

ETHICAL AND DISCIPLINE RESPONSIBILITY OF POLICE MEMBERS INVOLVED IN DRUG ABUSE FROM THE POLICE MERANTI ISLANDS

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Abstract

Narcotics offenses constitute serious violations under the Code of Ethics of the Indonesian National Police (KEPP). Accordingly, police officers who are proven to have committed such criminal acts and whose cases have been decided by a court with final and binding legal force may be subsequently recommended to receive administrative sanctions in the form of Dishonorable Discharge (PTDH). The purpose of this study is to analyze the legal regulation of ethical and disciplinary responsibility of police officers involved in narcotics abuse at the Pulau Meranti Police Resort. This research employs a sociological legal research method. Based on the research findings, it is evident that the involvement of police officers in narcotics abuse constitutes a serious violation with multilayered legal implications, encompassing criminal liability, disciplinary sanctions, and professional ethical responsibility. Members of the Indonesian National Police are bound by legal and moral obligations to uphold the law, adhere to professional ethics, and maintain the honor and dignity of the police institution, as mandated by Law Number 2 of 2002 on the Indonesian National Police, Government Regulation Number 2 of 2003 concerning Police Disciplinary Regulations, and Regulation of the Chief of the Indonesian National Police Number 7 of 2022 on the Police Professional Code of Ethics. However, this study also reveals that cases involving police officers in narcotics abuse continue to occur annually, including within the jurisdiction of the Pulau Meranti Police Resort. As a result, the persistence of such violations underscores that the enforcement of ethical and disciplinary sanctions has tended to be repressive in nature and has not fully addressed preventive and comprehensive guidance aspects.

Keywords: Responsibility, Ethics, Discipline

INTRODUCTION

Drug abuse is defined as excessive, irregular, and prolonged use of drugs for the sake of enjoyment, rather than for medical reasons, which causes problems with a person's physical, mental, and social health. Police, prosecutors, judges, and correctional officers are among the law enforcement officers who investigate criminal cases involving drug abuse. Indonesia is a country based on law. The legal status of a country where the state, government, and society are all governed by law (Makara, 2003). Mochtar Kusuma defines law as the totality of norms and values that govern how people interact in a society and work to maintain order, including institutions and procedures, so that the legitimacy of the law is recognized as a reality in society. Every human being, society, and even the state will always have to deal with crime as a social phenomenon. Reality has shown that although crime can be prevented and reduced, it is still difficult to eradicate it completely. Crime in today's world does not discriminate against age or identity; even children are turning into criminals (Supramono, 2004).

Drug abuse is a complex problem that requires serious attention from the government. The current prevalence of drug abuse in Indonesia is creating a very concerning situation for society. This abuse will inevitably lead to victims of drug abuse, and therefore the government must strive to address this problem (Ummu, 2010). Narcotics are essentially substances or drugs that are very useful and necessary in the medical field. However, narcotics can have very negative impacts on society if misused, such as when used inappropriately for therapeutic purposes. Because opioids contain chemicals that can alter a patient's sensations, thoughts, and consciousness, they are often used in the medical field, particularly during the anesthesia phase before surgery. When narcotics are used in excess of the recommended dosage, they can affect a person's physical and mental health and lead to dependence (Hamzah, 1994).

Because Indonesia is a country of law, its law enforcement officers serve as instruments of law enforcement. Maintaining public order and security in accordance with legal provisions is the primary responsibility of law enforcement officers, including the police. The police have a strategic role in creating justice and legal certainty, and serve as the vanguard in eradicating crime. This duty also encompasses their role as protectors and guardians of the community. Therefore, Law Number 2 of 2002 concerning the Indonesian National Police grants the police broader authority in maintaining public order and security.

As stipulated in Article 5 of the law, the police, as state apparatus, are tasked with maintaining public order and security, enforcing the law, and providing protection, guidance, and services to the public to support domestic security. However, the reality on the ground shows that a number of police officers are involved in drug abuse, both as users and dealers. This phenomenon has the potential to damage the police's image and undermine public trust in the institution, especially amidst the rise in drug crimes (Saputra, 2019).

Police officers responsible for the protection and protection of the community are sometimes in stark contrast to the many violations of the police code of ethics that are found, which not only disturb the community but also have a negative impact on the image of the police, so that public trust in the police is still low and worrying. The actions of police officers involved in various criminal activities, including murder, extortion, drug abuse, fraud, embezzlement, theft, which have been covered in various media, are serious injuries that damage the image of the police.

The Indonesian National Police (Polri), as a government subsystem, has made responsive efforts to contribute to realizing the principles of Good Governance and Clean Government for law enforcement and public protection. The police force is a law enforcement agency that is always at the forefront of education, service, and public protection. Police work challenges are becoming increasingly challenging given the currents of globalization,

democratization, the free market, technological developments, and human rights claims (Ulfah et al., 2013).

Every organization must have examples of individual disciplinary actions for members, namely by establishing rules and regulations that must be followed by members, creating and imposing sanctions for disciplinary violators through regular disciplinary training. This training and training can take the form of physical training, police service training, and mental and spiritual training, namely in religious and psychological studies (Saydam, 2000).

Carrying out the duties, authorities and obligations of the Indonesian National Police must be carried out professionally and proportionally and procedures supported by the core values of Tribrata and Catur Prasetya are included in the professional code of ethics of the Republic of Indonesia National Police as the principle of good and bad. This noble task is determined and carried out by the National Police as a legal security apparatus, the police must be firm, consistent and ethical in their actions that are the personality of the police (Tabah, 1991). However, the renovation of the National Police Institute has not been completed to meet public expectations. The behavior of the Police who commit crimes can be influenced by the role of the National Police in line with the theory of legal effectiveness as a factor inhibiting its effectiveness, law enforcement is not about law enforcement (judges, prosecutors, police and law enforcement) but also in the legal socialization factor is often ignored (Atmasasmita, 2001).

The noble task entrusted to and carried out by the police as law enforcers requires them to be firm, consistent, and ethical in their actions, reflecting the identity and character of a police officer. Several actions, as prerequisites and criteria for being a good police officer, must meet the following criteria:

1. Have a consistent personality
2. Not emotional
3. Adequately educated

The police code of ethics was previously regulated in Regulation Number 14 of 2011 and Regulation Number 19 of 2012. As discussed in Violations of the Police Professional Code of Ethics, there are 3 (three) types of categories that contain assessments of violations of the code of ethics, namely:

1. Leaving duty illegally for more than (30) consecutive days.
2. Committing a disciplinary offense.
3. Committing a crime.

The police code of ethics was previously regulated in Regulation Number 14 of 2011 and Regulation Number 19 of 2012. As discussed in Violations of the Police Professional Code of Ethics, there are 3 (three) types of categories that contain assessments of violations of the code of ethics, namely:

Then, on June 15, 2022, the National Police Regulation Number 7 of 2022 concerning the Code of Professional Ethics and the Indonesian National Police Code of Ethics Commission was enacted as a merger of Regulation Number 14 of 2011 and Regulation Number 19 of 2012 as a form of transparency of the National Police in paying attention to what is the aspirations of the community. In Regulation Number 7 of 2022, there are new norms that are not yet regulated in Regulation 14 and Perkap 19, namely those related to norms on drug dependency, then deviant sexual behavior, and a number of other norms that follow the dynamics of developments in society. The Regulation is also related to several operational functional activities and guidance that have been regulated related to licensing, recruitment of police members and procurement of goods and services. There is also a matter related to the formation of the National Police Code of Ethics Review Commission (KKEP

PK), which gives the Chief of Police the authority to form the KKEP PK leadership apparatus.

