

Legal Reconstruction of the Police Code of Ethics in Strengthening Sanctions against Members Involved in Narcotics Abuse

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ABSTRACT

Background. Artificial intelligence (AI), particularly deepfake technology, has greatly influenced society by enabling the creation of fake pornographic content. This phenomenon threatens privacy, reputation, and mental well-being. In Indonesia, laws addressing pornography and electronic crimes exist but are inadequate to manage AI-driven crimes such as deepfake pornography. The absence of specific legal frameworks poses challenges to effectively tackling these issues.

Purpose. This study aims to examine the inadequacies of current Indonesian regulations in dealing with deepfake pornography and propose a legal reconstruction of the Police Code of Ethics to strengthen sanctions against perpetrators. The research also explores ways to balance strict legal measures with the encouragement of beneficial technological advancements.

Method. A qualitative research method was employed, involving a review of legal documents, regulations, and case studies related to deepfake pornography and AI-related crimes. Comparative analysis with other countries' laws was conducted to identify best practices.

Results. The findings reveal gaps in the Indonesian legal framework for addressing AI-related crimes. Recommendations include the formulation of new regulations that specifically address deepfake technology, stronger sanctions, and the integration of ethical AI use in law enforcement practices.

Conclusion. Responsive legal frameworks that regulate AI use and strengthen sanctions are essential for protecting individuals and enhancing law enforcement. This ensures that technological innovations serve societal benefits without causing harm.

KEYWORDS

Artificial Intelligence, Cybercrime, Deepfake Technology, Ethical AI, Legal Framework.

INTRODUCTION

Law enforcement efforts carried out by the government cannot be separated from the role of the police. According to Law No. 2 of 2002 concerning the Indonesian National Police, the Indonesian National Police has the main task of maintaining public security and order, enforcing the law, and providing protection, patronage, and services to the community (Ahmad Dahlan University et al., 2022). Since the reform era, there have been significant changes in the structure of state life in Indonesia, including institutional reform within the Indonesian National Police.

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One of the important changes is the separation of the National Police from the Armed Forces of the Republic of Indonesia (ABRI), which is officially regulated through Law No. 2 of 2002 concerning the National Police of the Republic of Indonesia. This separation aims to enhance the professionalism of the National Police as an institution that focuses on law enforcement tasks and service to the community, as well as ensuring its independence from military influence (Acero & Thomson, 2022). This transformation is part of efforts to realize a more democratic and responsive government to public needs.

One of the significant reforms was the separation of Polri from the Armed Forces of the Republic of Indonesia (ABRI), officially regulated under Law No. 2 of 2002 concerning the Indonesian National Police (Alrejjal et al., 2022). This separation aimed to enhance the professionalism of Polri as an institution focused on law enforcement and public service while ensuring its independence from military influence. This transformation is part of broader efforts to establish a more democratic government that is responsive to public needs.

According to Law No. 2 of 2002 concerning the Indonesian National Police, the term “policing” encompasses all matters related to the functions and institutions of the police as stipulated by the applicable legal provisions. Members of the Indonesian National Police are civil servants serving in the Indonesian National Police (Anasti, 2020). Meanwhile, Police Officers refer to members of the police with general authority as granted by law. Police regulations are rules issued by the Indonesian National Police to maintain public order and ensure public safety, in accordance with existing legal provisions.

The Code of Ethics for the Police Profession, hereinafter referred to as KEPP, is regulated under Police Regulation No. 14 of 2011 concerning the Code of Ethics for the Indonesian National Police Profession (Assunção et al., 2023). According to Article 1, point 5, KEPP constitutes norms or rules serving as ethical or philosophical foundations that govern the conduct of Polri members, both in actions and speech, concerning what is prohibited, required, proper, or improper when performing their duties, powers, and responsibilities. Police ethics aim to establish a professional police force with integrity and good conduct (Azzutti, 2022). This is reinforced in Article 34, paragraph (1) of Law No. 2 of 2002 concerning the Indonesian National Police, which mandates that the attitudes and behavior of Indonesian National Police Officers must adhere to the Code of Ethics for the Police Profession.

