

THE ROLE OF THE POLICE INTELLIGENCE AND SECURITY FIELD IN THE PERFORMANCE OF PAPUA REGIONAL POLICE MEMBERS (POLDA)

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Abstract

This research aims to determine legal protection for online social gathering participants and also to determine inhibiting factors in dealing with members who are in default. The type of research used is sociological legal research or empirical law. Empirical legal research is legal research that analyzes the actual application of law to individuals, groups, communities, legal institutions in society with an emphasis on the behavior of individuals or communities, organizations or legal institutions in relation to the application or enactment of the law. In this research, the author conducted research in Jayapura City as the author discovered problems in the field regarding the rights of owners who were disadvantaged in transactions via electronic media at online social gatherings. The research results show that the legal protection that is expected to be provided to members who experience losses is legal protection related to compensation. However, in order to get the entire compensation, the management found obstacles in it, namely the online social gathering manager could not provide proof because there was no guarantee or written agreement in it. Inhibiting factors in dealing with members who are in default are: Settlement of default cases committed by one party against another party can initially be pursued in a non-litigation manner before ultimately if a settlement is not reached then it will be continued in litigation or before trial.

I. Introduction

The National Police of the Republic of Indonesia, often known as Polri, is an entity or organization whose primary function is to preserve security and public order, enforce the law, and provide protection, advice, and service to the community.¹ However, the author believes that the Intelligence and Security (Intelkam) department plays a crucial role in assisting the National Police's field operations. Intelkam is responsible for carrying out and developing intelligence functions in the security sector, providing services related to public gathering permits and the issuance of SKCK, receiving notifications of community or political activities, and making recommendations on applications for permits to carry firearms and use explosives.

As a result, in order to maintain and monitor the legal process surrounding an occurrence through the phases and aspects of legal infractions, all units within the Republic of Indonesia's National Police must be empowered and made effective. Punishing guilty persons must be based on the law.²

Similarly, the method of disclosing a criminal act, such as from public reports, crimes caught red-handed, or the results of surrendering oneself after committing a criminal act, must be investigated legally, beginning with the level of inquiry, inquiry, and ending with examination in court, all using instruments that are in accordance with our country's laws, so as not to give the impression that people are being arrested or detained at random without valid evidence of violations.

According to the author's findings at the Papua Regional Police (Polda) Papua, the working connection between the Intelligence and Security sectors, as well as numerous other roles, is mutually beneficial to performance. Its job is to increase the quality of each function as well as the performance of its members on a personal or individual level. However, intelligence and natural functions are the most important since they serve as the eyes and ears of the command headquarters and the entire membership.

Both in terms of ethnicity, customs, culture, politics, religion, and state/regional security. The intelligence and security sector should be the first to know or hear about things that other people or command headquarters are

¹ Undang-Undang Nomor. 2 Tahun 2002 Tentang kepolisian Negara Republik Indonesia

² Awaloedin Djamin, *Kedudukan Polri Dalam Sistem Ketatanegaraan*, PTIK, Jakarta, 2010, Hlm.118

unaware of. This implies that this duty must be more equipped and more diligent in monitoring and overseeing the security of the state, command headquarters, and society as a whole.

Given the importance of intelligence and security in the performance of National Police members, the author believes it is necessary to conduct research on the role of the National Police's Intelligence and Security sector in the performance of members of the Papua Regional Police (Polda), as well as the factors that influence the role of the Intelligence and Security sector. Polri on the performance of Papua Regional Police officers (Polda).

II. Research Method

This study employs both normative and empirical jurisprudential research methods. Normative juridical research is research that originates from library data or secondary data, especially statutory provisions that are synchronized with the title and problem formulation,³ such as Law Number 8 of 1981 concerning the Criminal Procedure Code and Law Number 17 of 2011 concerning Intelligence; Law Number 2 of 2002 governing the Indonesian National Police, as well as textbooks, journals, and theses related to the subject under consideration, which are supported by legal principles, doctrines, or theories of legal science.

All data collected by the author is then clarified and analyzed to produce conclusions from the material obtained in accordance with the problems discussed. Conclusions or messages from various types of material that have been analyzed are used to study and discuss the problems studied by the author in this research. This is intended to obtain discussions and conclusions that are relevant and appropriate to the problem.