Legally, there are five types of police actions that violate the legal code of ethics: criminal violations, violations of the oath or promise of membership/official position, refusal to perform legal acts, violations of the law, and violations of prohibition orders. The problems that arise are weaknesses in the values, performance ethics, and commitment of Polri members themselves, as well as various violations of discipline and the code of ethics committed by Polri members. This occurs in Indonesia.

Police officers who violate their professional code of ethics will never escape the consequences of their actions. The role of the Professional and Security Agency (Propam) is crucial in upholding the police code of ethics. Non-permanent discharge (PTDH) for police officers is regulated by Police Regulation (Perpol) Number 7 of 2022 concerning the Professional Code of Ethics and the Ethics Commission of the Indonesian National Police. This Perpol was enacted on June 14, 2022, and promulgated on June 15, 2022. Non-permanent discharge (PTDH) is the termination of a police officer's service period by an authorized official for certain reasons. In this case, the police officer violated the professional code of ethics by committing a crime, and therefore the police officer must attend a code of ethics hearing. A police officer who commits a crime has violated institutional ethics. Institutional Ethics are norms in the KEPP which contain guidelines for the attitude and behavior of every Police Officer in relation to the implementation of duties, authority and responsibility for legal obligations and the use of the professional authority of the Police in accordance with the field of duties, authority and responsibility in each police function.

Narcotics, psychotropics, and other addictive substances (NAPZA), better known as narcotics in society, are a major problem for the government and law enforcement. Furthermore, drug abuse has become widespread among law enforcement officers, as well as students, college students, and young people. Although some of them are also involved in drug use, they are obligated to stop the distribution of narcotics and psychotropic substances. It is clear that the reputation of the Indonesian National Police (Polri) has been damaged by the behavior of these police officers. Their behavior directly contradicts the police's efforts to combat drug trafficking (Muammar, 2018).

It's common knowledge that when investigating drug abuse crimes, law enforcement officials, particularly the police, often act unfairly and exceed legal boundaries. This means that there are frequent deviations from applicable regulations and their role as law enforcers. This not only reflects the fragility of law enforcement officers' mental health, but also their lack of professionalism in carrying out their duties. (Sari, 2019).

One of the reasons for the rise in police officers using narcotics is the lack of oversight by law enforcement, which has led to negative perceptions of the police's ability to stop the distribution and misuse of these illicit substances. As a result, public opinion has emerged, with many demanding that police officers who violate the law be given harsh punishments, not just warnings or penalties for their violations (Gani, 2015).

Basically, members of the Indonesian National Police are subject to general judicial power like civilians in general. This is regulated in Article 29 paragraph (1) of Law Number 2 of 2002 concerning the Indonesian National Police. This shows that members of the Indonesian National Police are civilians and not included as subjects of military law. Although police members are civilians, they are also subject to Disciplinary Regulations and the Professional Code of Ethics, which are regulated in Government Regulation Number 2 of 2003 concerning Disciplinary Regulations for Members of the Indonesian National Police. Meanwhile, the police code of ethics is regulated in Police Regulation Number 7 of 2022 concerning the Professional Code of Ethics and the Indonesian National Police Code of Ethics Commission. With this, there is a double punishment for members of the Indonesian National

Police who commit crimes, namely receiving criminal sanctions and also sanctions under the Indonesian National Police's professional code of ethics.

From the perspective of enforcing the National Police's code of ethics and discipline, this data can be interpreted from two perspectives. First, the increasing number of cases may indicate a weakening of internal oversight and personnel development, resulting in an increasing number of officers involved in drug trafficking being detected after committing violations. Second, the data can also be interpreted as an increase in the effectiveness of oversight and enforcement mechanisms, with more cases being uncovered and processed ethically and disciplinarily than in previous years.

To uphold the Professional Ethics of the Indonesian National Police, every leader at every level of the Indonesian National Police (Polsek, Polres, Polwil, Polda and Mabes), is required to be able to impose sanctions on Polri Members who commit violations through the Professional Ethics Code Commission (KKEP) Hearing and Disciplinary Hearing. Enforcement of ethics and discipline to Polri Members is expected to be implemented by every Head of the Polri Organizational Unit as the Superior Who Has the Right to Punish (Ankum) at all levels so that violations, no matter how small, must be followed up with corrective action or sanctions. If this condition is always maintained, then violations of the law that will be committed by Polri Members can be minimized.

Law enforcement against narcotics crimes is not only aimed at civilians, but must also be applied firmly and consistently to law enforcement officers, particularly members of the Indonesian National Police. As an institution authorized by the state to maintain public order and security, enforce the law, and provide protection, care, and service to the community, the Indonesian National Police (Polri) is required to possess high moral integrity and professionalism. Therefore, the involvement of Polri members in narcotics abuse is a serious violation that not only has a criminal dimension but also directly impacts the ethical and disciplinary aspects of the police force.

Normatively, regulations regarding the responsibilities of police officers involved in drug abuse must be placed within a hierarchical framework of laws and regulations. At the highest level, the 1945 Constitution of the Republic of Indonesia affirms the principle of equality before the law, meaning that everyone, including state officials, is subject to the law without exception. This principle serves as the constitutional basis for police officers who commit drug crimes to be prosecuted according to applicable law.

At the legal level, the main provisions are contained in Law Number 2 of 2002 concerning the Indonesian National Police, which emphasizes that members of the Indonesian National Police are obliged to uphold the law, religious norms, morality, and professional ethics in carrying out their duties. This law provides a legal basis that any violation of the law committed by members of the Indonesian National Police, including drug abuse, is not only accounted for criminally but must also be processed through internal police mechanisms. In addition, Law Number 35 of 2009 concerning Narcotics strictly regulates the prohibition of drug abuse and the threat of criminal penalties that apply generally, without distinguishing the status of the perpetrator as a civilian or law enforcement officer.

At the level of government regulations and internal police regulations, the ethical and disciplinary responsibilities of Polri members are regulated in more detail through Government Regulation Number 2 of 2003 concerning Disciplinary Regulations for Members of the Republic of Indonesia National Police, which regulates the obligations, prohibitions, and disciplinary sanctions for Polri members. This provision is reinforced by the Police Regulation concerning the Polri Professional Code of Ethics, which positions the behavior of Polri members as a representation of the institution's values of honor, integrity, and professionalism. Thus, legally, there is a layered and hierarchical regulatory system that binds Polri members in carrying out their duties and lives as state officials.

Empirically, the problems occurring within the jurisdiction of the Meranti Islands Police indicate the involvement of certain members of the Indonesian National Police (Polri) in drug abuse. This phenomenon is a serious problem because it occurs within the police force, which should be at the forefront of drug eradication. This involvement not only damages the image of the Indonesian National Police (Polri) but also has the potential to undermine public trust in law enforcement. When law enforcement officers are involved in crimes that are the object of law enforcement itself, the moral and social legitimacy of the police institution is undermined.

Another emerging issue is how ethical and disciplinary sanctions are consistently and transparently applied to police officers involved in drug abuse. In practice, the public often perceives that internal officers' handling of violations tends to be secretive and lacks a deterrent effect. This raises questions about the effectiveness of the police's code of ethics and disciplinary enforcement mechanisms, particularly at the regional unit level, such as the Meranti Islands Police.

The legal basis of this research is firmly based on the principle of the rule of law, which places the law as supreme, and the principle of accountability of law enforcement officers. The Police Law grants the Indonesian National Police (Polri) both the authority and obligation to enforce discipline and a code of ethics internally through disciplinary hearings and professional code of ethics hearings. If a Polri member is proven to have abused narcotics, the legal principle of a double-track system applies: criminal liability in general courts and ethical and disciplinary liability through Polri's internal mechanisms.