Law No. 2 of 2002 concerning the Indonesian National Police outlines that the primary functions of the police are to maintain public order, ensure security, and enforce the law (Barak et al., 2020). Additionally, the police are tasked with protecting, nurturing, and serving the community while respecting human rights. These duties underscore the vital role of the police in creating a safe and orderly environment for all citizens. Among their various responsibilities, the police face significant challenges in addressing different forms of crime, one of the most serious being narcotics-related offenses. Narcotics cases often involve numerous parties and have wide-ranging impacts, necessitating heightened attention in their handling. Active collaboration among the public, social media, and other law enforcement agencies is essential in tackling this issue (Berk, 2021). Strict monitoring of narcotics distribution, firm law enforcement, and preventive efforts through education and public awareness campaigns form critical components of the police’s strategy to combat narcotics-related crimes.

Article 1 of Law No. 22 of 1997 on Narcotics defines narcotics as substances or drugs derived from plants or non-plant materials, either synthetic or semi-synthetic. These substances can alter consciousness, eliminate sensations, reduce or even remove pain, and induce dependence (Carroll et al., 2020). These effects make narcotics highly dangerous if abused, as they can damage the

physical and mental health of users and negatively impact society as a whole. In the context of law enforcement, the professionalism of police officers is crucial to ensuring effective enforcement of laws, particularly in handling narcotics cases. To achieve such professionalism, strict adherence to the Code of Ethics for the Police is essential. This Code provides clear guidelines on the conduct and responsibilities of police officers in performing their duties. Without discipline and compliance with the code of ethics, law enforcement cannot be effectively implemented (Chen et al., 2022). Police officers who fail to act professionally or adhere to established regulations risk undermining public trust and weakening efforts to combat crime, particularly when addressing the complex challenges posed by narcotics-related offenses.

The police's role in law enforcement includes investigation and inquiry, particularly concerning narcotics abuse offenses involving both users and distributors (Cortright et al., 2020). In efforts to eradicate narcotics-related crimes, all involved parties—such as prosecutors, judges, and other law enforcement officials—must possess strong awareness and moral integrity. This is essential to ensure they remain unaffected by external factors that could compromise the legal process. The investigations and inquiries conducted by the police constitute crucial initial steps in addressing narcotics issues. The police must be capable of gathering accurate evidence and information to support prosecution in court. In this context, the integrity and professionalism of law enforcement officials are of utmost importance (Douvris et al., 2022). Without a commitment to performing their duties properly, efforts to combat narcotics can be hindered.

Moreover, prosecutors and judges play central roles in the legal process for narcotics-related offenses. Prosecutors are responsible for bringing offenders to trial, while judges have the authority to adjudicate cases (Fine et al., 2020). These roles must be filled by individuals with integrity and the courage to uphold the law without being influenced by external pressures or personal interests. In interactions with the public, some police officers occasionally misuse their authority by engaging in excessive and unlawful actions while performing their duties in the field. The Police Professional Code of Ethics serves as a behavioral guideline for all officers in their dealings with the public, both on and off duty. The norms outlined in this code are regulated under the Chief of the Indonesian National Police Regulation No. 14 of 2011 concerning the Police Code of Ethics, which holds legal authority and serves as a reference for police officers to act in accordance with moral values. The purpose of the Police Code of Ethics is to uphold professional ethics in interactions with the public. Additionally, it aims to instill confidence in police officers that they must internalize proper, ethical, and strong policing ethics (Fisher et al., 2020). With this code of ethics, it is expected that police officers will act professionally and ethically while performing their duties, fostering trust and good relations with the community.

Weak oversight by law enforcement institutions is one of the factors contributing to the involvement of police officers in narcotics abuse. This has led to public skepticism regarding the police's effectiveness in combating narcotics trafficking and abuse (Flores-Macías & Zarkin, 2022). As such, the public expects police officers involved in narcotics offenses to be punished in accordance with applicable regulations. Police officers implicated in such cases clearly violate the code of ethics, as all members of the Indonesian National Police are required to uphold the dignity and honor of their role as law enforcement personnel and protect the law and reputation of the police force.

Violations of the police code of ethics are subject to strict sanctions in accordance with the Chief of the Indonesian National Police Regulation No. 14 of 2011 concerning the Police Professional Code of Ethics (Goldstein et al., 2020). Sanctions are imposed by Anjum (superior officers), who are authorized to discipline subordinates, with assistance from other designated

members. Sanctions for police officers who violate the code of ethics are determined through hearings held by the police ethics commission.

Police officers are expected to perform their duties in adherence to proper guidelines. However, instances of non-compliance with established regulations persist among some officers. In certain cases, officers have even been involved in narcotics use, which erodes public trust in law enforcement (Jassal, 2020). Meanwhile, the police serve as a cornerstone for upholding justice and maintaining public safety. To preserve the positive image of the police in the eyes of the public, officers must ensure compliance with the Police Professional Code of Ethics (KEPP).

