Use Of Criminal Investigation Scientific Method In Crime Investigation (Case Study in South Sulawesi Police)

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Abstract

Implementation of the use of methods scientific criminal investigation (SCIM) by the holder of the legal authority to take action to investigation in uncovering a criminal act and an attempt to find the culprit is a scientific approach to the implementation of the inquiry and investigation that can be used by police investigators in general and investigators in the ranks of the Police Sulawesi Police South in carrying out its functions and authority in the field of criminal investigation that occurred in their jurisdiction. This approach is a scientific approach to the functioning of the technology as an effort of finding evidence of transparent and accountable in the investigation of a crime. This method is seen as a solution or answer to the various modes of crimes using technological means.

Keywords: *Usage, Scientific, Investigation*

INTRODUCTION

Information and communication technology is one technology that is developing very rapidly.¹ Advances in technology have brought about changes and rapid shifts in a life without borders in a globalized world.² Science (science of knowledge), technology (technology) and informatics (informatics), should provide benefits (utility) as much as possible for the benefit of humanity (humanity), both in the economic, social, political and legal.

¹ Edi Nugroho, FH, Utilization Technology in the Context of Combating Corruption Electronic, Journal of Legal Dynamics, vol.14, No.3, September 2014, p.541

² Lathifah Hanim, Effect Against Information Technology Development Agreement validity In the Electronic Commerce (E-Commerce) in the Era of Globalization, Journal of Legal Dynamics, Vol.11, Issue (Special), February 2011. p.59

The dynamics of formal legal in the sense wetelijk Regeling (legislation) in fact not able to follow the dynamics of growth and development and the advancement of science, technology and informatics is rapidly increasing, so that if a case of misuse by means of science, technology and informatics, the law detection and prevention difficult because of the lack of available means adequate to serve as legal protection for it.

Criminal procedural law has a strategic role in the framework of criminal law enforcement strategic materiel. The function of criminal procedure code is located on the character of the regulation as a mechanism to uphold law and justice.³ One element of the holder of legal authority in the criminal justice system in Indonesia is the Police. which has been given the function of law in the field of inquiry and investigation on the allegations of a crime (strafbaarfeit). Agus Rahardjo and Space says police are the institutions subsystems within the Criminal Justice System (SPP), which has a first position and a main. Further said police duty in the SPP is an investigation that led to the resulting dossier (BAB).⁴

Enforcement of criminal law should go through a process of investigation (lidik) and investigations (fingerprints) as part of the authority Investigator Police, as provided by Act No. 8 of 1981 on the Code of Criminal Procedure (Criminal Procedure Code) as Lex Superior Criminal Proceedings Indonesia, and Law No. 2 of 2002 on the Indonesian National Police as imperior Lex or Lex Specialist de Rogat legi Generally, it is extremely vital in the effort disclosure of a criminal incident and find the culprit.

The probe is one Duty Police in order to enforce the law based on the provisions of Article 13 (b) of Law No. 2 of 2002 on the Indonesian National

³ Sulistyanta, Implications of the Criminal Code Crime Out In Criminal Law (Case Study Taraf Sync), Journal of Legal Dynamics, Vol.13, No.2, May 2013, p.180

⁴ Agus Rahardjo and Space, Police Professionalism in Law Enforcement, Journal of Dynamics, Vol.11, No.3, September 2011, p.391

Police. While in relation to the Police as an investigator based on the provisions of Article 14 paragraph (1) (g) of Law No. 2 of 2002 on the Indonesian National Police, which stated that the Indonesian National Police in charge of "conduct inquiries and investigations against all offenses in accordance with the criminal procedure law and other legislation." ⁵

In an effort exercise of authority in the field of lidik and prints by Investigator Police, in order to create a bright, clear and definite occurrence of a crime and find the culprit that can be measured with scientific principles or science, then Investigator Police are required to be able to use scientific methods particular, among other things Scientific method of Criminal Investigation. Scientific Criminal Investigation, is one method that can be used by investigators in an effort to uncover the crime and to ensure the perpetrators by means technology sophisticated and involves the expertise of the person or persons expert.

Scientific method of Criminal Investigation, has been practiced in some cases by the ranks of police investigators in Indonesia including by South Sulawesi police in an effort to find scientific evidence and efforts to uncover the culprit.

Disclosure bon Bali case and some other cases including Jesika and Mirna cases nationwide have been using SCI, as well as in the ranks of South Sulawesi Police have used SCI revealing some cases.