Research on the ethical and disciplinary responsibilities of Indonesian National Police (Polri) members involved in drug abuse at the Meranti Islands Police is crucial for assessing the extent to which normative legal norms have been effectively implemented. This research also aims to assess whether the ethical and disciplinary sanctions imposed reflect a sense of justice, provide a deterrent effect, and restore public trust in the Indonesian National Police (Polri). Through a juridical approach based on the hierarchy of laws and regulations, this research is expected to provide theoretical and practical contributions to strengthening police integrity and professionalism in enforcing narcotics law.

A police officer who has been proven to have committed a narcotics crime must first undergo a trial in a general court, just like any other civilian. After the trial process has been completed, the next process that the accused police officer who committed the crime must go through is the enforcement of the Indonesian National Police's professional code of ethics. In enforcing this code of ethics, the role is played by the Indonesian National Police's Propam as the authority. With this, there is a double penalty for police officers who commit crimes, namely receiving criminal sanctions and also sanctions under the Indonesian National Police's professional code of ethics. Article 7 of Government Regulation No. 2 of 2003 concerning the Disciplinary Regulations of the Indonesian National Police states that members of the Indonesian National Police who are found to have violated the Disciplinary Regulations of Members of the Indonesian National Police are subject to sanctions in the form of disciplinary action and/or disciplinary punishment. In accordance with Article 17 paragraph (3) letter e of Police Regulation Number 7 of 2022, the police officer in this case is included in the serious category of KEPP violations because he has committed a narcotics crime. Therefore, the sanctions that can be imposed in serious category KEPP violations are administrative sanctions. Narcotics crimes fall under the serious category of violations under the KEPP. Therefore, police officers found guilty of these crimes and convicted by a legally binding court decision may be recommended for administrative sanctions in the form of dishonorable discharge (PTDH).

The police, as one of the law enforcement officers tasked with maintaining public order and security, enforcing the law, protecting, serving, and serving the Indonesian people,

are tasked with preventing, eradicating, and handling criminal acts. The police, as the initial implementer of the judicial system, are obligated to carry out their duties and authorities as law enforcement officers. However, there are several police officers who abuse their authority as law enforcement officers by participating in drug abuse, both as users and distributors of illegal drugs or narcotics. This can certainly cause a loss of public trust in the credibility of the police to provide legal certainty or provide legal protection to the community against the rampant drug crimes that occur (Utomo, 2005).

RESEARCH METHODS

This research is a sociological (empirical) legal study that examines the ethical and disciplinary responsibilities of Indonesian National Police (Polri) members involved in drug abuse at the Meranti Islands Police. This sociological legal study was chosen to examine the relationship between law and social reality, particularly the effectiveness of law enforcement and unwritten practices within the police institution. The approaches used include a statutory regulatory approach to examine relevant legal norms and a case-based approach to examine cases that have final legal force.

Data sources consist of primary data (observation and interview results), secondary data (literature and legislation), and tertiary data (dictionaries and encyclopedias). Data collection techniques include observation, structured and unstructured interviews, and a literature review.

The data obtained were analyzed qualitatively, describing the data in narrative form without using statistical calculations. Conclusions were drawn inductively, drawing general conclusions based on specific findings from the field research.

RESULT AND DISCUSSION

A. Legal Regulations on the Ethical and Disciplinary Responsibilities of Police Members Involved in Drug Abuse from the Meranti Islands Police

The police, as a law enforcement institution, have a constitutional mandate to maintain public order and security, enforce the law, and provide protection, care, and service to the community. This mandate positions the Indonesian National Police (Polri) as a state instrument responsible for maintaining social order and ensuring legal certainty. Therefore, the implementation of police duties must be based on professionalism, moral integrity, and adherence to the law and professional ethics to ensure that their extensive authority is not abused and remains within the bounds of the rule of law. (Soekanto, 2010).

Sanctions imposed for minor disciplinary violations are in the form of disciplinary action, while for serious disciplinary violations are in the form of disciplinary punishment. Police ethics are a means to build self-confidence and pride as a police officer, which can then become a source of pride for the community; achieve success in assignments; foster togetherness, partnership as a basis for forming community participation; create a professional, effective, efficient and modern police force, which is clean and authoritative, respected and loved by the community.

Violations of police ethics also frequently occur. Violations of the Indonesian National Police's code of professional ethics include violations of personal ethics, state ethics, institutional ethics, and ethics in public relations. The process of enforcing the Indonesian National Police's code of professional ethics is carried out through stages of disciplinary violation investigations (Lubis, 2006).

Disciplinary violation investigations are a follow-up to reports, arrests, and findings by officers. These include summoning the suspect and witnesses, preparing an investigation report (BAP), and examining expert witnesses. The trial process for disciplinary violations

involving members of the Indonesian National Police (Polri) involves several stages: preparation for the trial, the trial itself, and the implementation of the trial's decision.

Law enforcement is the process of ensuring that legal norms are upheld or effectively function as guidelines for behavior in traffic or legal relations in social and state life. Viewed from the perspective of the subject, law enforcement can be carried out by a broad range of subjects or can also be interpreted as an effort to enforce the law by subjects in a limited or narrow sense.

In a broad sense, the law enforcement process involves all legal subjects in every legal relationship. The definition of law enforcement can also be viewed from the perspective of its object, namely from a legal perspective. In this case, the definition also includes broad and narrow meanings.

In a broad sense, law enforcement encompasses the values of justice contained within formal rules and the values of justice inherent in society. However, in a narrow sense, law enforcement only concerns the enforcement of formal, written regulations. Therefore, the translation of the term "law enforcement" into Indonesian uses the term "peneja hukum" in its broad sense, and the term "penejakan Peraturan" can also be used in its narrow sense (Soekanto, 2002).

The distinction between the formality of written legal rules and the scope of the justice values they contain even arises in English itself with the development of the terms 'the rule of law' versus 'the rule of just law' or in the term 'the rule of law and not of man' versus the term 'the rule by law' which means 'the rule of man by law'. In the term 'the rule of law' is contained the meaning of government by law, but not in its formal meaning, but also includes the values of justice contained therein. Therefore, the term 'the rule of just law' is used. In the term 'the rule of law and not of man' is intended to emphasize that in essence the government of a modern constitutional state is carried out by law, not by people. The opposite term is 'the rule by law' which is intended as government by people who use the law merely as a tool of power.

Fundamentally, the Indonesian National Police (POLRI) must uphold the honor and dignity of the State, Government, and the Indonesian National Police (POLRI) and comply with applicable laws and regulations, both those related to official duties and those generally applicable. By committing a crime, the POLRI violates disciplinary regulations.

Violation of Disciplinary Regulations is the words, writings, or actions of members of the Republic of Indonesia National Police that violate disciplinary regulations. Members of the Republic of Indonesia National Police who are found to have violated the Disciplinary Regulations of Members of the Republic of Indonesia National Police are subject to sanctions in the form of disciplinary action and/or disciplinary punishment. Disciplinary action is in the form of verbal warnings or physical action (Article 8 paragraph (1) of Government Regulation Number 2 of 2003). These disciplinary actions do not remove the authority of the Superior who has the right to punish (Ankum) to impose Disciplinary Punishment. The disciplinary punishments are:

1. Written warning;
2. Postponement of attending education for a maximum of 1 (one) year;
3. Postponement of periodic salary increases;
4. Postponement of promotion for a maximum of 1 (one) year;
5. Mutations that are demotional in nature;
6. Release from office;
7. Placement in a special place for a maximum of 21 (twenty one) days.