The Police Code of Ethics, as stipulated in the Chief of the Indonesian National Police Regulation No. 14 of 2011, establishes norms and rules governing the conduct and speech of police officers (Jennings et al., 2021). These rules include mandatory obligations, prohibitions, and guidelines for proper or improper behavior in the execution of their duties. Chapter I outlines general provisions, including the intent, purpose, and principles of the Code of Ethics. Chapter II focuses on professional ethics within the police, covering the scope and content of the Code. Chapter III addresses obligations and prohibitions, encompassing state, institutional, societal, and personal ethics. Chapter IV discusses the enforcement of the Code of Ethics, including institutional aspects, KEPP hearings, appellate commission hearings, and sanctions for violations (Karimpour et al., 2021). Chapter V contains transitional provisions, while Chapter VI includes closing provisions.

Violations of the police code of ethics continue to occur, including cases of narcotics abuse involving police officers. Although members of the Indonesian National Police are civilians and not subject to military law under Law No. 2 of 2002, they remain bound by the code of ethics governing their conduct. This code is regulated under the Chief of the Indonesian National Police Regulation No. 14 of 2011 concerning the Police Professional Code of Ethics (Li et al., 2021). Police officers involved in narcotics abuse clearly violate the code of ethics. If an officer is proven to have used narcotics, they will face strict sanctions in accordance with the provisions of the Police Professional Code of Ethics. Furthermore, they may also face criminal penalties.

However, during the investigation process, the accused officers are presumed innocent until proven guilty in court and until a decision has obtained permanent legal force (Liao et al., 2020). Once a criminal verdict against a police officer has become final and binding, they are at risk of being dishonorably discharged. Various measures have been undertaken by the police institution to minimize or eliminate the involvement of its members in narcotics issues. One of these measures includes providing orientation during the formation education for Non-Commissioned and Commissioned Officers. Since the enactment of Law No. 35 of 2009, many offenders have been prosecuted under this law (Lockie, Dawes, et al., 2021). Law enforcement is expected to play a crucial role in preventing the spread and abuse of narcotics across all segments of society.

Law No. 35 of 2009 on Narcotics Offenses imposes severe penalties, including imprisonment, fines, and even the death penalty (Lin & Long, 2021). This demonstrates the gravity of the sanctions imposed for narcotics crimes. Law enforcement plays a pivotal role in addressing narcotics crimes in Indonesia, with the objective of curbing productivity loss and disrupting the distribution and sale of narcotics through land, air, and sea routes frequently exploited by narcotics trafficking syndicates. These routes allow narcotics to reach a broad spectrum of society, including students, college attendees, artists, homemakers, merchants, public transportation drivers, street children, workers, and even certain members of law enforcement themselves. Internal oversight is conducted by the Supervisory Division (Inspectorate) and the Division of Professionalism and Internal Security (Propam) through periodic methods as well as unannounced inspections (Sidak). This oversight includes urine tests for all members of the Indonesian National Police (Polri) and

civil servants within the Polri structure, from the lowest rank (Non-Commissioned Officers or Bintara) to the highest rank (General Officers), conducted in collaboration with the Provincial National Narcotics Agency (BNNP) (Lockie, Moreno, et al., 2021). Additionally, members proven to be involved in narcotics abuse will face strict action through general court proceedings, further compounded by proceedings in the Police Professional Code of Ethics tribunal. These proceedings can result in sanctions such as dismissal or dishonorable discharge from the police force. a). In this regard, if we analyze further the provisions of Article 1 of Law No. 35 of 2009 on Narcotics, which replaced and repealed Law No. 22 of 1997 on Narcotics (State Gazette of 1997 No. 67, Supplement to State Gazette No. 3698) and Law No. 5 of 1997 on Psychotropics (State Gazette of 1997 No. 10, Supplement to State Gazette No. 3671), at least three classifications of narcotics crime Producers refer to individuals who manufacture or compound narcotics illegally. b). Distributors refer to individuals or groups, directly or indirectly, who sell, deliver, or transact narcotics to users or abusers, whether in large quantities (as drug lords) or small quantities (as retailers). c). Users refer to individuals who unlawfully abuse narcotics, including addicts with a high level of dependency.