III. Results and Discussion

The Role of the National Police's Intelligence and Security Sector on the Performance of Papuan Regional Police (Polda) Members

According to Law Number 17 of 2011 concerning State Intelligence, Article 9 explains that one of the organizers of State Intelligence is the State Police of the Republic of Indonesia, and in Article 12 paragraph (1) states that the State Police Intelligence of the Republic of Indonesia as intended in Article 9 letter c carries out police intelligence function.

The intelligence tasks in this Law were then adopted as the main tasks of

³ Khudzaifah Dimyanti dan Kelik Wardiono, *Metode Penelitian Hukum (Buku Pegangan Kuliah)*. UMS, Surakarta, 2014, Hlm.1

Police Intelligence, which then became the authority and responsibility of the Intelligence and Security Division or the Papua Police Intelligence and Security Directorate. One of the tasks of intelligence and security is to act as the eyes and ears of the National Police unit, which is obliged to carry out early detection and provide warnings about problems and developments in problems and changes in social life in society, as well as being able to identify threats, disturbances or obstacles to security and order.

The National Police intelligence and security system includes an Intelpampol detection system, which is part of the Intelpampol Operational System and is used to actualize Intelpampol's capabilities. In essence, this early detection system begins with the foundations of carrying out Intelpampol's functions. The basics of carrying out Intelpampol's duties begin with the understanding that Intelligence is for leaders in terms of their qualifications as Head/Commander, as an element of government, as a community leader, and as the father of the National Police's extended family, where the implementation of Intelligencepampol's duties is carried out by the Intelpampol network above ground. The formal structure is maintained by the presence of an intelligence network beneath the surface. The Intelpampol Detection System can be seen from the subject of its implementation, the method used and the target object.

Predictive intelligence (forecasting) plays a significant part in intelligence. Because Basic Descriptive Intelligence and Actual Intelligence represent previous and continuing developments, whereas projected intelligence anticipates future developments as a continuation of the existing development process. In other words, as a hypothetical image of what might occur. Thus, projected intelligence serves as an "early warning" to those in charge of selecting plans and measures.⁴

As a result of the author's research, we obtained an overview of the importance of the duties of the National Police's Intelligence and Security, especially the Papua Police's Intelligence and Security Directorate in providing early detection, especially in anticipating disturbances in social security and order which can occur at any time without knowing the time or place. The security and social security situation and criminal acts have a tendency to increase from year to year in line with developments in various aspects of community life, meanwhile a conducive security and order situation is absolute, to support the implementation of national development, including the running of government and the nation's economy.

Therefore, the Papua Police Intelligence and Security Directorate, as the implementer of intelligence functions which include investigation, security and

⁴ Andy Wijayanto, dkk, *Intelijen velox Et Exactus*, Jakarta: pasivis UI-kemitraan, 2006. Hlm 21

mobilization to maintain security stability and conducive public order, must be able to anticipate various developments in the situation so that if a factual threat arises it can be handled professionally and proportionally. Therefore, an Intelligence member must have basic knowledge and abilities in carrying out their duties, in addition to the tiered abilities obtained through Intelligence vocational education which aims to provide more strategic knowledge. Without basic or vocational knowledge regarding a particular problem, it is difficult to accurately assess a phenomenon or change that has occurred regarding the issue of criminal acts which has also adapted to the sophistication of the times and the development of other security and social security issues in the Papua Regional Police Legal Area.

Intelkam has Forecasting Intelligence: Forecasted intelligence serves a vital purpose in intelligence. Because Basic Descriptive Intelligence and Actual Intelligence represent previous and continuing developments, whereas projected intelligence anticipates future developments as a continuation of the existing development process. In other words, as a hypothetical image of what might occur. Thus, projected intelligence serves as an "early warning" to those in charge of selecting plans and measures.⁵

Any information submitted by members of the National Police's intelligence and security services with the goal of providing input to leadership for early detection is processed through high-level analysis. After extensive examination, an accurate intelligence product will be created. This is where intelligence comes in to help leaders learn about developments in social security and order, particularly in the era of globalization, when democratization, openness, and human rights have become central issues that have spread around the world, putting a lot of pressure on the National Police to act as law enforcers, protectors, and guardians of society.