Disciplinary violations of the Indonesian National Police (Polri) involve disciplinary action, which is decided in a disciplinary hearing. If a police officer commits a crime, such as rape, assault, or murder (shooting) of a civilian, then the officer has not only committed a

crime but also violated the discipline and code of ethics of the police profession. As with the legal process for police officers who commit crimes, violations of disciplinary rules and the code of ethics will be investigated and, if proven, will be subject to sanctions. The imposition of disciplinary sanctions and sanctions for violations of the code of ethics does not eliminate criminal charges against the police officer concerned. Therefore, police officers who commit such crimes will still be prosecuted criminally even if they have served disciplinary sanctions and sanctions for violations of the code of ethics.

The criminal justice process for members of the Indonesian National Police (POLRI) is generally carried out according to the procedural law applicable in the general court environment. This is regulated in Article 2 of Government Regulation Number 3 of 2003 concerning the Technical Implementation of General Court Institutions for Members of the Indonesian National Police. The Indonesian National Police Code of Ethics Commission (KKEP) hearing is a hearing to examine and decide cases of violations of the Indonesian National Police Professional Code of Ethics (KEPP) committed by members of the Indonesian National Police as stated in Article 1 number 7 of the Chief of Police Regulation Number 14 of 2011. In addition, the KKEP hearing is also carried out for violations of Article 13 of Government Regulation Number 2 of 2003 (Kadarmanta, 2007).

Article 13 of Government Regulation Number 2 of 2003: “Members of the Republic of Indonesia National Police who are given disciplinary punishment more than 3 (three) times and are deemed no longer worthy of maintaining their status as members of the Republic of Indonesia National Police, may be honorably or dishonorably discharged from the Republic of Indonesia National Police service through a Session of the Professional Code of Ethics Commission of the Republic of Indonesia National Police.” Regarding disciplinary hearings, there are no regulations that explicitly determine which comes first, a disciplinary hearing or a hearing in a general court. What is regulated is that a disciplinary hearing is held no later than 30 (thirty) days after Ankum receives the Preliminary Examination List (DPP) file for disciplinary violations from the provost or other official appointed by Ankum (Article 23 of Government Regulation Number 2 of 2003 and Article 19 paragraph (1) of the Decree of the Head of the Republic of Indonesia National Police No. pr Pol.: Kep/44/IX/2004 concerning Procedures for Disciplinary Hearings for Members of the Republic of Indonesia National Police).

Meanwhile, for the KKEP hearing, if the administrative sanction to be imposed on the KKEP Violator is in the form of Dishonorable Dismissal (PTDH), then this is decided through the KKEP Hearing after first proving the criminal violation through the general court process until a court decision has permanent legal force (Perkapolri No. 14, 2011).

In the practice of carrying out their duties, the greatest challenges facing the police institution stem not only from crimes committed by the public, but also from deviant behavior by police officers themselves. The involvement of police officers in drug abuse constitutes a serious form of deviance, not only violating criminal law but also undermining professional ethics and police discipline. Such behavior has the potential to undermine public trust and undermine the legitimacy of the police as law enforcers. (Rahardjo, 2012).

Regulation of the Chief of the Republic of Indonesia National Police Number 7 of 2022 concerning the Code of Professional Ethics and the National Police Code of Ethics Commission serves as a normative instrument to ensure that any ethical violations are handled fairly, transparently, and accountably. Implementing this regulation at the regional unit level, including at the Meranti Islands Police, is crucial because it directly relates to efforts to maintain professional honor and rebuild public trust in the police institution.

Hierarchically, the ethical and disciplinary responsibilities of Indonesian National Police members are based on the 1945 Constitution of the Republic of Indonesia, which affirms Indonesia as a state of law (*rechtsstaat*) and guarantees equality before the law for all

citizens. This principle implies that every state official, including the police, is subject to the law and is not immune from legal or ethical accountability. (Asshiddiqie, 2011).

At the legislative level, Law Number 2 of 2002 concerning the Indonesian National Police regulates the functions, duties, and authorities of the Indonesian National Police (Polri) and emphasizes that every member of the Polri is obliged to uphold the law, professional ethics, and human rights. This law serves as the normative basis for the formation of internal Polri regulations governing discipline and a code of ethics as instruments for fostering and enforcing the integrity of the police.

Furthermore, Government Regulation Number 2 of 2003 concerning the Disciplinary Regulations for Members of the Indonesian National Police (Polri) stipulates the obligations, prohibitions, and disciplinary sanctions for members of the Indonesian National Police (Polri) who violate official regulations. These disciplinary regulations are administrative and development-oriented, but still contain strict sanctions as a form of institutional accountability for deviant behavior by Polri members.

National Police Chief Regulation Number 7 of 2022 then emerged as a special regulation establishing a professional code of ethics for the National Police and its enforcement mechanism through the National Police Code of Ethics Commission. This regulation affirms the moral and professional standards that must be adhered to by every member of the National Police and also regulates the types of ethical sanctions that can be imposed for serious violations, including drug abuse.

In the context of drug abuse, the ethical and disciplinary regulations of the Indonesian National Police (Polri) cannot be separated from the general criminal law regime as stipulated in Law Number 35 of 2009 concerning Narcotics. Therefore, Polri members involved in drug abuse are subject to multiple levels of accountability: criminal, disciplinary, and professional ethics, each with different objectives and sanctions.

National Police Chief Regulation Number 7 of 2022 establishes the concept of ethical responsibility based on the principles of morality, professionalism, proportionality, and accountability. Police professional ethics are understood as a set of moral values inherent in the police position and must be upheld in every performance of duties, both on and off duty. (Prasetyo, 2016).

Drug abuse by members of the Indonesian National Police (Polri) is classified as a serious ethical violation because it contradicts the values of integrity, exemplary behavior, and professional competence of law enforcement officers. Police officers involved in drug use not only fail to fulfill their duties as law enforcers, but also create a negative precedent that damages the institution's image in the eyes of the public. (Atmasasmita, 2019).

Police Regulation 7 of 2022 stipulates that any alleged ethical violations will be investigated through the National Police Code of Ethics Commission, guaranteeing due process of law, the right to self-defense, and objective examination. Ethical sanctions can include statements of misconduct, career restrictions, demotions, and even recommendations for dishonorable discharge if the violation is deemed to damage the honor of the police profession.

In his theory of legal responsibility, Hans Kelsen states that accountability is a normative consequence of violations of legal rules that are subject to sanctions. Sanctions are not merely punishment, but rather an instrument for restoring legal order disrupted by unlawful acts. This concept is relevant in enforcing police ethics, where ethical sanctions serve to maintain the moral order of the profession. (Kelsen, 1945).

Satjipto Rahardjo emphasized that law should not be understood strictly as a mere regulatory text, but rather as a means to achieve substantive justice. In the context of the Indonesian National Police's professional ethics, drug abuse constitutes a moral failing that must be addressed not only formally but also by considering its impact on the sense of justice

and public trust.(Rahardjo, 2017).

Police officers who abuse drugs not only violate the law but also betray the social mandate inherent in the police force's authority as protectors of the public. Philipus M. Hadjon emphasized that law enforcement, including ethics enforcement, must provide legal protection that balances the interests of individual officers and the public interest. Therefore, the police's ethics enforcement mechanism must ensure procedural fairness without compromising firmness in handling serious violations that harm the public.(Hadjon, 2011).

Drug abuse by police officers poses a far greater risk than it does to the general public because it can affect their independence, objectivity, and professionalism in carrying out their duties. Furthermore, drug addiction opens up opportunities for abuse of authority and involvement in organized crime networks.(Arief, 2018).