The importance of categorizing the roles of perpetrators in narcotics crimes is based on actual cases that have been, are being, and will be handled by law enforcement officials in Indonesia, particularly within the police force. The role of perpetrators in narcotics crimes affects their criminal liability, influencing the severity of the punishment imposed.

Furthermore, police officers found to be involved in narcotics crimes face specific non-penal or administrative sanctions. The application of non-penal and administrative sanctions for police officers aligns with the development of legal pluralism (Magaña et al., 2022). Globalization does not necessitate uniformity in legal systems, as each legal system has its unique cultural characteristics. Therefore, contemporary legal theory and practice must be more cognizant of global aspects while remaining sensitive to diversity and legal pluralism. In this way, the challenges posed by globalization become an unavoidable part of an era that continually evolves toward progress.

Although the Police Professional Code of Ethics (KEPP) governs the behavioral standards of police officers, the implementation of sanctions for narcotics violations is considered suboptimal in deterring offenders. Some cases have revealed weaknesses in the enforcement of sanctions, which are either inconsistent or overly lenient, failing to reflect a strong commitment to eradicating narcotics abuse, both within society and the police force itself (Martínez-Schuldt & Martínez, 2021). With the increasing number of narcotics abuse cases involving police officers, decisive measures are needed to strengthen sanctions through the legal reconstruction of the Police Code of Ethics. This reinforcement aims to ensure that violators are subjected to stricter and fairer sanctions, whether in the form of administrative, non-penal, or criminal penalties, by their level of involvement.

Such measures are crucial for upholding internal discipline, restoring public trust, and supporting national efforts to combat narcotics. Globalization and the dynamics of legal pluralism also demand an adaptive and sensitive legal approach to emerging challenges (Massé, 2020). Therefore, this reconstruction of the Police Code of Ethics must reflect the needs of an evolving era while upholding the integrity and professionalism of the Indonesian National Police (Polri) as a responsible law enforcement institution.

RESEARCH METHODOLOGY

The research method used in this study is a normative legal method with an emphasis on the study of relevant laws and regulations, including Law No. 2 of 2002 concerning the Indonesian National Police, Regulation of the Chief of Police No (Maupin et al., 2020). 7 of 2022 concerning

the Police Professional Code of Ethics, and other related regulations regarding narcotics (Millar & O'Doherty, 2020). This study aims to analyze existing legal norms and how they are implemented in the context of law enforcement against members of the Police involved in drugs (Morton et al., 2020). Data were collected through document studies, which included analysis of regulations, legal decisions, and related literature, in order to understand the weaknesses and strengths of the existing legal system and identify solutions that can be applied to strengthen sanctions in the Police Code of Ethics.

RESULT AND DISCUSSION

Law Enforcement by Police Members in Narcotics Crimes Committed by Police Members

Law enforcement can be defined as a process aimed at realizing the objectives of the law, namely the ideas formulated and established by legislative bodies into legal regulations, thereby transforming them into reality. Furthermore, law enforcement can also be understood as the harmonization of the values inherent in strong legal norms, combined with interpretations guided by conscience and actions that embody the implementation of justice values to maintain peace (Mughan et al., 2020). In this context, law enforcement is not limited to the application of rules but also encompasses efforts to ensure that the principles of justice are applied fairly and equitably within society. This highlights the importance of a social approach to law enforcement, where the law is viewed not merely as a set of rules to be obeyed but also as a tool for achieving broader social objectives, namely the creation of a peaceful and just society.

Law enforcement can be divided into three main components. First, legislation comprises a collection of codified and written positive legal rules, which are published in the state gazette on a legal basis. Second, law enforcement officers consist of four pillars—judges, prosecutors, advocates, and police—who play pivotal roles in the law enforcement process. Third, the public, as legal subjects expected to possess a high level of legal awareness. In the context of law enforcement against police officers proven to be involved in criminal acts, particularly narcotics cases, the resolution process is conducted in the same manner as for the general public, through the general court system. This demonstrates that no special treatment is accorded to police officers who violate the law; they face the same legal consequences as other citizens. In addition to the general court process, police officers committing criminal acts also face internal police sanctions. These are enforced through police code of ethics proceedings, where officers violating professional ethics are examined and sanctioned according to applicable provisions. This process adds a layer of accountability, ensuring that police officers are answerable not only before the law but also to the institution and society.

