

# Phenomenon of Civil Servant Investigator Position (PPNS)

Achmad Sjafii, Ni Made Ida Pratiwi

Faculty of Social and Political Science, 17 Agustus 1945 University  
Surabaya, Indonesia  
idapратиwi@untag-sby.ac.id

**Abstract**—Regional autonomy is a manifestation of democracy that emerges after the reformation. The regional government affairs has increased with the enactment of Law Number 23 Year 2014 on Regional Government. Many policies change and this must be obeyed by all governmental arrangements, both Central Government and Local Government. Autonomy of this area needs to get special attention in government affairs. New problems may arise if the division of authority is not clearly regulated and explicit with the legislation, for example: the existence of Civil Servant Investigator (PPNS) in Satuan Pamong Praja Police Unit. Enforcement tasks are generally carried out by a civil service of the police force (Satpol PP) established by the local government and structurally under local government. It also has duties in maintaining public order, security and peace, and the protection of the community. PPNS in Satuan Polisi Pamong Praja of East Java Province has enforcement task of local regulation and the role effectiveness of Civil Service Police Unit in supporting PPNS performance. By using descriptive research and sturdy case which is studied qualitatively descriptively. In Bower as cited Dunn is defined as a logically consistent set of prepositions which describe actions, essentially concerning methods for retrospective analysis located on the left side of the policy analysis process framework. From the result of policy implementation, it can be concluded that the existing basic tasks and functions PPNS cannot be done perfectly, still lack commitment from various parties to implement the main task.

**Keywords**—policy implementation; investigator position; civil servant

## I. INTRODUCTION

Regional Autonomy is a form of manifestation of democracy that emerged after the Reformation. Government Affairs Area experienced significant addition with the establishment of Act No. 23 of 2014 local governance. Many of the policy changes, it is obliged to abide by all of the Government order, good Government, and local governments (provinces and Districts/municipalities). This autonomous region needs to get special attention related to Government Affairs, either the Central Government or local governments. New problems may arise if the Division of authority is not set clearly and explicitly with the legislation. Autonomous region led the regional government has increased the number of affairs that must be handled and accounted for the attainment of equitable and prosperous society. The growing number of local governance affair because no other assertion of autonomy that forced the Central Government to decentralize governmental affairs local governance for was owned directly its own initiative based on independently in accordance with the conditions of each region. The task of Enforcement is generally undertaken by a unit of Perda police teachers 'praja' (Satpol PP) formed by the local government and structurally it is under the local government, it also has the task of maintaining public order, security and the serenity of communities, and the protection of society. The role and existence of the Satpol PP right now is to gain widespread attention from the public and the experts of local governance it seems from the news that filled the pages of the mass media and television footage. The role of the Satpol PP change in order to support the autonomous region which must be based upon the principles good governance, also adjust the regulatory change in accordance with changes to legislation the Government region/autonomous region of ACT Number 32 Year 2004 became LAW Number 23 of the year 2014.

Some of the Affairs of the autonomous region in implementing emphasized the aspect of responsibility, harmony and alignment of the Center and the regions, and it is the function of the public service that meets the basic needs of the people by giving space creativity and innovation. Satpol PP along with it have a broader authority and complex, and tend to be associated with social turmoil. Existing social symptoms often gave rise to new issues so that potentially cause interference in the field of security and public order. So indirectly, the region needs to organize and give special authority to Satpol PP in accordance with applicable regulations and the direction of public policy areas. Based on the authority in save peace, public order, and the protection of the community that's formed Satpol PP, under section 255 of the ACT Number 23 year 2014 about local governance: "Satpol PP set up to enforce the change and perkara, organizes public order and peace, as well as organizes community shield cover." The enactment of Act No. 23 of the year 2014 about local governance essentially has provided considerable opportunities for the region to set up its own bylaws, which in article 236 paragraph (1) requires to hold the Autonomy Area and Task Pembantuan, the area forming the local regulations. The existence of a Perda impose criminal sanctions, encourages the emergence of the idea to form the Investigator civil servant (1988) in the Government area, even the

fact, pointed out some areas have formed in 1988 about perda the environment of local governance. Applicable local law product is a form of local governance in order to conduct of the Affairs of local governance based on the principle of autonomy and task aid. In a Change may include sanctions or administrative and criminal sanctions. In order for any local regulations can run effectively, then the area can be wearing criminal sanctions in accordance with the above. To implement the provisions of the Official Investigator civil servant (1988) was instrumental to be able to carry out the process of establishing up to filings with securities to be set by the judge in court, it shows that the area was given the opportunity to earn revenues from the proceeds of fines for infringement of the rules.