In ethical enforcement practices at the Meranti Islands Police, handling drug cases involving police officers must adhere to national ethical standards without compromise. The principle of equality before the law demands that law enforcement officers be held to stricter standards to ensure justice and the benefit of the law for the wider community.(Radbruch, 2003).

Based on National Police Chief Regulation Number 7 of 2022, the ethical and disciplinary responsibilities of police officers involved in drug abuse constitute a multi-layered form of accountability that emphasizes the principles of firmness, justice, and accountability. Drug abuse is positioned as a serious ethical violation because it undermines the personal integrity of officers and tarnishes the honor of the police profession.

Theoretically, the regulation and enforcement of these ethics align with the theories of legal responsibility, professional ethics, and legal protection, which demand a balance between legal certainty and substantive justice. Consistent implementation of Regulation 7 of 2022 at the Meranti Islands Police is key to strengthening the institution's integrity and restoring public trust in the National Police.

The involvement of members of the Indonesian National Police (Polri) in drug abuse presents fundamental legal, ethical, and professional practice issues. On the one hand, the police are law enforcement officers mandated to enforce narcotics regulations; on the other hand, if Polri members themselves are involved in abuse, it undermines the institution's legitimacy, diminishes public trust, and poses a threat to fair and consistent law enforcement. Cases occurring at the regional police level, including those at the Meranti Islands Police, require a study that integrates criminal norms, internal disciplinary procedures, and professional/ethical responsibility.

This research approach is normative-juridical in nature combined with theoretical review (professional ethics, principles of public accountability) to analyze legal regulations regarding the ethical and disciplinary responsibilities of Polri members involved in drug abuse, the mechanisms of internal and external enforcement processes, and the legal implications for victims, organizations, and law enforcement in general.

Theoretically, the ethical responsibility of state officials is based on the principles of the legitimacy of public institutions and public trust. Professional ethics theory explains that professions such as the police rely on internal norms (codes of ethics) and professional self-control mechanisms to maintain the integrity of public functions. Professional responsibility, in public administration law literature, is understood as a moral and normative commitment for public office holders to carry out their duties in accordance with professional and legal standards.

In the context of the police, the concept of double accountability applies: (1) public accountability (criminal and public administrative consequences in the event of unlawful acts) and (2) professional/ethical accountability (assessment by colleagues and professional ethics bodies that test the conformity of behavior to professional values). Internal disciplinary

mechanisms aim not only to punish but also to rehabilitate and maintain the credibility of the organization. The success of these mechanisms requires certain rules, fair examination procedures, and a separation of duties between criminal investigations and disciplinary/ethical examinations to avoid conflicts of interest.

Regulations regarding the responsibilities of members of the Indonesian National Police and disciplinary sanctions are based on several main legal instruments:

1. Law Number 2 of 2002 concerning the Indonesian National Police, which forms the basis for the Indonesian National Police's institutional structure and general authority, positions the Indonesian National Police as a state institution with specific duties and authorities that require standards of conduct for its members.
2. Government Regulation Number 2 of 2003 concerning Disciplinary Regulations for Members of the Indonesian National Police (and related implementing regulations) which regulates the definition of disciplinary violations, disciplinary examination procedures, types of disciplinary sanctions (verbal/written warnings, suspension of rank, temporary dismissal, administrative dismissal, etc.). This regulation explains that disciplinary violations are different from criminal offenses, but both can be imposed simultaneously without eliminating the charges against each other.
3. Police Chief Regulation/Perkap/Perpol concerning the Police Professional Code of Ethics. In several revisions, the latest Perkap/Perpol (including Perpol No. 7 of 2022 and Perkap No. 14 of 2011 as one of the historical foundations of the code of ethics) regulates professional ethical norms, the establishment of a Code of Ethics Commission, and procedures for handling professional ethics violations. This code of ethics contains moral and professional value standards (e.g., Tribrata and Catur Prasetya as the basis for values), as well as mechanisms for imposing ethical sanctions such as reprimands, placement on special supervision, and dismissal from certain positions.
4. Law Number 35 of 2009 concerning Narcotics regulates narcotics crimes, including provisions regarding narcotics abuse, which are punishable by law. If members of the Indonesian National Police commit acts that meet the elements of narcotics crimes, they may be subject to general criminal proceedings under this law, regardless of their status as law enforcement officers.

The relationship between these regulations confirms the principle: members of the Indonesian National Police who are involved in drug abuse can be subject to (a) criminal proceedings in general courts (Narcotics Law), (b) administrative disciplinary investigations in accordance with the PP/Perkap, and (c) investigations for violations of the code of ethics by the Indonesian National Police Code of Ethics Commission. These three paths can run simultaneously or sequentially according to the facts and evidence.

From a procedural perspective, when there are indications that a member of the Indonesian National Police is involved in narcotics abuse, at least three enforcement mechanisms must be activated:

First, the criminal process: if there is evidence of a criminal act (e.g., possession, use, distribution), law enforcement officers (including local police investigators, provided there are special arrangements if the person being investigated is an internal member) must conduct an investigation/inquiry in accordance with the Criminal Procedure Code and the Narcotics Law. In practice, there are challenges when investigators come from the same unit, so a mechanism is needed to assign external investigators or supervision to ensure an objective examination. Criminal procedure law does not provide immunity for members of the National Police; if the elements of a crime are met, the criminal process will continue.

Second, administrative disciplinary review: the Indonesian National Police's disciplinary regulations (PP 2/2003 and the implementing regulation) stipulate that disciplinary violations can be subject to administrative sanctions. This internal review process

focuses on violations of duties/obligations as a member of the Indonesian National Police (e.g., violating disciplinary provisions, undermining the institution's prestige). Disciplinary sanctions can range from warnings to administrative dismissal, depending on the severity of the violation. It is important to note that the imposition of disciplinary sanctions does not eliminate the possibility of criminal prosecution.

Third, examination of the professional code of ethics: the ethics commission (regulated in the Police Regulation/Chief Regulation) assesses the conformity of behavior to professional norms. The decisions of the ethics commission are ethical/administrative in nature and are directed at restoring professional integrity, recommending ethical sanctions, or dismissal from certain positions. The existence of the ethics commission serves as an instrument of collegial oversight and a means of transparency for the public.

In principle, these three mechanisms must meet fair trial standards: the right to be heard, a defense, an independent examination of evidence, and an appeals/review procedure. The risk of procedural weaknesses, such as conflicts of interest, institutional violence to "close" cases, or slow handling, has the potential to undermine the legitimacy of decisions and generate public criticism. From a legal perspective, there are several key points worth analyzing:

First, non-immunity: Criminal law (the Narcotics Law) remains applicable to everyone, including police officers. Therefore, if the evidence meets the elements of a crime, police officers can be prosecuted normally. This serves as the legal basis that law enforcement against officers should not be set aside for the sake of maintaining equality before the law. However, in practice, challenges arise: access to evidence, the collection of evidence against officers, and the potential for institutional intervention can hinder the criminal process.

Second, dual-track sanctions: Disciplinary/ethical laws do not replace criminal proceedings. According to internal regulations, disciplinary violations are processed separately and can result in administrative sanctions. The combination of criminal and disciplinary sanctions serves as a dual deterrent: criminal sanctions address the public aspect of the crime; disciplinary/ethical sanctions maintain organizational morale and function. However, problems arise when disciplinary sanctions are too lax or inconsistent, making them ineffective deterrents. Academic analysis calls for standardization of sanctions and transparency of disciplinary decisions so the public can assess the consistency of legal enforcement.