The law enforcement process against police officers involved in narcotics crimes unfolds as follows. First, in the investigation Stage, Police officers suspected of engaging in narcotics abuse may be reported through public complaints. These complaints are followed up by police leadership, who then forward the report to the Provost Unit for investigation. If sufficient evidence is deemed to exist, the Provost Unit hands over the findings to the Internal Security Unit (Paminal) for further investigation. This investigative process involves not only the Paminal Unit but also the Criminal Investigation Unit (Reskrim), which work together to collect evidence and ensure a comprehensive investigation. Once sufficient evidence is gathered, the Paminal Unit returns the results to the Provost Unit to proceed with investigations related to violations of police ethics (Pastaltzidis et al., 2022). The Reskrim Unit continues its investigation in accordance with provisions set forth in the Criminal Procedure Code (KUHAP). Second, in the prosecution Stage, the suspected officer involved in ethical violations and narcotics abuse is investigated according to their jurisdiction or

unit, adhering to the procedures stipulated in KUHAP. Investigations conducted within the officer's jurisdiction aim to ensure that legal processes proceed in accordance with established protocols. Investigators must consider the location of the offense and the unit or jurisdiction of the suspect to ensure objective, transparent, and legally certain proceedings. Coordination among police units is integral to efficient investigations, with responsibility assigned to units having jurisdiction over the area where the offense occurred.

In court proceedings, defendants involved in narcotics crimes, including police officers, are treated equally under the law, following provisions outlined in KUHAP. This adheres to the principle that all individuals are equal before the law, negating any special treatment based on status or rank. Defendants have the right to appoint an advocate or legal counsel of their choice. If a defendant cannot or chooses not to appoint legal counsel, the state provides one to assist them in their legal proceedings, ensuring access to justice for all defendants. After completing court proceedings, police officers involved in narcotics abuse face enforcement of the Police Professional Code of Ethics. This enforcement is overseen by the Police Internal Security Division (Propam), which holds primary responsibility in this domain. The enforcement of the Police Professional Code of Ethics is critical to maintaining the integrity and professionalism of the police institution. This process ensures that officers are accountable not only under criminal law but also to the ethical standards governing their conduct. Violations are addressed through an internal process to ensure officers perform their duties responsibly and in accordance with expected values.

The Propam Unit investigates violations of the police code of ethics, collecting evidence and determining appropriate sanctions based on their findings. Officers found guilty of violations may face administrative sanctions ranging from warnings to dismissal, depending on the severity of the offense. If a police officer is deemed to have violated the code of ethics according to Propam's evaluation, enforcement may result in dishonorable discharge or termination from the police force (Pike et al., 2021). This action underscores the institution's commitment to upholding discipline and integrity. Dishonorable discharge not only serves as a sanction but also emphasizes the officer's continuing obligation to safeguard confidential information obtained during their tenure.

The imposition of criminal sanctions represents the phase in which penalties are determined and applied to offenders. In criminal law, the term "criminal sanction" refers to the law itself, whereas "punishment" is understood as the process of imposing penalties for violations committed. Punishment serves as a mechanism to enforce justice and deter future violations. This process considers various factors, including the nature of the offense, accompanying circumstances, and the defendant's demeanor. Sanctions are not solely punitive but also aim to rehabilitate and facilitate the offender's reintegration into society. The importance of punishment lies in its role in preventing future crimes. By imposing strict sanctions, offenders and the general public are made aware that violations carry consequences, thereby fostering a sense of security within society. [10] Punishment also functions as a societal safeguard and a means of rehabilitation and resocialization for offenders' psychological aspects. The objectives of punishment can be summarized as follows: a). Become a means of self-change; b). Advice to provide a sense of deterrence for the criminal acts committed; c). As a form of means to stop crimes from becoming more frequent and giving birth to new criminals and other methods of crime

Reconstruction of Criminal Policy for Police Personnel Who Use Drugs Based on Justice Values

The reconstruction of criminal policies concerning police personnel involved in narcotics use is essential to maintaining the integrity of the police institution and public trust. Such policies must be rooted in the principles of justice, encompassing not only punitive measures but also

rehabilitation and prevention (Ray, Korzeniewski, et al., 2023). In this context, it is crucial to evaluate the existing law enforcement system and adopt a more humane and equitable approach. Currently, policies addressing police officers involved in narcotics abuse often lean toward a repressive framework. Legal proceedings are conducted through general courts, wherein police officers are treated the same as the general public. While this reflects equality before the law, this approach risks neglecting the crucial rehabilitation aspect for offenders grappling with addiction issues.