One of the tasks of 1988 is enforcing perda, so this is expected with the 1988 criminal sanctions of a perda can be enforced properly and can create conditions ideal society. The progress of civilization that continues to take place from time to time in people's lives, cause the mode of crime and violations also continue to undergo development. The number mode is a criminal offense with a very presentable, systematic, well-planned, complicated and not uncommon use of science and technology, the demands of the profession, the investigators should have the ability and skill to uncover the occurrence of the crime with a series of proof that can be accounted for. In order to maximize the tasks of investigation, investigators are empowered ordered someone to quit, making arrests, detention, confiscation of documents and other evidence suspected of being used or will be used in committing criminal. Authority is the power which is quite large and therefore, necessary supervision to avoid arbitrariness or abuse of authority which resulted in the breach of human rights and the rights of citizens. The standard procedure of supervision in the execution of investigation done through the rule of law as set forth in the law of criminal procedure. Such things are done, considering the process of the investigation itself indirectly in connection with the enforcement of human rights in a broader sense. A great authority on the one hand, as well as aspects of enforcement and legal protection on the other caused the appointment of investigators conducted with specific criteria. The authority of the appointment of the investigating officer is included in the scope of Government Affairs in the field of justice. The investigator is a function which is attached by the State against a person who is deemed capable and meet certain qualifications to carry out these tasks.

The existence of a police unit of teachers ' Praja (Satpol PP) as law enforcement officers, particularly the enforcement of Perda and various other areas of Government policy, its functions not only as a realignment of security guards, order and harmony society, but including the run function and tasks of investigation against violations Perda. The investigator is a function of the position of countries that can be given to the police and/or civil servants who are eligible for it. East Java Police Unit at teachers ' Praja contained members of civil servants (CIVIL SERVANTS) who have followed training, had the competence and appointed and sworn into Office civil servant (1988). In 1988, with the presence in the environment of the Satpol PP East Java province is expected to help bolster Satpol PP performance especially in the task of Upholding Perda. When the function runs with effective enforcement of perda efficient then it can support the creation of a safe and conducive situation.

The objective of this paper are:

- 1) Analyzing the existence effectiveness of Civil Servant Investigator (PPNS) position in the East Java Provincial Police Unit against the regional regulation enforcement duty.
- 2) Analyzing the magnitude of Civil Service Police Unit Head's role in supporting the performance of PPNS in East Java Provincial Police Unit.

For the author, the practical benefit of this paper are the research and its result that have been obtained can widen our knowledge and gain the empirical knowledge about the application of public administration function. For others, specifically the East Java Provincial Police Unit, this paper can be use as evaluation for the implementation of PPNS positions in their unit. The academic benefit that can be obtained in this paper can be use as a reference for developing the public administration knowledge. Besides, this paper can also be use as a reference to the reader who will carry out further research on the implementation of PPNS position in East Java Provincial Police Unit.

## II. METHOD

Method of preparation of the material in this paper using the library by doing the analysis of several scientific works and related references, so that a conclusion can be drawn that is the result of analysis and synthesis. Methods of analysis used i.e. descriptive analysis. The approach used is qualitative approach

## III. FINDING AND DISCUSSION

Based on the results of Data analysis using qualitative descriptive method at the Office Police teachers ' Praja East Java province obtained the following results:

#### A. *The Policy Directions of the Institution*

Based on the regulations of the regional East Java province number 2 Year 2012 about the Organization and governance of the working unit of Police teachers ' Praja, article 4 mentioned that the Police have the duty to uphold teachers ' Praja Perda and regulations implementation, organizes public order and harmony of society and the protection of society. In the Police units of the task run teachers ' Praja constituent functions of the program and the implementation of straightening Perda and other regulations, organization of public order and peace Society and the protection of the public, doing a KISS (coordination, integration, synchronization, simplification) and relevant agencies.to conduct surveillance on the community, so that legal entities or agencies comply with and obey the Perda Pergub, follow the process as well as preparation of Perda Pergub and activities as well as the construction and dissemination of legal products, implementation of the safeguards and curbing assets/objects of vital Government of East Java province.