Third, the need for independent mechanisms: To avoid conflicts of interest, measures such as assigning investigations to units outside the region or using external investigators (e.g., the Regional Police for District Police cases) are often necessary. Furthermore, strengthening the role of an independent Code of Ethics Commission and external oversight procedures (e.g., the Ombudsman, the National Human Rights Commission, or oversight by the House of Representatives/Majelis) can increase institutional accountability. New regulations revising or strengthening the authority of the ethics commission, as reflected in the latest Perpol/Perkap, reflect efforts to improve Polri's ethical governance.

Fourth, the principle of proportionality and rehabilitation: While sanctions are necessary, a solely retributive approach is less effective in addressing drug abuse issues, which are often linked to mental health issues, work stress, or access to illegal drugs. Therefore, in addition to sanctions, internal policies that provide rehabilitation, counseling, and coaching programs can help members recover and protect the community from the risk of recurrence. The implementation of such programs needs to be clearly regulated so that they do not become a "solution" to avoid criminal penalties, but they should also not be neglected as an aspect of institutional development.

Connecting the above regulations to the context of the Meranti Islands Police, several practical implications emerge. Police in remote or island areas often face limited resources,

weaker internal oversight, and the risk of illegal networks that are difficult to detect. Therefore:

1. It is important to have clear internal reporting procedures so that unit colleagues can report without fear of retaliation, and so that there is a safe channel (internal hotline or reporting to the Regional Police/Propam) for indications of member abuse.
2. Assignment of external investigators: If there are indications that members of the local Police are involved, the investigation should be carried out or supervised by the Riau Police or an internal unit that is not directly under the command of the Police concerned to ensure objectivity.
3. Transparency of audit results: The public has the right to know that audits have been conducted and that there are results (without revealing concerning details), so that trust in the institution is maintained.
4. Preventive training: The relevant police need to intensify ethics education, the dangers of drugs, and counseling services for members in accordance with the coaching function regulated in disciplinary regulations.

Legal literature and practitioner writings emphasize several points: (a) action against members involved in drug trafficking must be consistent with the principle of equality before the law; (b) internal regulations must be designed to avoid overlap and provide legal certainty; and (c) remedial (rehabilitation) mechanisms must be available as part of a comprehensive approach. Contemporary academic analysis also notes the need for regulatory reforms to make disciplinary and ethical review processes faster, more transparent, and provide an independent appeals channel to prevent internal abuse of authority.

Strict enforcement against members who abuse drugs has a dual effect: it improves internal institutional morale and sends a signal to the public that the law is enforced without exception. On the other hand, an approach solely focused on dismissal without guidance can neglect the health and rehabilitation dimensions. A balance between law enforcement (criminal), disciplinary sanctions (administrative), and recovery programs (health/psychological) is crucial to creating an effective, fair, and sustainable response.

The legal regulations governing the ethical and disciplinary responsibilities of Indonesian National Police (Polri) members involved in drug abuse are based on a combination of criminal norms (the Narcotics Law), institutional norms (the Police Law), and disciplinary regulations and internal codes of ethics (PP/Perkap/Perpol). Legally, Polri members are subject to criminal law like other citizens and are simultaneously subject to internal disciplinary and ethical mechanisms. The biggest challenges in implementation are conflicts of interest in internal audits, a lack of transparency, and the need to integrate sanctions with rehabilitation efforts. At the Meranti Islands Police level, implementing policies emphasizing independent audits, transparency, whistleblower protection, and coaching/rehabilitation programs will enhance institutional credibility and the effectiveness of law enforcement.

B. Ethical and Disciplinary Responsibilities of Police Members Involved in Drug Abuse from the Meranti Islands Police

The rapid development of societal progress, along with the spread of the phenomena of the supremacy of law, human rights, globalization, democratization, decentralization, transparency and accountability, has given rise to various new paradigms in viewing the objectives, duties, functions, authorities and responsibilities of the Republic of Indonesia National Police which has subsequently led to the growth of various demands and expectations from the community regarding the implementation of the duties of the Republic of Indonesia National Police which are increasingly increasing and more oriented towards the community it serves (Muhammad, 1997).

Since the enactment of the Second Amendment to the 1945 Constitution of the Republic of Indonesia, Chapter XII concerning State Defense and Security, Decree of the MPR RI No. VI/MPR/2000 and Decree of the MPR RI No. VII/MPR/2000, constitutionally there have been changes that confirm the formulation of the duties, functions and roles of the Republic of Indonesia National Police and the institutional separation of the Indonesian National Armed Forces and the Republic of Indonesia National Police in accordance with their respective roles and functions.

This Law is based on a new paradigm so that it is expected to further strengthen the position and role and implementation of the duties of the Republic of Indonesia National Police as an integral part of the comprehensive reform of all aspects of national and state life in realizing a just, prosperous and civilized civil society based on Pancasila and the 1945 Constitution of the Republic of Indonesia.

In accordance with the Second Amendment to the 1945 Constitution of the Republic of Indonesia, Decree of the People's Consultative Assembly of the Republic of Indonesia No. VI/MPR/2000 and Decree of the People's Consultative Assembly of the Republic of Indonesia No. VII/MPR/2000, domestic security is formulated as the format of the objectives of the Republic of Indonesia National Police and is consistently stated in the details of the main tasks, namely maintaining public security and order, enforcing the law, and protecting, serving, and serving the community. However, in carrying out police functions, the Republic of Indonesia National Police is functionally assisted by special police, civil servant investigators, and forms of voluntary security through the development of the principles of subsidiarity and participation.

The principle of legality as the actualization of the paradigm of the supremacy of law, in this Law is expressly stated in the details of the authority of the Republic of Indonesia National Police, namely to conduct investigations and inquiries into all criminal acts in accordance with criminal procedure law and other laws and regulations.

However, preventive measures remain a priority through the development of preventive principles and the general police obligation to maintain public order and security. In this regard, every officer of the Indonesian National Police has discretionary authority, namely the authority to act in the public interest based on their own judgment (Kunarto, 1997).

Therefore, this Law also regulates professional development and a professional code of ethics so that the actions of officials of the Republic of Indonesia National Police can be accounted for, both legally, morally, technically and professionally, and especially in terms of human rights.

The protection and advancement of human rights is so important because it concerns human dignity and worth, the Republic of Indonesia has established Law Number 5 of 1998 concerning the ratification of the Convention against torture and other cruel, inhuman or degrading treatment or punishment, Law Number 39 of 1999 concerning Human Rights and Law Number 26 of 2000 concerning the Human Rights Court. Every member of the Republic of Indonesia National Police is obliged to adhere to and obey the provisions of the above Law.

In addition to paying attention to human rights in carrying out their duties and authorities, every member of the Republic of Indonesia National Police is also required to pay attention to legislation relating to their duties and authorities, including Law Number 8 of 1981 concerning Criminal Procedure Law, provisions of legislation governing special autonomy, such as the Province of Nanggroe Aceh Darussalam and the Province of Papua as well as other laws and regulations which form the legal basis for carrying out the duties and authorities of the Republic of Indonesia National Police.

This law also contains regulations regarding membership of the Republic of Indonesia National Police as mandated by Law Number 43 of 1999 concerning Amendments to Law Number 8 of 1974 concerning the Principles of Civil Service (State Gazette of 1999 Number 169, Supplement to State Gazette Number 3890) which includes certain regulations regarding the rights of members of the Republic of Indonesia National Police, both civil service rights and political rights, and their obligations to be subject to the authority of the general judiciary.

Another new substance in this Law is the regulation of a national police institution whose task is to provide advice to the President regarding the direction of police policy and considerations in the appointment and dismissal of the Chief of Police in accordance with the mandate of the Decree of the People's Consultative Assembly of the Republic of Indonesia No. VII/MPR/2000, in addition to also containing a functional supervisory function for the performance of the Republic of Indonesia National Police so that the independence and professionalism of the Republic of Indonesia National Police can be guaranteed.