⁵ Daya Hadijaya, et al. "Duties and Authority of Police Investigator Crime In Doing Environmental Management", Journal of Policy and Development, Vol. 1 No. 2 (2014), p.38, quoted by Hardianto Djanggih and Kamri Ahmad, The Effentiviness of Indonesian National Police of Investigation Function in Banggai Regency Police (Investigation Case Year 2008-2016, Journal of Legal Dynamics, Volume 17, Number 2, 2017 hlm.154.

RESEARCH ISSUES

The introduction from the description above, this article is how the implementation of the use of methods Scientific Criminal Investigation In Investigation Crime in South Sulawesi Regional of police?

RESEARCH METHODS

This research was conducted in the jurisdiction of South Sulawesi Regional Police. Questionnaires were authors share many as 75 people, respondents are public.

This research used socio-juridical research with analytical descriptive research specifications. The analysis in this study uses descriptive qualitative and quantitative analysis. Qualitative descriptive analysis was used to analyze the results. The qualitative data were analyzed descriptions. The quantitative data is calculated by using the frequency formula, as follows:

$$P = \frac{F}{N} \times 100\%$$

F	Information
P = -----	P = percentage
N	f = frequency
	N = number of samples ⁶

DISCUSSION

Abdul Mun'im Idries said that the law enforcement process is a scientific endeavor and not just common-sense, nonscientific alone.⁷

The study was conducted in the ranks of police investigators from South Sulawesi Regional Police and the parties that have been made as respondents, as can be said that in the ranks of police investigators from South Sulawesi

⁶ Soerjono, Soekanto, 1983, Factors Affecting Law Enforcement, Jakarta: Eagles, p. 284

⁷ <https://ferli1982.wordpress.com/2011/03/06/pembuktian-sebagai-wujud-upaya-ilmiah-dalam-proses-penegakan-hukum-di-indonesia>, Accessed on 27 March 2017

Police have used SCI revealing some criminal cases in South Sulawesi with the following data:

table 1

Crime investigated Through Method *Scientific Crime Investigation* In the
Jurisdiction of Police (Polda) South Sulawesi

No	Year	Information	Frequenc y	%
1	2012	07	0	0
2	2013	09	0	0
3	2014	11	0	0
4	2015	14	02	66.67
5	2016	14	01	33.33
		amount	03	100.00

Source: POLDA southern Sulawesi, 2016

Noting the table, then clearly it can be seen that during the last five years, only three cases or cases handled by investigators of Police (Polda) South Sulawesi which uses a scientific approach to scientific investigation Crim.

In support of these data, the researchers surveyed 75 (seventy-five) of respondents with raised some questions and have responded as outlined in thick-table as follows:

table 2

Knowledge of existence Scientific Approach In-Process Research and
Investigation Crime

No.	Information	Frequency	%
1	Knowing	27	36
2	Less Knowing	22	29.33
3	Do not know	26	34,67
	amount	75	100.00

Source: Adapted from a questionnaire, 2016

Based on the table above, it can be revealed that the respondents were aware of the existence of a scientific approach (SCIM) in the process of search and discovery of evidence in a criminal case there are as many as 27 (36,%), the lack of knowledge by 22 (29.33%) and who did not know there were 26 (34.67%).

The views of respondents about the need for a scientific approach used in the process of inquiry and investigation of criminal offenses, more can be seen in the following table:

table 3

Knowledge About the Importance Of Scientific Approach In-Process Research
and Investigation Crime

No.	Information	Frequency	%
1	be required	75	100
2	Less Required	0	0
3	Not required	0	0
	amount	75	100.00

Source: Adapted from a questionnaire, 2016

Account the views of respondents about the need for a scientific approach (SCIM) used in the process of inquiry and investigation of criminal offenses, 100% of respondents agree about it, so it can be said that the respondent is responding to the way a scientific approach to the law enforcement process.

How about SCIM understanding of respondents as one of the scientific approach in the process of law enforcement, more can be seen in the following table:

table 3

Understanding of Scientific Crime Investigation As Scientific Approach In-
Process Research and Investigation Crime

No.	Information	Frequency	%
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1	Understand	19	25.33
2	Less Understanding	21	28
3	Do not understand	35	46.67
	amount	75	100.00

Source: Adapted from a questionnaire, 2016

Based on the survey results, the respondents understand the scientific approach (SCIM) in the process of inquiry and investigation of criminal offenses is as much as 19 (25.33%), lack of understanding as much as 21 (28%), and did not understand the 35 (46.67%). The data shows that do not understand the approach SCIM larger percentage than the know, so we can say that in relative terms the approach is still many who do not know.