Help security and reform the Organization of elections and security, help *pemilukada* and curbing crowd the area and mass-scale activities or and other General Security duties given by the head of the area in accordance with procedures and legislation. To that in carrying out its functions, duties and Satpol PP authorities take action against non judicial community order, apparatus or legal entities who commit offenses Perda Pergub, or cracking down on citizens of the Community authorities or legal entities that disturbs public order and harmony of society, doing investigation and investigation as well as perform actions or the administration of the public authorities or legal entities should be suspected of committing offenses or Perda Pergub. In carrying out basic tasks and functions Satpol PP is obligated to uphold the legal norms, the norms of religious, HUMAN RIGHTS and other social norms that develop in the community, keeping the operational standards (SOP) of satpol PP (PPID, SPM) so that in the implementation of *tupoksi* advancing Act of humanism, an educational and persuasive avoid conflict and violence. Activities – activities that reached well is training Satpol PP, cooperation in the border areas, the patrol area in the District of/Kota as well as enforcement of Perda minerals form C, safeguarding the rally, members of skills supply Satpol Rakor PP in disaster relief, improved preventive efforts against the disruption of security and public order of society, publications Program Activities Tramtibum in enforcement Perda, the implementation of Standby Forces For title of Apple and society, *Rakernis* and Workshops, trainings and PP Pol coordination potential members in order for disaster management, improvement of relations of cooperation in the framework of the Organization of Tibum and Tramas Escort officials and important people, the development of the ability of the apparatus Satpol PP with the cooperation of the NATIONAL POLICE, the development of human resources and performance in 1988, East Java, the implementation of the regional head election Security.

#### B. *Conditions of Office in 1988, the Police Unit in the teachers ' Praja East Java province*

Provided for in article 1 paragraph (1) and article 6 paragraph (1) Letter B CODE of CRIMINAL PROCEDURE the investigator are: Republic of Indonesia Police Officials or Officials of certain civil servants be authorized specifically by law to conduct the investigation. Certain civil servant officials who are authorized by special legislation. In this article the position of national police and Investigators in 1988, similar and parallel, but differentiated in those powers. Article 7 paragraph (2) of the CODE of CRIMINAL PROCEDURE States: Investigators as stipulated in article 6 paragraph (1) letter b (1988) has the authority in accordance with the legislation that became the basis of the law and in the exercise of his duties under the coordination and the supervision of the Ombudsman in article 6 paragraph (1) letter a (Police Investigators). This means that the authorities in 1988, must be poured in a special regulation in this area in 1988, needs to be particularly related authority to perform that action, searches and seizures of goods evidence of criminal offense infringement PERDA and PERKADA must be set explicitly in a 1988 Special Perda. In the police units of teachers ' Praja East Java province, in 1988, included is part of the Organization's policy direction Device area. As stated in the strategic plan and work plan in terms of HUMAN RESOURCE Development, and improvement of Performance in 1988 in East Java is carried out routinely every year. In addition Police Units in the teachers ' Praja focuses on Java implementation of management of administration and management in 1988, effective and efficient. Police Units as well as on teachers ' Praja East Java province there is a Secretariat in 1988, which is set based on the decision letter of the Governor of East Java Number 188/53/KPTS/013/2017 of the Secretariat's Office civil servant East Java province fiscal year 2017.

#### C. *Position of PPNS in the East Java Provincial*

East Java as one of the provinces that is the basis of national stability, of course must be able to create and maintain an orderly, peaceful and orderly community order in a sustainable manner. For this reason, the role and duties of the Civil Service Police Unit are truly needed and strategic in maintaining and maintaining public peace and public order. If specified in more detail, there may be many challenges, problems and work burdens that must be borne by the Civil Service Police Unit. in order to maintain public order and public peace. If it is associated with the task of carrying out Regional Regulation Enforcement it feels increasingly heavy because the number of Regional Regulations issued continues to increase, the likelihood of cases of Regional Regulation violations is increasingly likely to arise, plus the tendency of some people who always try to get around or not obey the law. This needs to be emphasized, because it is often seen that there is a tendency to put the functions and tasks of the Civil Service Police only to protect the Office, the security of the official house or the security of the house of the Regional Head official. Whereas the functions and duties of the Civil Service Police are far greater than that, namely as a Regional Apparatus that assists the Regional Head in organizing Public Order and Public Peace and Enforcement of Regional

