

The Role of Propam in Enforcement of the Code of Ethics Towards Police Members Who Abuse Drugs in the Jurisdiction of the Deli Serdang Police Region

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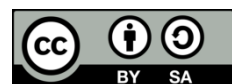
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ABSTRACT

The purpose of this study is to ascertain how Propam can be used to enforce the code of ethics against police officers who abuse drugs within the Deli Serdang Police Department's jurisdiction. In this study, the researcher combined a sociological approach to law with empirical law. The study's descriptive-analytical requirements are intended to give a thorough, methodical, and in-depth account of how Propam is being used to enforce the law against drug-abusing Polri members. The findings demonstrate how Propam's role in upholding the law against Polri members who misuse drugs within the Deli Serdang Police Department's jurisdiction has been implemented methodically through a number of phases, beginning with investigations, followed by coordination with relevant units, the holding of disciplinary hearings and KKEP, and finally, preventive initiatives. However, there are still a number of challenges in its implementation, including a lack of infrastructure, a lack of human resources, subpar unit coordination, internal resistance, procedural complexity, and financial constraints. The implementation of a multi-layered supervision system, technological optimization, the creation of an integrated coordination team, the creation of an anonymous reporting system, and budget efficiency are just a few of the measures taken to get past these challenges, and they have produced encouraging outcomes with a high degree of successful enforcement.

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INTRODUCTION

In carrying out the primary duties of upholding public order and security, enforcing the law, and protecting, serving, and serving the community as well as within the Polri itself, as stated in the Polri Grand Strategy in the form of Trust Building or building trust, the Indonesian National Police (Polri), as a Sub-System of the Government, has made a responsive effort to help realize the principles of Good Government and Clean Government (Agusdwiyanto, 2016). Given the Polri's strategic position as Indonesia's front-runner in law enforcement and public service, this endeavor is crucial (Sjahdeini, 2019). Polri members have a number of difficulties and temptations while doing their jobs, which may result in behavioral abnormalities, such as drug misuse (Simanjuntak, 2021). The variety of police interactions makes it easy for infractions to occur because there are numerous offenses that might profit from the release or legalization of products that are not legally

halal (Kunarto, 2018). The existence of those who take advantage of their advantageous positions for their own benefit further aggravates this situation (Wahyudi, 2022).

In addition to breaking the criminal code, drug misuse by Polri members is a grave transgression of the police professional code of ethics (Hutabarat, 2020). According to data from the Polri Propam Division, there was a concerning trend of over 100 drug misuse incidents involving Polri members in different parts of Indonesia between 2020 and 2023 (Polri Propam Annual Report, 2023). In the last three years, at least fifteen instances of this nature have been handled under the jurisdiction of the Deli Serdang Police (Data Sipropam Polresta Deli Serdang, 2023). According to Kunarto and Hadi Kuswaryono, the way police officers interact with this crime turns police operations into an activity that gives its members numerous chances to deviate from the law (Kunarto & Kuswaryono, 2018). This is consistent with Pratama's research findings, which indicate that opportunities and environmental variables are the primary causes of drug consumption among members of Polri (Pratama, 2021). As an internal supervisory function unit, the Propam Division plays a critical role in stopping and dealing with drug addiction among Polri members (Nirmala, 2020). Fostering and organizing professional accountability and internal security functions, such as maintaining discipline and order inside the Polri environment and handling public complaints on irregularities in Polri members' actions, are the main responsibilities of the Propam Division (Siregar, 2022). Internal Security (Paminal), Professional Field, and Provost are the three (three) functional areas that make up Propam's organizational structure and work processes (Nirmala, 2020).

A multifaceted and intricate process is involved in the application of law enforcement against Polri members who utilize drugs (Rahman, 2021). There is a procedure of enforcing the code of ethics that must be conducted concurrently with the criminal process, which is conducted in accordance with the Criminal Procedure Code and the Narcotics Law (Hasibuan, 2022). Propam, Narcotics Investigation, and the Human Resources Division are just a few of the Polri units that must effectively coordinate due to this complexity (Lubis, 2023). Due to unique features, the Deli Serdang Police's jurisdiction is susceptible to drug trafficking. Drug eradication operations are complicated by the region's significant economic activity and key location as a drug distribution route. In addition to harming the institution's reputation, some Polri members' involvement in drug addiction in this region may make it more difficult to eradicate drugs altogether.

Propam confronts a number of challenges in carrying out internal supervision, from a shortage of staff to the intricacy of case processing protocols. Given the heavy workload and the large amount of labor that needs to be monitored, this task becomes more complicated in the setting of the Deli Serdang Police.