So intelligence is the primary component of the National Police's response to these varied requests. Intelligence will operate for the unit if the intelligence organization is strong enough, and its systems and procedures are tailored to the nature of the dangers it confronts. However, the implementation of intelligence tasks is more important; both individuals and units must have a strong commitment to intelligence, as well as implement and develop intelligence theory in changing field conditions, and produce intelligence products that are sharp, accurate, and reliable in order to prevent potential security and social security disruptions.

⁵ L.V Scott dan Peter Jackson, *Kebijakan Intelijen Negara*, Gramedia Pustaka Utama, Jakarta, 2016, Hlm.168.

Early detection data indicates that the Ipoleksusbudkam region is mainly stable and under control. This condition fosters a positive environment in community life and government activity. Even while numerous disruptions in social security and orders have increased in intensity over time, they can often be dealt with if detected early. The number of public security disturbances in the form of conventional crimes, transnational crimes, crimes against state assets, and crimes with contingent implications can also be managed optimally with early detection, so that they are not perceived as disturbances in people's lives, thereby creating a social security and security environment that is conducive to the functioning of society. and a government that is consistent with the intelligence and security vision, namely the realization of a professional, moral, and modern Security Intelligence posture in maintaining security and order and law enforcement, by implementing early warning and early detection of security threats and disturbances in order to achieve security vigilance and stability.

From the results of the author's research, the role of the Police Intelligence and Security sector on the performance of members of the Papua Regional Police (Polda) can be explained as follows:

a. Eyes and Ears of Command Headquarters

As Law Enforcement Officials whose function is to carry out security and public order duties as well as other administrative services, of course they want to carry out their duties with a sense of security and peace, so that services to the interests of the community can be carried out well. This means that every member's hope for security at the command headquarters must be guaranteed in a conducive atmosphere. If there is a public security disturbance that could threaten the security of the headquarters, it can be immediately identified and reported to superiors or leadership for appropriate follow-up.

It is hoped that the Papua Police Intelligence and Security Directorate, as the eyes and ears, can carry out their duties as effectively as possible in order to create a safe, conducive, and comfortable environment for all Papua Police officers to carry out their primary responsibilities and serve the community.

According to the author, the Papuan Police's intelligence and security efforts as eyes and ears for the command headquarters have been subpar and are not as simple as expected. According to the author, this is possible since joining the intelligence community is difficult. An intelligence officer must be cool and calm, able to manage their emotions, and have a steely mindset when they are treated inappropriately by the public since they are unaware that the individual in question is a police officer.

b. Early Detection of Threats to Security and Order at Command Headquarters and the Community

Intelligence and security detection are carried out through the Intelpampol network above the surface (formal structural Intelkam network), beginning at the Sector Police level and progressing to the National Police Headquarters level by establishing the Sector Police as the Intelligence and Security Detection Base, the Regency Police as the Operational Base, and the Resta Police and above providing Operational Backup.

The HTCK Pattern (Relationship of Work Procedures) is used in Intelligence and Security detection in accordance with the HTCK Guidelines. This includes Vertical, Horizontal, Diagonal, and Cross-Sectoral HTCK, as well as HTCK in relation to Community Intelligence, where information is collected through three channels: formal structural, operational, and subsurface network pathways.

Furthermore, the Kirka preparation technique follows the Technical Guidelines for the Preparation of Intelpampol Kirka. The item used as a detection target is based on three aspects of national security and security, which include threat weight ranking, probability of occurrence ranking, and vulnerability ranking.

An early detection system that runs at the regional level will produce intelligence information obtained through a processing process from the information obtained. Information materials are basic materials that are still raw. Some raw materials meet the requirements and some do not meet the requirements to be used as intelligence.⁶

Raw materials that fulfill the standards for intelligence usage are security-related resources whose sources can be trusted and are relevant to the situation at hand. Intelligence, defined as processed information material, is the end result or outcome of processing that is then transmitted to the user parties to be used as material for formulating plans and policies that will be pursued and that allow choices to be made. In this situation, intelligence refers to knowledge that must be known ahead of time in order to plan steps with calculated risks. In other words, intelligence is needed to

⁶ Rahmad Hutagaol, Peran Satuan Intelkam Dalam Mencegah Paham Radikal Di Masyarakat Melalui Deradikalisasi (Studi Pada Satuan Intelkam Polres Deli Serdang), Jurnal Hukum Kaidah, Universitas Islam Sumatera Utara, Medan, 2020.

make the right decisions in three aspects, namely planning, wisdom and how to act (cover of action).