Existing policies for police officers involved in narcotics abuse tend to adopt a repressive approach. This is evident from the uniform application of legal processes as applied to the general public, with no special considerations given to police personnel. Although this approach underscores the principle of equality before the law, significant challenges arise because such policies often overlook the rehabilitation needs of individuals involved in narcotics abuse. Many police officers trapped in narcotics addiction require a more humane approach and recovery support, rather than mere punitive measures.

A repressive approach risks exacerbating the conditions of individuals struggling with substance abuse. When police officers are punished without considering their personal contexts or backgrounds, it not only harms them individually but also negatively impacts the institution itself (Ray, Richardson, et al., 2023). Strict law enforcement may lead to stigmatization, leaving members grappling with addiction feeling isolated and deprived of necessary support. In the long term, this could result in diminished morale among personnel and a decline in the overall effectiveness of the police institution.

Policies that disregard rehabilitation aspects may also create the impression that the police institution is indifferent to the welfare of its members. This perception could tarnish the image of the police in the eyes of the public, potentially eroding trust in an institution that is supposed to serve as both protector and enforcer of the law. Accordingly, it is imperative for existing policies to integrate rehabilitative measures, focusing not only on punishment but also on healing and reintegrating members back into society.

Concerning police officers involved in narcotics-related offenses, such individuals are also in violation of the Police Professional Code of Ethics (KEPP). In these cases, primary law enforcement actions are undertaken through general courts. The legal process for police officers engaging in narcotics crimes continues until a court decision with permanent legal force is rendered (Sarteschi, 2021). Pursuant to “Article 17, Paragraph 2,” the enforcement of the KEPP is carried out through:

- a. Preliminary Examination
namely in PERKAP KEPP Article 17 paragraph 3 states that the examination is carried out by means of audit, investigation, and filing by the Propam Polri function in the field of Professional Accountability
- b. Police Code of Ethics Commission (KKEP) Session
namely in PERKAP KEPP Article 17 paragraph 4 states that the KKEP Session is carried out by the KKEP to examine and decide on cases of violations committed by alleged violators.
- c. Appeal commission session
namely in PERKAP KEPP Article 17 paragraph 5, is carried out by the Appeal Commission to examine and decide on objections submitted by violators.

- d. Determination of administrative sentencing is carried out by the Human Resources function of the Police after a decision is obtained from the superior of Ankum as stated in PERKAP KEPP Article 17 paragraph 6.
- e. Supervision of the implementation of the decision is carried out by the Propam Polri function which handles the field of rehabilitation for personnel as stated in PERKAP KEPP Article 17 paragraph 7.
- f. Personnel rehabilitation.” in it “contains a systematic originating from its supporting parts, namely the Prosecutor’s Office, Courts, Police, and Correctional Institutions, which as a whole are one part that strives to realize input into output which is the vision and mission of the criminal justice system in the criminalization process, namely handling crimes or controlling all criminal acts that are still within the tolerance level of society.

The criminal sanctions for narcotics abuse as regulated under “Law Number 35 of 2009 on Narcotics” are more severe compared to the previous legislation, namely “Law Number 22 of 1997 on Narcotics.” This change is evident in the regulation concerning plants, where the threshold is now 1 kilogram or 5 stalks, instead of plants weighing more than 5 grams. Additionally, the death penalty is imposed on individuals involved in the production, export, import, distribution, or use of narcotics on others. The death penalty applies not only to Category I Narcotics but also to Category II Narcotics. These provisions are intended to create a strong deterrent effect for perpetrators of narcotics offenses and precursor-related crimes. This law possesses compelling authority and binding power in enforcing legal measures against narcotics offenders. Regarding criminal sanctions for police personnel involved in narcotics-related offenses, their application is deemed appropriate, and it can be asserted that police officers who abuse narcotics may be held accountable under the Narcotics Law. As explained in his book, Moeljatno states that an individual can be held accountable if there is an element of fault in the actions they have committed.

Police officers who misuse illegal drugs are subject not only to criminal sanctions under the Narcotics Law but also to administrative sanctions imposed by the relevant institution. Article 13(b) explains that the primary duty of the Indonesian National Police is to enforce the law, and therefore, all police officers are obligated to carry out investigations and inquiries into all forms of criminal acts. If police officers themselves violate provisions categorized as criminal offenses, such actions contradict their primary duties (Schweitzer Dixon, 2021). As the police are expected to set an example for Indonesian citizens in upholding laws and regulations, the law applies equally to anyone who violates it, including police officers. Consequently, in addition to the sanctions stipulated under the Narcotics Law, administrative sanctions from the relevant institution will also be imposed on officers who commit violations. According to Prosecutor Didit Koko Prastowo, if police officers are proven to be involved in narcotics crimes, they must still be prosecuted. Law enforcement does not only refer to the Narcotics Law but also adheres to judicial procedures by the Criminal Procedure Code (KUHAP) and the provisions within the Police Law.