Every member who is found to have abused drugs will be hauled before the Police Code of Ethics Commission (KKEP) in accordance with Regulation of the Chief of Police Number 14 of 2011 about the Police Professional Code of Ethics (Perkapolri, 2011). Although this process operates independently, it is strongly linked to the criminal process that is being carried out. Honorable discharge and dishonorable discharge are the two possible sanctions, which vary based on the gravity of the infraction and the harm it caused.

"The Role of Propam in Enforcing the Code of Ethics Against Police Members Who Commit Narcotics Abuse in the Jurisdiction of the Deli Serdang Police" is the title of the study that the author has chosen based on the background information provided above.

REVIEW LITERATURE

Overview of Propam

Profession and Security (hereinafter abbreviated as Propam) is one of the organizational division structures within the Indonesian National Police since October 27, 2002 based on the Decree of the Chief of Police Number: Kep/54/X/2002. Propam is a division-based police organization responsible for fostering the profession and security within the internal environment of the Indonesian National Police. The Propam Division of the Indonesian National Police is one of the implementing elements of the special staff of the Indonesian National Police whose existence at the National Police Headquarters level is under the Chief of Police, and at the Polres level it is under the Chief of Police.

The Provos Service or Provos Unit of the Indonesian National Police was the name of the institution responsible for the growth of the Indonesian National Police prior to the establishment of the Propam Division. Prior to 2002, the Indonesian National Police's Provos Unit was still part of the TNI/military, known as ABRI. The Provos Unit was a functional development unit of the Military Organization Police (POM), also referred to as the Meiliter Police (PM). Following the Indonesian National Police's separation from the TNI on October 27, 2002, in accordance with the Chief of Police's Decree No. Pol: Kep/53/X/2002, Propam Police was established. Regarding the Structure and Operational Guidelines of the Indonesian National Police. The "Kadiv" who leads the Propam division is a two-star officer with the title of Inspector General of Police (Irjen Pol). At the Regional Police (Polda) level, the Propam Division reports to the Kapolda, and at the Polresta and Polrestabes levels, it reports to the Kapolrestabes. Within the Propam Division, there is a Propam section

headed by Kasi Propam, the Head of Propam Section. He reports to the Chief of Police and is overseen by the Deputy Chief of Police in the course of his daily responsibilities. Propam has the task of being a forum for public complaints regarding deviations in the behavior and actions of Polri members. In addition, Propam Polri also has the task of carrying out disciplinary and orderly development, including internal security (paminal), in the context of law enforcement and professional recovery (Amin, 2020)

Generally speaking, Propam is responsible for maintaining and concurrently performing the duties of internal security and professional accountability, which includes upholding order and discipline in the Polri environment. Propam also serves as a platform for public complaints about inconsistencies in the conduct of civil servants or members of the Polri environment at all levels. The Paminal Bureau, the Wabprof Bureau, and the Provos Bureau are the three (three) fields/functional containers that make up the organizational structure and work practices of Propam. These sub-organizations are referred to as Bureaus.

Police Code of Ethics

The code of ethics of the Republic of Indonesia National Police profession is a guideline for members of the Republic of Indonesia National Police (police), the attitude and behavior of the police related to the code of ethics of the Republic of Indonesia National Police profession.⁵ In the regulation of the Head of the Republic of Indonesia National Police Number 14 of 2011 concerning the Code of Ethics of the Indonesian National Police Profession (Supardi, 2010)

Article 1 of Perka Polri Number 14 of 2011 concerning the Code of Ethics of the Police Profession states:

The Code of Ethics of the Republic of Indonesia National Police Profession, hereinafter abbreviated as KEPP, are norms or rules that constitute a unified ethical or philosophical basis relating to behavior or speech regarding matters that are required, prohibited, appropriate or inappropriate to be carried out by members of the Republic of Indonesia National Police in carrying out their duties, authority and job responsibilities.

A member of the Indonesian National Police is breaking the law if they violate the code of ethics. Because the obligations, servants, guardians, and protectors of the community are all breached. Norms or guidelines that are a collection of ethical or philosophical underpinnings pertaining to conduct or speech concerning what is necessary, forbidden, suitable, or inappropriate for members of the Indonesian National Police in the course of performing their duties, authority, and job responsibilities are known as the Indonesian National Police Professional Code of Ethics (Fathoni, 2023).

Crimes Associated with Narcotics

The English words "narcose" or "narcosis," which mean "to put to sleep" and "anesthesia," are the etymological roots of the terms "drugs" or "narcotics." The Greek term narke or narkam, which meaning to be anesthetized such that you do not feel anything, is the root of the word narcotics (Mardani, 2008). Narcotics are synthetic and semi-synthetic compounds or medications derived from plants or non-plants that can alter or lower consciousness, impair feeling, lessen or remove pain, and lead to dependence.