Regulations and Decrees of Regional Heads. Given the intended tasks and functions, the Civil Service Police are required to be able to carry out and develop it by carrying out good modern management. In the macro scale of the implementation of Regional Autonomy as now the future prospects for the existence of the Civil Service Police have a role that needs attention and priority in assisting Regional Heads to enforce Regional Regulations and Public Order and Public Peace. With the goal is to increase Regional Original Revenue (PAD), upright and orderly Regional Regulations along with the regional head and to strive as an adhesive to the Unitary State of the Republic of Indonesia, which prevents disruption of Public Order and Public Peace caused by the application of Regional Autonomy policies that are prone to disintegrating territorial integrity. PPNS in East Java Province was formed before the enactment of Law Number 23 of 2014 concerning Regional Government, the establishment was based on Law Number 5 of 1974 concerning Principles of Government in the Region and Decree of the Minister of Home Affairs Number 23 of 1986 concerning General Provisions concerning Investigator of Civil Servants in the Regional Government with the issuance of the Provincial Regulation of the East Java Region I Number 4 of 1986 concerning Investigators of Civil Servants in the Environment of the East Java Provincial Government of the Level I East Java Province. In connection with the basis of the establishment of the regional regulation, many new laws and regulations have been revoked, so to adjust to the development of the law and the development of needs, the provisions concerning PPNS in East Java Province are regulated in the Provincial Regulation of the Level I of East Java Number 4 of 1986 needs to be evaluated in order to be adjusted to the provisions in Law Number 23 of 2014 and other regulations governing PPNS, among others the Decree of the Minister of Home Affairs No. 6 of 2003 concerning Guidance for Guidance for Investigators of Civil Servants in Local Government Environments with rearrange the PPNS through the formation of new regional regulations.

The East Java Provincial Government issued a regional regulation policy related to PPNS to support the development of PPNS in East Java Province by making:

- 1) East Java Provincial Regulation Number 4 of 2013 concerning Civil Servant Investigators;
- 2) East Java Governor Regulation Number 26 of 2014 concerning Implementation Guidelines for East Java Provincial Regulation Number 4 of 2013 concerning Civil Servant Investigators.

It is expected that with this policy PPNS in East Java Province can carry out their duties professionally and optimally in order to uphold the Regional Regulations and Regulations of the East Java Provincial Head. The challenges faced by the East Java Provincial Civil Service Police Unit, especially in the Field of Regional Regulation Enforcement include:

- a) There are still violations of borderline utilization, roads, illegal sand mining;
- b) There is still a violation of the use of land belonging to the province that is not in accordance with its allocation;
- c) There are still many companies that violate wastewater management;
- d) There are still many assets belonging to the Provincial Government that are controlled by other parties.

The Civil Service Police are authorized to carry out investigative actions against citizens, apparatus, or legal entities suspected of violating Regional Regulations ("Perda") and/or regional head regulations. Every investigation must and needs to be preceded by an investigation to find and find an event that is suspected as a criminal act to determine whether or not an investigation can be conducted. Regional Civil Servant Investigators (PPNSD) are the spearhead of law enforcement in the regions for the occurrence of a violation of the Regional Regulation, so that PPNSD has a very important and strategic position in the effort to enforce the Regional Regulation. According to the Head of the Investigation and Investigation Section, the Head of the Satpol PP "coordinates the tasks of Regional PPNS based on Government Regulation Number 6 of 2010 concerning the Civil Service Police Unit, where the position of Satpol PP is part of the regional apparatus organization that has the authority to enforce Regional Regulations and the implementation of public order and public peace. While as the PPNS Supervisory Coordinator, Polri investigators have the authority to carry out technical guidance on the implementation of Regional PPNS duties ". It was revealed, "the authority of the PPNSD investigator is based on Law Number 8 of 1981 concerning the Criminal Procedure Code, junction Government Regulation Number 27 of 1983 concerning the Implementation of the Criminal Procedure Code as amended by Government Regulation Number 92 of 2015 concerning the Second Amendment to Government Regulation Number 27 of 1983 concerning the Implementation of the Criminal Procedure Code.

#### IV. CONCLUSION

The Civil Service Police Unit has a very strategic role because it has a special role, namely the enforcement of Regional Regulations/Decisions of Regional Heads. As the Tupoksinya institution is the Regional Regulation Enforcement and the organizer of peace and public order, it is obligatory to oversee the Regional Regulation in accordance with the meaning of the Regional Regulation. Enforcement of Regional Regulations implemented by the Civil Service Police Unit include violations in the field of decency, billboards, business licenses/HO, IMB and other regional regulations that have criminal/distribution sanctions. The aim of increasing enforcement of Regional Regulations will be achieved by increasing the participation of the community and increasing the professionalism of the Civil Service Police Unit by ensuring public security and order and upholding the law, the implementation of protection, protection and service to the community.