How about the involvement of respondents to the criminal case that the process of proving through scientific approach SCIM, more can be seen in the following table:

table 4

Involvement In Criminal Case Process With the Use of Scientific Approach
Scientific Crime Investigation Method

No.	Information	Frequency	%
1	never Involved	07	9.33
2	Has never been	19	25.33
3	Never	49	65.34
	amount	75	100.00

Source: Adapted from a questionnaire, 2016

Of the seventy-five respondents, only 7 (9.33%) who claimed to have been involved in the process of proving criminal cases obtained through SCIM approach, which has never been as many as 19 (25.33%), and never as many as 49 (65, 34%). In that case, it is clear that the respondent's involvement in the process of discovery of evidence through scientific approach SCIM is still relatively limited, so naturally precisely if there are still many who do not know how to approach SCIM in the disclosure and discovery of evidence in a criminal case.

How do they see the need to keep abreast of the law enforcement process and technology Science (Science and Technology), this can be seen in the following tables:

table 5

The development of Science and Necessity Demand technology Scientific
Approach In Case Resolution Process
or Case Crime

No.	Information	Frequency	%
1	Must	57	76
2	Not to Become	13	17.33
3	Mandatory	05	6,67
	Not required		
	amount	75	100.00

Source: Adapted from a questionnaire, 2016

In fact the percentage of respondents who think the law enforcement process through the completion of the crime of scientific approach is required SCIM is big enough that as many as 57 (76%), which said it is not a requirement of only 13 (17.33), and that states are not required as many as 05 (6, 67%). Thus respondents are well aware that the development of science and technology, it is necessary even if it is mandatory that the law enforcement process especially those in criminal cases followed by a scientific approach (SCIM), so that the proceedings can be run in accordance with scientific principles acceptable logic.

To use a scientific approach SCIM in the process of inquiry and investigation of criminal offenses by the police investigation, it is necessary also the readiness and capability of Human Resources (Police officers), then how is it in South Sulawesi Police, it can be seen in the following table:

table 6

HR capability Investigator Police (Polda) South Sulawesi Use Scientific Approach Crime Investigation Scientific Research and Investigation Method In Crime

No.	Information	Frequency	%
1	Very ready	09	12
2	Ready	19	25.33
3	Less Ready	47	62.77
	Amount	75	100.00

Source: Adapted from a questionnaire, 2016

Based on the table, it can be revealed that the reality of respondents believe the ability and readiness of human resources or the police investigators are not ready, it can be seen that 47 (62.77%) of respondents who say they are less ready, the rest are as many as 09 (12%) of respondents said it was ready, and only 19 (25.33%) of respondents stated that is ready. It is understandable that the human resources within the police, particularly the uneven investigators master the development of science and technology, so naturally if in between seventy-five and forty-seven respondents in who believes not ready.

Besides the human factor, in criminal law enforcement process is the means and facilities available to support the use of a scientific approach SCIM, how the problems in the opinion of the respondents, it can be seen in the following table:

table 7

Facilities and amenities Scientific Approach To Use Scientific Crime Investigation Method In-Process Research and Investigation Crime

No.	Information	Frequency	%
1	Already available	11	14.67
2	Less available	29	38.67
3	Not yet available	35	46.66
	amount	75	100.00

Source: Adapted from a questionnaire, 2016

Based on the seven tables, it can be seen that the means and facility to use SCIM scientific approach, the reality in the opinion of the respondents are not yet available to the maximum, it is 35 (46.66%) respondents think so, which

states have provided only 11 (14 , 67%), which is said to be less available as much as 29 (38.67%). If you pay attention to the data that have been described above, it shows that the implementation of the use of methods scientific criminal investigation (SCIM) by investigators in an effort to find evidence that is transparent and accountable in a crime that occurred in the jurisdiction of Police Regional Police South Sulawesi relatively very limited,

In terms of theory, regulation of scientific criminal investigation method (SCIM), are not as expressly provided in the system of proof and evidence according to the Criminal Code (a legal substance), on that basis, it is natural that it seems when the attention of investigators (legal structure) against the scientific approach (SCIM) relative still not controlled, therefore the attention (of legal culture) has not responded fully the approach. However, respondents are well aware need the approach of SCI in criminal law enforcement process, it shows that 76% of respondents who think so, while saying yet needed only 17.33%, and that says no, only 6.67%.