When analyzed by the author, it becomes clear that the expectations of members of the Papua Regional Police and the Papuan community regarding the performance of the Intelligence and Security Sector in creating comfort among fellow members of the Police and the community have not been as high as anticipated.

According to the author, early detection of threats to the security and order of the Command Headquarters and the community has not been effective because the early detection system uses the HTCK pattern or Vertical, Horizontal, Diagonal, and Cross-Sectoral Work Procedure Relationships, and the collection of information material through formal structural channels, operational routes, and subsurface network routes have not been understood and implemented optimally by members.

Because the purpose of this KTCK is to describe the main tasks of the Intelligence sector within the Papua Regional Police organization, both operational and coaching, successful completion of these tasks necessitates creativity, skills, mental ideology, managerial abilities, and discipline. members, since the things under monitoring and supervision are no more ordinary targets, but rather possess significant intelligent understanding.

c. Arouse member enthusiasm and performance

Strategy as a tool for enhancing an organization's performance is inextricably linked to an organization's performance and its members' conduct. The National Police Organization, as part of a public organization, namely the Indonesian Government, has exhibited strong performance by positively impacting the stability of Indonesia's social and political life. The dynamics of social and political life move faster than changes in the structure and operating processes of the National Police Organization.

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⁷ Ary Purwanti, Burham Pranawa, Purwadi, 2021, Deteksi Dini Oleh Intelkam Polri Dalam Mengantisipasi Gangguan Kamtibmas Pada Pilkada di Boyolali, Jurnal Bedah Hukum, Vol. 5 No.1, hlm. 8

The Papua Regional Police (Polda) is a government entity whose primary responsibilities include maintaining security and order, acting as law enforcement officers, and protecting and serving the people. However, citizens continue to grumble about the services provided by personnel of the National Police.

The accuracy of monitoring and supervision as the eyes and ears of the National Police, as well as the ability to detect any problems early by the intelligence sector, have not been able to play a big role in improving the performance of members of the Papua Regional Police, due to the many practical political problems in the Papuan people, which often result in demonstrations and speeches that can galvanize community action into anarchic actions that threaten the.⁸

This disruption to the spirit and performance of members of the Regional Police (Polda Papua) can of course weaken law enforcement in the Legal Area of the Papua Police, because service work for the community and the interests of maintaining public security and order will be less than optimal.

The author is of the view that the role of the Papua Police Intelligence and Security sector is not enough to maximize the performance of all members of the Papua Regional Police (Polda) in carrying out their duties in service and law enforcement, because achieving the goals of the organization requires a large role from all existing functional areas, This includes the field of intelligence and security as the eyes and ears of leadership and headquarters, which should play a more optimal role as the main field in the police.

Factors That Prevent the National Police's Intelligence and Security Sector from Improving the Performance of Papuan Regional Police (Polda) Members

The National Police Intelligence Sector must be able to carry out and implement the roles that Intel has, such as investigation, security and collection as a unit and can compile data or information created by field implementers (units) to present products in the form of products to users that are timely, targeted, and effective. , in order to make further decisions with accurate data in order to guarantee and strengthen the performance of police officers in the community, in serving and serving the community.⁹

⁸ Sadjijono, 2006, Hukum kepolisian, Perspektif Kedudukan dan Hubungan Dalam Hukum Administratif, Laksbang PRESSindo, Yogyakarta, hlm. 40.

⁹ Konar Zuber. (2017). Peran Lembaga POLRI Dalam Penegakan Hukum. Jurnal UNPAL, 15(3),

In carrying out the investigation, you must remain guided by the stages of the investigation, namely planning, collecting the cake, processing the cake and serving, of course to get all of this you have to use open or closed methods according to the target at hand. In tasks that are prone to conflict, what is needed as a field implementing agent must be to master the situation and customs of the area to be assigned and not be equipped with service attributes to eliminate identity and in carrying out their duties always use passwords.

