jump into the community. In addition, the budget factor is also very influential in the procurement of this vehicle facility because it must be adjusted to the availability of the budget each year.

3) Community Factor

Law enforcement comes from the community and aims to achieve peace in society. Every member of the community or group has more or less legal awareness. The problem that arises is the level of legal compliance, namely high, moderate, or low legal compliance. The degree of community legal compliance with the law

is one indicator of the functioning of the law concerned. Community factors are an obstacle to the implementation of community policing in the jurisdiction of the Bone Bolango Resort Police carried out by Binmas, namely the community's laziness in participating in outreach or socialization activities.

This was explained by Mr. IPTU Gustin Kasim, Head of Binmas Polres, Bone Bolango, that sometimes people have many reasons when invited to participate in socialization related to the importance of community policing programs.

4) Cultural Factor

According to Soerjono Soekanto's definition of culture, the daily culture of the surrounding community has a very large function for humans and society, namely regulating how humans should act and act when they relate to other people. Law enforcement comes from the community and aims to achieve peace in society.

Every member of the community or group has more or less legal awareness. The problem that arises is the level of legal compliance, namely high, moderate, or low legal compliance. The degree of community legal compliance with the law is one indicator of the functioning of the law concerned.²⁰ Thus, culture is a basic line of behavior that establishes rules about what to do and what not to do.²¹

¹⁹ Rustam Lutfi Rumkel, Darwin Rukua, "Efektifitas Fungsi Satuan Pembinaan Masyarakat Menurut Peraturan Kepala Kepolisian Negara Republik Indonesia Nomor 3 Tahun 2015 Tentang Pemolisian Masyarakat," *Uniqbu Journal of Social Sciences (UJSS)* 1, no. September 2011 (2020): 22-34.

²⁰ Lutfi Rumkel, Darwin Rukua.

²¹ S. Salam et al., "Corporate Legal Responsibility Against Environmental Damage," *IOP Conference Series: Earth and Environmental Science* 343, no. 1 (2019), <https://doi.org/10.1088/1755-1315/343/1/012137>.

Conclusion

As can be seen from the handling of cases over the last two years, almost everything has been resolved through deliberation, with Binmas acting as a mediator for the disputing parties, and it is hoped that work activity will increase in the coming year. Through increasing public awareness of a comfortable and safe environment, it will also further support the role of Binmas.

Therefore, the ranks of the Bone Bolango Resort Police continue to be proactive towards social phenomena experienced by the community, especially regarding a sense of security, peace, and order. Factors that hinder the role of Binmas of the Bone Bolango Police in implementing community policing in Bone Bolango Regency The first factor is law enforcement, because, in terms of quantity, the number of personnel is still minimal.

On the other hand, the extent of the jurisdiction of the Bone Bolango Police that they must cover The two supporting facilities or facilities are still minimal, as can be seen from the lack of vehicles to be used by the community to use privately owned vehicles.

In addition, the budget factor is also very influential in the procurement of this vehicle facility because it must be adjusted to the availability of the budget each year. Third, community factors are an obstacle in the implementation of community policing in the jurisdiction of the Bone Bolango Resort Police carried out by Binmas, namely the community's laziness in participating in outreach or socialization activities. The four cultural factors of the community itself are aware of the importance of maintaining peace in their environment.

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