Thus respondents are well aware that the development of science and technology, it is necessary even if it is mandatory that the law enforcement process especially those in criminal cases followed by a scientific approach (SCIM), so that the proceedings can be run in accordance with scientific principles acceptable logic. To use a scientific approach SCIM in the process of the investigation of an offense by the investigation police, it is necessary also the readiness and capability of Human Resources (Police officers), then how it was in the Police South Sulawesi Regional Police, it can be seen that the prepared new ranges 27%, and are not yet ready to 62.77%.

Based on this, it can be revealed that the reality of respondents believe the ability and readiness of human resources or the police investigators are not ready, it can be seen that 47 (62.77%) of respondents who say they are less ready, the rest are as many as 09 (12%) of respondents said it was ready, and

only 19 (25.33%) of respondents stated that is ready. It is understandable that the human resources within the police, particularly the uneven investigators master the development of science and technology, so naturally if in between seventy-five and forty-seven respondents in who believes not ready.

Besides the factor of human resources, it is also no less important in shifting patterns of examination in the process of criminal law enforcement, are the facilities and amenities available to support the use of a scientific approach SCIM, how such problems, relatively still need to be provided in accordance with the real needs in the implementation of investigation function. Based on the table, it can be seen that the means and facility to use SCIM scientific approach, the reality in the opinion of the respondents are not yet available to the maximum, it is 35 (46.66%) respondents think so, which states have provided only a total of 11 (14, 67%), which is said to be less available as much as 29 (38.67%).

If you pay attention to the things that have been described above, it shows that the implementation of the use of methods scientific criminal investigation (SCIM) by investigators in an effort to find evidence that is transparent and accountable in a crime that occurred in the jurisdiction of Police Regional Police South Sulawesi relatively limited, both in terms of the number of cases handled by the scientific approach (SCIM) or if the terms of the ability of the Human Resources and facilities and technological facilities available to support a scientific approach in question. Due Therefore,

In terms of theory, regulation of scientific criminal investigation method (SCIM), are not as expressly provided in the system of proof and evidence according to the Criminal Code (a legal substance), on that basis, it is natural that it seems when the attention of investigators (legal structure) against the scientific approach (SCIM) relative still not controlled, therefore the attention (of legal culture) has not responded fully the approach.

CONCLUSION

based with these descriptions above, in the concluding part of this can be stated that: The implementation of the use of methods of scientific criminal investigation (SCIM) by investigators in an effort to find evidence that is transparent and accountable in a crime that occurred in the jurisdiction of POLDA Sulawesi South has been relatively limited, because of the ability and readiness of the investigator resources (HR) police investigators are not entirely have the optimal ability and readiness to carry out the method with scientific capabilities and technology.

BIBLIOGRAPHY

- Djanggih, Hardianto and Kamri Ahmad, (2017) *The Effentiviness of Indonesian National Police of Investigation Function in Banggai Regency Police (Investigation Case Year 2008-2016)*, Jurnal Dinamika Hukum, 17 (2).
- F.H, Nugroho, (2014) *Pemanfaatan Teknologi Dalam Rangka Memberantas Tindak Pidana Korupsi Secara Elektronik*, Jurnal Dinamika Hukum, 14 (3).
- Hadijaya, Dayat dkk. (2014) *"Pelaksanaan Tugas dan Kewenangan Penyidik Polri Dalam Melakukan Tindak Pidana Pengelolaan Lingkungan Hidup"*, Jurnal Kebijakan dan Pembangunan, 1 (2).
- Hanim, Lathifah (2011) *Pengaruh Perkembangan Teknologi Informasi Terhadap Keabsahan Perjanjian Dalam Perdagangan Secara Elektronik (E-Commerce) Di Era Globalisasi*, Jurnal Dinamika Hukum, 11 (Khusus).
- Soerjono, Soekanto, (1983) *Faktor-Faktor yang Mempengaruhi Penegakan Hukum*, Jakarta: Rajawali.
- Sulistiyanta, (2013) *Implikasi Tindak Pidana Di Luar KUHP Dalam Hukum Acara Pidana (Studi Kasus Taraf Sinkronisasi)*, Jurnal Dinamika Hukum, 13 (2).

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Rahardjo, Agus dan Angkasa, (2011) *Profesionalisme Polisi Dalam Penegakan Hukum*, Jurnal Dinamika, 11 (3).

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