Apart from that, it must be able to form a network to support Intel's activities with its capabilities, namely:

- a. Able to form networks within enemy groups and outside;
- b. Able to form networks in structures such as BIN/BKin and Intelligence in other agencies involved in each activity;
- c. Get to know how each network and target group acts;
- d. Knowing the opponent's communication systems and means of transportation and being able to anticipate them quickly;
- e. Know the biodata of groups that will be in conflict and are currently in conflict as well as groups that are involved in external humanitarian assistance and their vehicles;
- f. Knowing the opponent's strength in terms of personnel, weapons and funds;
- g. Knowing other actors, groups in conflict who are also Intel's opponents;
- h. Knowing other forces that conflict with these as a profitable tool in carrying out fundraising.

Apart from that, the Intelligence and Security Division must have a controlling agent, who has the ability to determine the TO that must be implemented by the implementing agent, and must also have a network owned by the implementing agent, as well as providing control; Analyzing agent, namely a member who can analyze the dynamics of operations, so that in the implementation of operations, if there is a deadlock or failure, they can immediately analyze and divert operational targets to reduce risks. This analysis can also make an estimate of the possibility of what will happen with the data/information obtained in the field.

However, the results of the author's research show that all of the above abilities have not been maximized and have not worked well, so they have not been able to strengthen the performance of members of the Papua Regional Police (Polda) in carrying out their daily duties.

The obstacles that can be analyzed by the author come from the following factors:

1. Lack of Coordination Between Sectors

In carrying out intelligence tasks, it is well understood that intelligence members must always disguise themselves in the social life of the community. An intelligence member who is already a professional is even more willing to be blasphemed or reviled by the public when he disguises himself as a meatball seller, or a fish seller, or an unemployed person at the market, as long as his identity as an intelligence officer cannot be detected by the public, even his closest neighbors. However, his position must remain secret. This causes an Intelligence member to have to move quickly and carefully in coordinating with other units within the headquarters, when monitoring and supervising an operational target, they must immediately be secured and arrested. This coordination function is very important, so that the field or unit that captures the target is from another field, so that the identity of Intelligence members remains closed and secret.

This information was confirmed by a member of the Criminal Investigation Unit of the Papua Regional Police: "Sometimes there are intelligence members who have already arrested someone who is being monitored as a provocateur, or a suspect who was asked by us to be monitored because he ran away, so that his identity is immediately discovered, even though the detective member is also his clothes. the same as them."¹⁰ This is because it happens frequently and continuously, so many of Intelkam's members have had their existence and membership detected by the wider community, students, and especially their closest neighbors.

The author's opinion is that if this is not just a coincidence and is allowed to continue to happen, it could weaken the performance of other fields, which will impact the performance of all members of the Papua Regional Police.

2. Inappropriate Personnel Placement

The National Police institution as part of the government function that is responsible for realizing Internal Security by maintaining and maintaining Public Order Security (Kamtibmas) must be able to be responsive to various changes that occur through various police strategies and programs to realize domestic security for the sake of implementing National Development.

¹⁰ Results of an interview with Iptu Pol Sudarmono Siagian, a member of the Criminal Investigation Unit of the Papua Regional Police on February 10 2024

Police professionals need to be improved both individually and in general, in terms of resource placement, starting from planning, procurement, placement, career development and termination of service (retirement) of its personnel.

The member placement process is a process that must be taken into account by those carrying out the human resources function in a work unit. Placement is an activity of deciding and placing competent people who have passed the selection process according to their respective fields. The placements must be in accordance with the member's knowledge, skills and abilities. If this has been done, new personnel will be more enthusiastic about working. The right placement of members will motivate them to work. With the right work placement, work enthusiasm, work mentality and work performance will achieve optimal results and personnel creativity can develop.

It is easy for intelligence members to be detected by the public, not only because of mistakes in the placement of members in the police intelligence sector, but also more because of their mental psychology, because some are temperamental, some are selfish, and some are arrogant. This situation will of course hamper law enforcement efforts for the community, because every intelligence movement is easily read by the public and easy to avoid.