Several types of sanctions may be imposed on police officers, including: a). Charged according to Police Regulations; b). Brought to a professional hearing or disciplinary hearing, after which the threat of punishment is imposed according to the verdict of the hearing itself; c). Dishonorable discharge (PTDH); d). Demotion;” The opportunity for police officers to abuse drugs is very large, because police officers do not necessarily have strong faith and have duties that are always involved in eradicating the illicit trafficking of narcotics.

Sanctions or punishments imposed by authorized agencies on police officers who are proven to have abused narcotics must be strict. It is hoped that this can have a deterrent effect on them so that they do not repeat narcotics crimes. A special policy is needed in handling this case, which not

only includes dismissal sanctions but also criminal sanctions following applicable regulations. “For suspects of drug abuse, there are several specific reasons that can increase their sentence, considering that such actions are very dangerous to the interests of the community.” Members of the Indonesian National Police are under the authority of the general judiciary in accordance with “Article 29 of the Police Law.” Thus, members of the Indonesian National Police are considered civilians and not subjects of military law.

However, members of the Indonesian National Police remain bound by the Code of Professional Ethics and Disciplinary Regulations even though they are included in the category of civilians, as regulated in Government Regulation Number 2 of 2003 concerning Disciplinary Regulations for Members of the Indonesian National Police. The regulation regarding the Police Code of Professional Ethics is stated in “PERKAP Number 14 of 2011 concerning the Code of Professional Ethics of the Indonesian National Police.” Criminal acts committed by police officers, such as drug abuse, are subject to administrative and criminal sanctions. Regardless of whether proven guilty or not, police officers are still required to undergo a trial related to the code of ethics regulated in PERKAP Number 14 of 2011 (Seror & Portnov, 2020). “Police officers who abuse illegal drugs have deviated from the regulations regarding discipline and the code of ethics, under Article 5 letter a of Government Regulation Number 2 of 2003 Jo. Article 6 and Article 7 of PERKAP Number 14 of 2011. All police officers are required to uphold the law and protect the honor, reputation, and dignity of the Police.” Police professional ethics are the crystallization of Tribata values that are internalized and interpreted based on Pancasila, reflecting the attitudes of all police officers that include state ethics, institutional ethics, community ethics, and personality ethics, which are then integrated into the Indonesian National Police Professional Code of Ethics.

The meticulous formulation of police ethics is crucial, as it forms the foundation for the ethical standards of the institution. Previously, the values enshrined in “Tribata” provided the identity for the Indonesian National Police (Polri), which were subsequently integrated into the law governing the National Police of the Republic of Indonesia and transformed into a code of ethics. Every violation of the code of ethics and discipline is subject to review, and if proven guilty, the offender will face penalties. The imposition of disciplinary sanctions and sanctions for breaches of the code of ethics does not preclude criminal charges against police personnel found guilty of narcotics offenses, as stipulated in Article 12(1) of Government Regulation Number 2 of 2003 Jo. Article 28(2) of Regulation of the Chief of Police (PERKAP) Number 14 of 2011. Therefore, police officers who misuse illegal drugs will still undergo criminal proceedings, notwithstanding the imposition of ethical and disciplinary sanctions.

Furthermore, police officers suspected of drug misuse are presumed innocent during the investigation process until a final and binding judicial decision is reached, under the presumption of innocence principle as outlined in Article 8(1) of Law Number 48 of 2009 on Judicial Power. Should a criminal verdict become final and binding, the officer may face dismissal with dishonor under Article 12(1)(a) of Government Regulation Number 1 of 2003 on the Dismissal of Members of the National Police of the Republic of Indonesia (Thompson, 2020). Police officers will be dismissed dishonorably if found guilty through a court decision that has acquired permanent legal force, taking into account that the competent authority cannot provide leniency to allow the individual to remain in police service.