With the basis and considerations as previously described, in its complete and comprehensive whole, a replacement was made for Law Number 28 of 1997 concerning the Republic of Indonesia National Police which not only contains the structure and position, functions, duties and authorities and the role of the police, but also regulates membership, professional development, national police institutions, assistance and relations and cooperation with various parties, both domestically and abroad.

However, the implementation of this Law will be determined by the commitment of the officials of the Republic of Indonesia National Police to carry out their duties and also the commitment of the community to actively participate in realizing the Republic of Indonesia National Police which is independent, professional and meets the expectations of the community (Sadjijono, 2008).

Drug abuse by members of the Indonesian National Police (Polri) is a serious problem that not only impacts individual perpetrators but also erodes the institutional legitimacy of the National Police (Polri) as a state law enforcement agency. Normatively, the National Police (Polri) is positioned as the vanguard in preventing and eradicating drug crimes. Therefore, when Polri members are involved as users or perpetrators of drug abuse, a normative paradox occurs that violates the principle of equality before the law and undermines public trust in law enforcement institutions. In this context, regulating and implementing ethical and disciplinary responsibilities for Polri members is a crucial instrument for maintaining the dignity, professionalism, and integrity of the police force.

Theoretically, legal responsibility can be understood as the legal consequences of an act that violates legal norms. Hans Kelsen (19945) stated that legal responsibility arises as a direct result of norm violations, where sanctions are an essential element in the positive legal system. From this perspective, members of the Indonesian National Police (Polri) who abuse drugs not only violate general criminal law but also violate ethical and disciplinary norms specifically inherent in the police profession. Thus, the accountability imposed is multi-layered (multiple accountability), encompassing criminal, disciplinary, and ethical responsibility.

In the Indonesian legal system, the legal basis governing the ethical and disciplinary responsibilities of Indonesian National Police (Polri) members is rooted in Law Number 2 of 2002 concerning the Indonesian National Police. This law affirms that Polri members are obliged to uphold the law, human rights, and moral and professional ethical norms in carrying out their duties. Article 13 of this law regulates the functions of the Polri, one of which is law enforcement, which requires moral integrity and exemplary behavior from police officers. When Polri members are involved in drug abuse, it directly violates these normative obligations.

Furthermore, specific regulations regarding the discipline of Indonesian National

Police members are outlined in Government Regulation Number 2 of 2003 concerning the Disciplinary Regulations for Members of the Indonesian National Police. This regulation stipulates prohibitions that must be complied with by every member of the Indonesian National Police, including a prohibition on committing reprehensible acts that could undermine the honor and dignity of the police force. Drug abuse is substantially included in the category of reprehensible acts because it violates legal norms, religious norms, and social norms prevailing in society. Therefore, such violations can be subject to disciplinary sanctions in the form of reprimands, postponement of promotions, demotions, and even dishonorable discharge, depending on the severity of the offense and the resulting impact.

In addition to disciplinary aspects, the ethical responsibilities of Polri members are regulated through the Republic of Indonesia National Police Regulation Number 7 of 2022 concerning the Code of Professional Ethics and the Polri Code of Ethics Commission. The Polri professional code of ethics is a set of moral norms that bind every Polri member, both in carrying out official duties and in social life. According to Philipus M. Hadjon (2005), professional ethics serves as an internal control instrument aimed at maintaining the professionalism and accountability of state officials. In this context, drug abuse by Polri members constitutes a serious violation of the basic values of professional ethics, such as honesty, responsibility, and exemplary behavior.

From a sociological perspective, the involvement of Indonesian National Police (Polri) members in drug abuse indicates structural and cultural problems within the police organization. Soerjono Soekanto (2010) emphasized that the effectiveness of law enforcement is influenced by five factors: the law itself, law enforcers, facilities and infrastructure, society, and culture. When law enforcers become lawbreakers, the law enforcement factor becomes a weak point that hinders the effectiveness of the legal system as a whole. In the context of the Meranti Islands Police, the geographical location of the archipelago, limited internal oversight, and social and economic pressures can be triggering factors that increase the risk of drug abuse by certain members of the Polri.

However, there is no normative justification that can remove the ethical and disciplinary responsibilities of Polri members involved in drug abuse. The concepts of command responsibility and professional responsibility require every Polri member to maintain their behavior and integrity, both on and off duty. Satjipto Rahardjo (2012) emphasizes that the law should not be understood solely as a normative text, but rather as a means to realize substantive justice in society. Therefore, enforcement of the code of ethics and discipline against Polri members who abuse drugs must be carried out consistently and transparently to reflect this substantive justice.

The National Police Code of Ethics hearing is a hearing held to enforce the National Police's professional code of ethics against violations committed by National Police officials. The procedures for conducting National Police Code of Ethics hearings are regulated in National Police Regulation Number 7 of 2022 concerning the Professional Code of Ethics and the National Police Code of Ethics Commission. The National Police Code of Ethics hearing is a hearing to enforce the National Police Code of Ethics Commission's professional code of ethics against violations committed by National Police officials.

The National Police Code of Ethics hearing is also known as the National Police Code of Ethics Commission (KKEP) hearing. The KKEP is a commission established within the National Police to enforce the KEPP, which are written and unwritten moral norms or rules that serve as guidelines for the attitudes, behavior, and actions of National Police officials in carrying out their duties, authorities, responsibilities, and daily lives.

The Indonesian National Police code of ethics hearing was held to examine and decide on cases of violations of Article 12, Article 13, and Article 14 of Government Regulation Number 1 of 2003 concerning Dismissal of Indonesian National Police Members and Article

13 of Government Regulation Number 2 of 2003 concerning Disciplinary Regulations for Indonesian National Police Members.

The Indonesian National Police code of ethics hearing consists of 2 categories, namely:

1. Trial with a quick examination: conducted for minor violations of the Indonesian National Police code of ethics
2. Trial with a regular examination program: conducted for serious violations of the Police code of ethics

The procedures for the National Police Code of Ethics hearing are regulated in Article 58 of Police Regulation Number 7 of 2022 concerning the time, location, and implementation of the hearing. The hearing must be held no later than 14 working days after the issuance of the decision to establish the KKEP and will be held in the courtroom at Police Headquarters.

The following is the mechanism for the National Police ethics hearing, namely the procedures for the National Police code of ethics hearing for express examinations and regular examinations, as stipulated in Article 61 and Article 62 of Police Regulation Number 7 of 2022:

Procedures for the Indonesian National Police Code of Ethics hearing for minor examinations:

1. The Prosecutor, Secretary and Alleged Offender were already in the courtroom before the trial began.
2. The Chairman of KKEP opened the session
3. The prosecutor read out the charges
4. The chairman of KKEP read out the verdict.