3. Personnel Interaction with the Community

Intelligence and Security members on the one hand must be friendly, sociable and easy to get along with. Maybe this is closely related to their task of searching for information. The more friends there are, the more information they can get. The wider the social circle, the wider the information obtained. If you interact with the community intimately, then without realizing it, the community will provide information that they really need.¹¹

But on the other hand, they must be smart in hiding their work identity and profession. They must be able to introduce themselves as someone other than their actual profession, so that they are not recognized as members of the National Police, more specifically members of Intelligence. Even if people think of them as unemployed, or simply journalists, meatball sellers or taxi drivers, the important thing is that their activities as members of intelligence can continue in secret and covertly. The point is that intelligence members must disguise themselves, so as not to be suspected and accepted

¹¹ Soepomo Soegirman, *Intelligen Profesi Untuk Orang-orang Aneh*, Bumi Aksara, Jakarta, 2011, Hlm.46.

by the target. Currently, an intelligence officer is actually required to look like an ordinary citizen. Intelligence officers who have attended intelligence education certainly know that one of the basic lessons as an intelligence officer is 'cover' for disguise. If you disguise yourself as a journalist, it is more covert, because the working principle of journalists is very similar to that of intelligence officers, namely that they both look for data and information. The difference is that intelligence seeks information behind closed doors, journalists seek information openly.

Most Intelligence members wear greater camouflage so it is very difficult and even invisible when mingling with civilians or mingling with the enemy. This is because they adhere to the principle of 1000 'covers', meaning that intelligence personnel have 1000 identity cards or IDs where these IDs cover the real identity of the intelligence personnel. Heavy burdens and heavy tasks are always on their shoulders. It's like a successful mission is not praised, an unsuccessful mission is reviled, and no one even admits it.

However, too intimate and close association with the public, especially women or their school friends, sometimes causes intelligence members to lose control and even drift into an atmosphere of intimacy, so that without realizing it they feel safe and confident if they reveal their cover as intelligence officers. This is due to human attitudes which sometimes involve feelings of inability to act hypocritically by continuously lying to people who are close and trust each other. This is of course a weakness that is difficult for intelligence members to avoid. This weakness is one of the obstacles to the role of the Police Intelligence and Security sector in the performance of members of the Papua Regional Police (Polda).

The author's opinion regarding the way Intelligence members interact with society is like eating simalakama fruit. Eaten by dead father, not eaten by dead mother. Hanging out too closely risks intelligence revealing itself, hanging out too far risks not getting any information. This makes an Intelligence member have to be clever and intelligent in placing himself in the midst of interacting with the public, so as not to be trapped in his position as a law enforcement officer. Intelligence members must be able to apply "chameleon" knowledge wherever they are, so that they can be accepted by members of the public without knowing their real and true identity, instead of deliberately leaking their identity so that they are trusted, feared, and given the information they need at any time by people who already know him, because there is a very high risk that his identity will be leaked to opposing parties, so that his professional efforts as a law enforcer will be unproductive and not optimal.

This is similar to the theory of law enforcement, which is an effort to enforce legal norms, as well as the values behind these norms. If law enforcers are incompetent in carrying out their duties. Just carelessly, just a formality, then the law enforcement process will fail by itself. Our law enforcers have been plagued by a formalistic way of working or habits. They are used to playing shortcuts, not pursuing anything substantial.

IV. Conclusion

The role of the Intelligence and Security sector of the National Police has not been able to play an effective role in improving the performance of members of the Papua Regional Police (Polda), because as the eyes and ears of the leadership, they have not been able to optimally detect early threats and dangers to the security of the headquarters and the security of the community, which has an impact on the performance of members who work to serve the community is not optimal, because at all times they are in a state of tension hearing about issues of student and community demonstrations, speeches and riots.

Factors that hinder the role of the Intelligence sector in improving the performance of Papua Regional Police (Polda) members are the lack of inter-sector coordination, where intelligence members sometimes work alone to secure targets, without informing officers in uniform to secure them; Inappropriate personnel placement factors, namely the placement of intelligence personnel based only on posture and body shape, without regard to adequate intelligence knowledge; and the factor of personnel's relationship with the community, namely a way of interacting too closely with the community, so that they do not control information about their identity to the community.

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