The dismissal process for police officers who violate the code of ethics illustrates the existence of internal mechanisms regulating discipline and ethics within the police institution. Proceedings conducted by the Ethics Commission constitute a critical step in ensuring transparency and accountability in law enforcement within the police environment. In this context, police officers

must not only comply with statutory laws but also adhere to the ethical norms established by their institution (Varalakshmi & Swetha, 2020). The differentiation in investigative procedures also reflects recognition of the higher moral and professional responsibilities borne by police officers compared to ordinary citizens. Through disciplinary rules and the code of ethics, it is anticipated that police officers will serve as role models in law enforcement and maintain the integrity of the institution.

Provisions such as these are designed to ensure that members of the police force fulfill their duties with full responsibility while fostering public trust in the institution. The reconstruction of policies must be rooted in fundamental principles of justice (Winograd et al., 2020). Firstly, restorative justice should be a primary approach that emphasizes repairing relationships between offenders, victims, and the community. In this context, the rehabilitation of police officers involved in narcotics misuse must be prioritized. This involves providing adequate access to rehabilitation programs designed to aid recovery and reintegration into society. Additionally, the principles of equality and transparency are of utmost importance. Every police officer implicated in drug misuse must be treated equally before the law, without discrimination. Law enforcement processes, including ethics hearings, must be conducted openly and transparently to sustain public trust in the police institution and ensure integrity at every step.

Education and training should form an integral part of preventive efforts. It is essential to provide adequate education on the dangers of narcotics and strategies to combat them, both during initial training for police recruits and through ongoing professional development for serving officers. This approach is expected to raise awareness and strengthen the resilience of police personnel against narcotics abuse. Policy recommendations for addressing police officers involved in narcotics misuse should prioritize rehabilitation as an alternative to sanctions. Such policies should encompass comprehensive rehabilitation programs that extend beyond dismissal or criminal penalties. By affording police officers the opportunity for rehabilitation, it is anticipated that they will recover and resume contributing positively to law enforcement duties and society.

Community involvement in the rehabilitation and recovery process of police officers is vital. Social support from the community can reinforce behavioral change efforts, creating an environment that supports police officers in transforming and distancing themselves from drug misuse. By engaging the community, it is hoped that there will be a harmonious collaboration between the police institution and the community, enhancing the effectiveness and sustainability of the rehabilitation process (Wang, 2019). Regular monitoring and evaluation of the implemented policies are necessary to ensure their effectiveness. Through systematic evaluation, authorities can adapt their approaches in response to real-world dynamics. This ensures that policies remain dynamic and responsive to actual needs while achieving a balance between the goals of rehabilitation and law enforcement.

CONCLUSION

The importance of a systematic and multi-layered process is in ensuring accountability and justice. Law enforcement is not only limited to the application of rules but also includes the values of justice that must be applied evenly, both to police officers and the general public. Through the stages of investigation, inquiry, general trial, enforcement of the code of ethics, and dishonorable discharge, the police institution demonstrates its commitment to maintaining the integrity and professionalism of its members. This process ensures that every violation will be followed up with equal consequences, regardless of job status, thus giving the public confidence that the law applies to all. In addition, criminal punishment as a tool to uphold justice functions not only to punish but

also to educate and rehabilitate offenders. The objectives of punishment, which include self-change, providing a sense of deterrence, and preventing new crimes, are expected to create a safer environment and support the reintegration of offenders into society. With an approach based on the values of justice, law enforcement can be more effective in achieving the larger social goal of creating a peaceful and just society.

Reconstructing the criminal policy for Polri personnel involved in drug abuse is a crucial step to maintain the integrity of the police institution and public trust. Current policies tend to be repressive, ignoring the rehabilitation aspect that is very important for individuals experiencing addiction problems. Although law enforcement is faced with the principle of equality, a more humane and rehabilitative approach needs to be integrated to support the recovery of Polri members. Policies that ignore rehabilitation have the potential to worsen the condition of individuals and reduce morale among police members, as well as damage the image of Polri in the eyes of the public. Therefore, it is important to prioritize the principle of restorative justice that focuses on improving the relationship between perpetrators, victims, and the community. Policy recommendations should include a comprehensive rehabilitation program, community involvement in the recovery process, and ongoing education about the dangers of drugs. Regular monitoring and evaluation of these policies are also needed to ensure effectiveness and responsiveness to the dynamics that occur. With a more inclusive and humane approach, it is hoped that Polri members can recover, contribute positively, and maintain public trust in the police institution.

AUTHORS' CONTRIBUTION

Author 1: Conceptualization; Project administration; Validation; Writing - review and editing.

Author 2: Conceptualization; Data curation; In-vestigation.

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