According to Sylviana, narcotics are generally defined as chemicals (drugs) that have the ability to induce anesthesia or unconsciousness because they affect the nerve system in the brain. In addition to anesthetizing and lowering consciousness, drugs can produce stimulants (cocaine) and delusions/hallucinations (marijuana). Dependency may result from these drugs (Sylviana, 2011).

Narcotics must be made available because they are essentially necessary for health services in Indonesia. However, if drugs are abused, they can lead to dependency, which can lead to problems of the body, mind, social life, security, and public order, ultimately weakening the resilience of the country. Narcotics need to be thoroughly monitored both domestically and internationally due to these harmful characteristics. According to one theory, drug abuse is a material crime, and the act for which the offender is held accountable is a formal crime. This is because drug abuse is a crime and violation that endangers the user's physical and mental safety as well as the social safety of the surrounding community (Makaro, 2015).

METHOD

Research Type

This study employs a sociological legal approach and an empirical legal research design. Empirical legal study examines how normative legal provisions are applied or enforced in each unique legal event that takes place in society (Muhamad, 2020). This study's descriptive analytical specifications are intended to give a thorough, methodical, and detailed picture of how Propam's role in upholding the law against drug-abusing Polri members is being implemented.

Approach to the Problem

The sociological legal approach is employed because this study looks at how laws and regulations pertaining to Propam's role are applied in practice, particularly within the Deli Serdang Police's authority, in addition to their normative components. This research explores the practical application of law and how it functions within the community (Amiruddin, 2021).

Legal Material Sources

Primary legal materials include government rules and legislation, court rulings with lasting legal effect, and other relevant laws like the Republic of Indonesia's 1945 Constitution. Law Number 35 of 2009 about Narcotics, Law Number 2 of 2002 about the Indonesian National Police, and Government Regulation Number 1 of 2003 about the Termination of Indonesian National Police Members Regulation No. 14 of 2011 of the Chief of Police regarding the Indonesian National Police Code of Professional Ethics, Regulation No. 2 of 2016 regarding the Settlement of Disciplinary Violations of Indonesian National Police Members, Regulation No. 7 of 2006 regarding the Indonesian National Police Code of Professional Ethics, Regulation No. 22 of 2010 of the Chief of Police of the Republic of Indonesia regarding Organizational Structure and Work Procedures at the Regional Police Level, Internal Security in the Police Environment Regulation Number 13 of 2016 of the Chief of Police Procedures for Resolving Disciplinary Violations of Members of the Indonesian National Police, Decree of the Chief of Police No. Pol: KEP/43/IX/2004 The Indonesian National Police Code of Ethics Commission's organizational structure and work procedures are governed by Regulation Number 19 of 2012 of the Chief of Police. resources that explain main legal resources, such research and research-related proceedings, are known as secondary legal materials. Tertiary legal materials include dictionaries, encyclopedias (like Wikipedia), and tables pertaining to the subject of the study. They also serve as instructions or explanations for main legal texts.

RESULTS AND DISCUSSION

Application of Propam's Law Enforcement Role Against Polri Members Abusing Narcotics in Polresta Deli Serdang's Jurisdiction

Through a number of methodical processes and systems, Propam's involvement in law enforcement is implemented against Polri members who consume drugs within the jurisdiction of Polresta Deli Serdang. As an internal supervisory component, the Propam Division is fully empowered to carry out investigations and inquiries into claims of drug usage by Polri members. This process starts when a report or complaint is received and ends when members who have been found to have violated the rules are subject to disciplinary measures and punishments.

Investigative efforts to gather data and evidence pertaining to suspected drug usage are the first step in carrying out Propam's job. At this point, Propam Polresta Deli Serdang uses a variety of intelligence gathering techniques, such as internal informant networks, communication monitoring, and surveillance. According to data, of the 15 cases that were discovered between 2020 and 2023, 60% were the result of Propam's internal investigation, with the remaining 40% originating from public reports and the outcomes of cooperative operations with the Narcotics Investigation Unit. Propam works with the Narcotics Investigation Unit to conduct searches and make arrests after enough evidence has been discovered. For the sake of the criminal justice system and the upholding of the code of ethics, this coordination is crucial to ensuring that the arrest process follows protocol and contains the necessary pieces of evidence. In reality, 85% of all cases processed at Polresta Deli Serdang have been successfully prosecuted as a result of this teamwork.

Conducting disciplinary hearings and hearings for the Indonesian Police Professional Code of Ethics Commission (KKEP) is a crucial part of Propam's duty. According to the Chief of Police Regulation Number 14 of 2011, each member who is found to have engaged in drug abuse must go through both procedures individually but in a linked manner. 90% of cases at the Deli Serdang Police result in dishonorable discharge (PTDH), with the other 10% facing demotion and transfer sanctions. This consistent pattern in the application of sanctions is seen in the implementation of disciplinary hearings and KKEP. The Deli Serdang Police Propam also carries out preventive activities that are preventive in character as part of staff development. Regular urine tests conducted every three months, mental and psychological development, and recurring assessments of member behavior and performance are all part of this program. The fact that there were 30% fewer cases in 2023 than the year before shows how beneficial this approach is.