Procedures for the Police Code of Ethics hearing for regular examinations:

1. The prosecutor, secretary and assistant were already in the courtroom before the trial began.
2. The KKEP apparatus takes its designated place in the courtroom.
3. The Chairman of KKEP opened the session
4. The secretary read out the rules of procedure for the meeting.
5. The Head of KKEP ordered the Prosecutor to bring the Suspected Offender before the court.
6. The Chair of the Commission Session asked about the identity of the Suspected Offender, asked about the Suspected Offender's health and willingness to be examined.
7. The chairman of the KKEP ordered the prosecutor to read out the allegations against the alleged violators
8. The Head of KKEP ordered the prosecutor to present witnesses and evidence for examination.
9. The Head of KKEP ordered the prosecutor to bring the alleged offender to justice for questioning.
10. Witnesses and/or experts take an oath according to their religion
11. The Chairperson, Deputy Chairperson and Members of KKEP conducted examinations of witnesses and suspected violators.
12. The chairman gave the prosecutor the opportunity to examine witnesses and the alleged offender.
13. The Chairperson gives the assistant the opportunity to examine witnesses and the Suspected Offender.
14. The Chairperson, Deputy Chairperson and Members of KKEP requested expert testimony.
15. The Head of KKEP asks the Suspected Offender/Companion about the presence of witnesses or evidence that is beneficial.
16. The prosecutor read out the charges

17. The alleged offender or his/her companion presents a defense
18. The chairman of KKEP read out the verdict.

Prior to the amendment to Police Regulation Number 14 of 2011 concerning the Professional Code of Ethics Commission, which was then amended to Police Regulation Number 7 of 2022 concerning the Professional Code of Ethics and the Code of Ethics Commission, the mechanism for code of ethics hearings could be carried out before a court decision was made.

The legal process for violations committed by police officers involves first filing a complaint with the Integrated Police Service Center (SPKT) or directly with the Propam (Propam) division. After this process, if the victim and defendant agree to amicable resolution, the case will not proceed.

That a case to be brought to a code of ethics commission hearing must have been sentenced to a criminal sentence by the court with a prison sentence of four (4) years as stipulated in the Latest Police Regulation Number 7 of 2022 concerning the Professional Code of Ethics and the Code of Ethics Commission, if the threat of punishment below that cannot be imposed on the code of ethics. If a police officer has been sentenced to a criminal sentence, he must go through the code of ethics commission process. In the code of ethics process, the focus is not only on one problem, but also on other problems that have been made by police officers, whether they have been resolved or not.

In Article 93 of Perpol Number 7 of 2022 concerning the Professional Code of Ethics and the Code of Ethics Commission, namely "the decision of the KKEP trial with ethical sanctions in the form of the violator's actions being declared as disgraceful acts, is implemented by being read out by the KKEP during the KKEP trial." The decision of the KKEP trial with ethical sanctions in the form of the obligation for the violator to participate in spiritual, mental and professional knowledge development, is implemented by means of mental development of personality, psychology, religion and professional knowledge organized by the personnel rehabilitation function in the profession and security.

The sentencing of police officers and the general public differs, as decisions are made not only based on their actions but also on their primary duties. For example, if someone hits another person, the punishment will be the same as if they were a police officer, but police officers will undergo a code of ethics hearing that examines their morals and their primary duties as law enforcers who protect and serve. The application of ethics and morals by police officers and law enforcers has been instilled in every police officer during their education and formation from Bintara (National Police), SPN (National Police Service), and officer school (Soebroto, 2004).

In practice, the mechanism for enforcing ethical and disciplinary responsibilities for Polri members is carried out through disciplinary hearings and hearings by the Polri Code of Ethics Commission (KKEP). These hearings serve to assess whether the Polri member's actions have violated disciplinary norms and/or the professional code of ethics. KKEP decisions can include ethical sanctions, recommendations for development, or even dishonorable discharge. According to Romli Atmasasmita (2019), internal mechanisms such as these are crucial for maintaining the independence and professionalism of law enforcement institutions, provided they are implemented with the principles of accountability and transparency.

When linked to several factors that influence law enforcement according to Soerjono Soekanto (2002), namely:

1. Legal Factors

Due to the change in the Regulation of the Chief of Police Number 14 of 2011 concerning the Police Code of Ethics to Police Regulation Number 7 of 2022 concerning the Professional Code of Ethics and the Commission of the Code of Ethics of the

Republic of Indonesia National Police regarding the form of trial decisions are no longer in the form of recommendation letters but have been determined as final and binding decisions so that the case handling process can be completed quickly.

2. Law Enforcement Factors

Handling cases of violations of the code of ethics will take longer if the alleged violator is a senior official and is still serving, so that before being followed up with a KKEP hearing, the alleged violator must first be removed from his position and then the KKEP hearing can be held immediately.

3. Facilities and Infrastructure Factors

KKEP hearings in the Police institution are held in the hall at each regional office so it can be concluded that there is no special room for holding KKEP hearings.

4. Community Factors

KKEP hearings can be conducted either openly or privately. Open hearings are subject to attendance by the general public. Members of the public attending KKEP hearings are either witnesses or accompanying the alleged offender.

5. Cultural Factors

All ethical processes are expected to be conducted openly and communicated directly to the public as a form of transparency and accountability. This will allow the public to better understand how police officers who commit criminal or disciplinary violations are handled.

Furthermore, the involvement of police officers in drug abuse must also be viewed within the framework of the rule of law. AV Dicey (1959) emphasized that the rule of law requires that no one, including state officials, be immune from prosecution. Therefore, police officers found guilty of drug abuse must still be prosecuted criminally in accordance with Law Number 35 of 2009 concerning Narcotics, in addition to undergoing internal ethical and disciplinary processes. This approach aligns with the principle of equality before the law and aims to prevent impunity.

In the context of legal protection, enforcing ethics and discipline against Polri members involved in drug use also serves to protect the public from potential abuse of power. According to Gustav Radbruch (2003), the law must contain three basic values: justice, legal certainty, and utility. Strict enforcement of ethical and disciplinary sanctions against Polri members who abuse drugs embodies these three values, as it provides legal certainty, creates a sense of justice for the public, and provides the benefit of increasing public trust in the police institution.

Thus, the ethical and disciplinary responsibility of National Police officers involved in drug abuse is not merely an internal organizational issue, but an integral part of the national law enforcement system. In cases occurring at the Meranti Islands Police, the application of ethical and disciplinary sanctions must be carried out objectively, proportionally, and transparently, while upholding the principle of due process of law. This approach aims not only to punish the perpetrators but also as a means of fostering and preventing similar incidents from recurring in the future.

CONCLUSIONS

Legal Regulations on Ethical and Disciplinary Responsibilities of Indonesian National Police Members Involved in Drug Abuse From the Meranti Islands Police that the involvement of Indonesian National Police members in drug abuse is a serious violation that has multiple legal implications, both in the criminal, disciplinary, and professional ethics realms. Indonesian National Police members are bound by legal and moral obligations to uphold the law, professional ethics, and maintain the honor and dignity of the police institution as mandated in Law Number 2 of 2002 concerning the Indonesian National Police,

Government Regulation Number 2 of 2003 concerning Disciplinary Regulations for Indonesian National Police Members, and Regulation of the Indonesian National Police Number 7 of 2022 concerning the Indonesian National Police Professional Code of Ethics.

Ethical and Disciplinary Responsibilities of Police Members Involved in Drug Abuse from the Meranti Islands Police that The reality is that every year, cases of police officers involved in drug abuse continue to occur, including within the jurisdiction of the Meranti Islands Police. This situation indicates that although an ethical and disciplinary accountability system has been implemented, its effectiveness is not yet optimal in preventing the recurrence of similar violations. Drug abuse by police officers not only constitutes a violation of criminal law and internal police regulations, but also reflects the weak internalization of professional ethical values and internal oversight, which should function as a preventive instrument. Thus, the existence of repeated violations confirms that the enforcement of ethical and disciplinary sanctions has tended to be repressive and has not fully addressed the preventive and development aspects comprehensively. This has implications for declining public trust in the police institution and has the potential to undermine the principles of the rule of law and equality before the law. Therefore, the ethical and disciplinary responsibility of police officers involved in drug abuse must be understood not only as a punishment mechanism, but also as part of a systemic effort to maintain the dignity, legitimacy, and authority of the police institution within the national law enforcement system.

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