Opportunities for service development in the East Java Provincial Civil Service Police Unit are:

- 1) High public awareness of law enforcement including law enforcement in the regions;
- 2) Increased public awareness of the importance of feeling safe and secure;
- 3) Understanding of the Apparatus on Main Tasks and Functions;
- 4) Government's determination to realize good governance;
- 5) There is a harmonious relationship in coordination between agencies related to the community.

It is suggested that the key to successful policy implementation is collaboration between agencies that are implementors. In this paper, the performance of PPNS Satpol PP in East Java Province is able to improve several things, including:

- 1) Establish a good relationship between PPNS Satpol PP East Java Province with other Government Agencies.
- 2) Increasing Understanding of PPNS of East Java Province Satpol PP towards Regional Regulations and Regulations of East Java Provincial Heads.
- 3) Increase the number of PPNS personnel in the Satpol PP of East Java Province
- 4) adding facilities and infrastructure that support the activities of PPNS Satpol PP in East Java Province.
- 5) improve the welfare of PPNS personnel of East Java Province Satpol PP.

#### REFERENCES

- Agustino, L. (2008). *Dasar-Dasar Kebijakan Publik*. Bandung: Alfabeta.
- Bungin, B. (2007). *Penelitian Kualitatif: Komunikasi, Ekonomi, Kebijakan Publik dan Ilmu Sosial*. Jakarta: Kencana Prenama Media Group.
- Devung, G.S. (1988). *Pengantar Ilmu Administrasi dan Manajemen*. Jakarta: Departemen Pendidikan dan Kebudayaan.
- Dunn, N.W. (2000). *Pengantar Analisis Kebijakan Publik*. Yogyakarta: Gajah Mada University Press.
- Dwijowijoto. (2012). *Kebijakan Publik Formulasi, Implementasi, dan Evaluasi*. Jakarta: PT ELEX Media Komputindo.
- Grindle, M.S. (1980). *Politics and Apolicy Implementation in the Third World*. New Jersey: Princetown University Press.
- Haryadiningrat, S. (1990). *Pengantar Studi Ilmu Administrasi dan Manajemen*. Jakarta: PT Gunung Agung.
- Islamy, M. I. (2004). *Prinsip-Prinsip Perumusan Kebijaksanaan Negara*. Jakarta: Bumi Aksara.
- Meter, D.V., & Horn, C.V. (1975). *The Policy Implementation Process: A Conceptual Framework dalam Administration and Society*. London: Sage.
- Miles, B.B., & Huberman, A.M. (1992). *Analisa Data Kualitatif*. Jakarta: UI Press.
- Moleong, J.L. (2009). *Metode Penelitian Kualitatif*. Bandung: Remaja Rosdakarya.
- Nugroho, R. (2012). *Public Policy: Dinamika Kebijakan, Analisis Kebijakan, dan Manajemen Kebijakan*. Jakarta: PT. Elex Media Komputindo.
- Peraturan Pemerintah Nomor 6 Tahun 2010 tentang Satuan Polisi Pamong Praja
- Peraturan Daerah Provinsi Jawa Timur Nomor 4 Tahun 2013 tentang Penyidik Pegawai Negeri Sipil
- Peraturan Daerah Provinsi Jawa Timur Nomor 11 Tahun 2016 tentang Pembentukan dan Susunan Perangkat Daerah
- Peraturan Gubernur Jawa Timur Nomor 26 Tahun 2014 tentang Petunjuk Pelaksanaan Peraturan Daerah Provinsi Jawa Timur Nomor 4 Tahun 2013 Tentang Penyidik Pegawai Negeri Sipil
- Peraturan Gubernur Jawa Timur Nomor 87 Tahun 2016 tentang Kedudukan, Susunan Organisasi, Uraian Tugas Dan Fungsi Serta Tata Kerja Satuan Polisi Pamong Praja Provinsi Jawa Timur.
- Soenarko. (2003). *Public Policy: Pengertian Pokok Untuk Memahami dan Analisa Kebijaksanaan Pemerintah*. Jakarta: Airlangga University Press.
- Triana, R.W. (2011). *Implementasi dan Evaluasi Kebijakan Publik*. Surabaya: PT Revka Petra Media.
- Undang Undang Negara Republik Indonesia Nomor 23 Tahun 2014 tentang Pemerintahan Daerah
- Wahab, S.A. (2016). *Analisis Kebijakan dari Formulasi ke Penyusunan Model-Model Implementasi Kebijakan Publik*. Jakarta: Bumi Aksara.