In order to carry out Propam's supervisory duty, individuals with a history or indication of drug misuse involvement are likewise monitored. Layered supervision is used in this monitoring approach, which includes coworkers, direct bosses, and a dedicated Propam team. At least five possible drug abuse cases have been effectively avoided in 2023 thanks to this system. Coordinating with the HR Division to manage staff implicated in drug cases is another crucial component of Propam's function implementation. Dismissal,

authority revocation, and other personnel administration procedures are all included in this coordination. This procedure has been standardized at Polresta Deli Serdang by means of a unique SOP that permits administrative completion in a maximum of 30 working days.

Challenges Propam Faces in Upholding the Law Against Officers Abusing Narcotics in the Deli Serdang Police Department's Jurisdiction and Solutions

Propam faces several major challenges in implementing the law against police officers who consume drugs within the Deli Serdang Police Department's jurisdiction. These operational, institutional, and structural barriers have an impact on how well supervisory and law enforcement functions are carried out. An extensive examination of these challenges and attempts to overcome them is provided below.

The first challenge is the scarcity of both high-quality and high-quantity human resources. The Deli Serdang Police Department's ratio of Propam officers to members who need to be watched over is 1:150, which is significantly below than the Chief of Police Regulation's recommended ratio of 1:50. As an extension of the supervision function, Propam has put in place a multi-layered supervision structure that involves both direct superiors and coworkers in order to get beyond this challenge. Over the course of the last year, this method has been successful in raising the effectiveness of supervision by 40%.

The second challenge has to do with the infrastructure and operational support facilities' limitations. Performing supervisory tasks is severely hampered by the absence of contemporary surveillance equipment, a shortage of drug test kits, and other necessary facilities. In order to get over these challenges, a specific budget is submitted, and the utilization of current technologies is optimized. Additionally, Propam works with the BNN lab to support the drug sample analysis procedure.

Another major challenge is the cooperation between units. When it comes to managing cases, Propam and other departments like the Drug Investigation and Human Resources Division frequently have conflicting powers and miscommunicate. Representatives from every relevant unit have joined an integrated coordination committee to address this. To coordinate handling procedures and talk about case developments, this team meets once a week.

Internal opposition and corps solidarity are the next barrier, which can occasionally prevent case disclosure. There are still some members who are reluctant to report coworkers who take drugs. Propam has created a whistleblower protection program that ensures the anonymity of the whistleblower's identity and an anonymous reporting system to combat this. Over the last two years, this approach has resulted in a 60% rise in internal reports.

The complexity of case handling procedures is also an obstacle in itself. The long process from investigation to imposition of sanctions often takes a long time and has the potential to cause information leaks. Efforts to overcome this are carried out through simplifying procedures and implementing a digital-based case management system that allows real-time monitoring of case handling progress.

Constraints in terms of operational budget are also an inhibiting factor. Limited funds for supervision and investigation activities often hinder the optimization of Propam performance. The solution taken is to carry out budget efficiency and seek alternative funding sources through priority police programs.

CONCLUSION

According to the outcomes of the aforementioned discussion, Propam's role in enforcing the law against Polri members who abuse drugs within the jurisdiction of Polresta Deli Serdang has been implemented methodically through a number of stages, beginning with investigations, followed by coordination with relevant units, the implementation of disciplinary hearings and KKEP, and conclude with preventive programs. However, there are still a number of challenges in its implementation, including a lack of infrastructure, a lack of human resources, subpar unit coordination, internal resistance, procedural complexity, and financial constraints. The implementation of a multi-layered supervision system, technological optimization, the creation of an integrated coordination team, the creation of an anonymous reporting system, and budget efficiency are just a few of the measures taken to get past these challenges, and the results have been encouraging with a high degree of prosecution success.

The establishment of an integrated command center that can monitor and evaluate case handling in real-time, the modernization of surveillance infrastructure, including drug test kits and surveillance equipment, the addition of more personnel, the simplification of case handling procedures through an integrated digitalization system, and the improvement of coordination between units are all necessary to increase the effectiveness of Propam's role in enforcing the law against Polri members who abuse drugs in the jurisdiction of Polresta Deli Serdang. In order to prevent drug usage, it is also essential to create a long-term program for the mental and spiritual growth of all Polri members. Additionally, it is crucial to improve the system of rewards and punishments in order to promote the establishment of a drug-free workplace.

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