International Journal of Law
www.lawjournals.org
ISSN: 2455-2194
Received: 07-08-2026, Accepted: 06-09-2026, Published: 21-09-2026
Volume 12, Issue 3, 2026, Page No. 510-515

The role of police investigators in narcotics crime investigations under Indonesia's 2025 Criminal Procedure Code: A study in West Nusa Tenggara

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Abstract
The enactment of Law Number 20 of 2025 concerning the Criminal Procedure Code (KUHAP) introduces fundamental changes to Indonesia's criminal justice system, particularly concerning investigators' authority, the mechanisms for coercive measures, strengthened coordination between investigators and public prosecutors, and the protection of suspects' rights. These changes affect the investigation of narcotics crimes, which are characterized by organized structures, cross-regional operations, and the use of technology. This study aims to analyze the role of Indonesian National Police investigators at the Narcotics Investigation Directorate of the West Nusa Tenggara Regional Police in handling narcotics crimes under the new Criminal Procedure Code. The study employs a socio-legal (empirical juridical) method using statutory, conceptual, and empirical approaches. Primary data were obtained through interviews, observations, and documentation and were analyzed descriptively and qualitatively by connecting legal norms with their implementation in practice through Role Theory and Integrated Criminal Justice System Theory. The findings show that investigators perform their role through the stages of receiving reports, preliminary investigation, formal investigation, evidence collection, implementation of coercive measures, suspect determination, case-file completion, and coordination with public prosecutors, the National Narcotics Agency, forensic laboratories, and other relevant institutions. In principle, these roles are consistent with the normative provisions of the new Criminal Procedure Code. Nevertheless, gaps remain between role expectations and role performance, particularly in the uniform understanding of the new rules, digital evidence management, electronic administration, and documentation of interinstitutional coordination. Strengthening technical guidelines, improving human-resource capacity, and optimizing interinstitutional coordination are therefore necessary to support the effectiveness of an integrated criminal justice system.

Keywords: 2025 Criminal Procedure Code, investigator's role, integrated criminal justice system, narcotics crimes, coercive measures

Introduction

Indonesia is a state based on the rule of law, as expressly affirmed in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia. The consequence of this principle is that every action undertaken by state authorities, including law enforcement officials in handling criminal cases, must be based on applicable law. Criminal law enforcement requires not only provisions defining prohibited conduct and the corresponding criminal sanctions, but also criminal procedural law regulating the manner in which the state exercises its authority to conduct preliminary investigations, investigations, prosecutions, court examinations, and the enforcement of judicial decisions within an integrated criminal justice system.

At the initial stage of the criminal justice process, investigators play a crucial role. Investigation constitutes a series of actions undertaken by investigators to seek and collect evidence in order to clarify the occurrence of a criminal offense and identify the suspect. The results of an investigation form the basis for the public prosecutor to determine whether a case satisfies the requirements for referral to court; consequently, the quality of an investigation directly affects the effectiveness of law enforcement at subsequent stages. [1] The role of investigators in handling narcotics crimes requires even more complex capabilities than ordinary criminal offenses because of the organized and adaptive nature of such crimes. [2]

For more than four decades, Indonesia's criminal procedure was governed by Law Number 8 of 1981 [25] concerning Criminal Procedure Law. This legislation was considered no longer fully compatible with changes in the constitutional and governmental system, developments in society, advances in information technology, and the need to strengthen the protection of human rights. These circumstances encouraged the enactment of Law Number 20 of 2025 [9] concerning the Criminal Procedure Code, which entered into force on 2 January 2026 and simultaneously repealed Law Number 8 of 1981 [25, 9]

The new Criminal Procedure Code positions Indonesian National Police investigators as the primary investigators authorized to investigate all criminal offenses, alongside civil servant investigators and certain other investigators. This position is accompanied by broad duties and powers, ranging from collecting evidence and implementing coercive measures to determining suspects and implementing restorative justice within the limits and procedures prescribed by law. [9] The enactment of the new rules requires investigators to adjust their understanding and practices while emphasizing the importance of examining the limits of investigative authority to prevent overlapping powers and arbitrary actions. [3]

The handling of narcotics crimes is governed not only by the Criminal Procedure Code but also by Law Number 35 of 2009 [11] concerning Narcotics, which contains specific provisions on investigation, investigative authority, evidence, and the management of seized narcotics. [11] The Narcotics Law grants investigative authority to both the Indonesian National Police and the National Narcotics Agency (BNN), meaning that case handling may involve more than one institution. The existence of these two institutions creates a potential for overlapping authority if their respective boundaries are not understood consistently, as highlighted in previous legal studies. [4, 12]

The Narcotics Investigation Directorate (Ditresnarkoba) of the West Nusa Tenggara Regional Police (Polda NTB) is the unit responsible for carrying out core narcotics investigation functions at the regional police level and is responsible for conducting preliminary and formal investigations of narcotics crimes in the NTB area. Investigators within this unit are required not only to uncover offenders and narcotics trafficking networks but also to ensure that every investigative process complies with the new Criminal Procedure Code. To provide an empirical context, Table 1 presents summary statistics on narcotics cases in NTB.

Table 1: Narcotics Case Statistics in NTB (2024 [4]–2026)

Period	Cases	Suspects
Oct–Dec 2024	116	116
Jan–Apr 2025	165	248
May–Jul 2025	32	45
Aug–Dec 2025	112	165
Jan–Feb 2026	157	240

Source: Ditresnarkoba Polda NTB, Antara News, Tribrata NTB, and Global FM Lombok (2024–2026).

Some of the cases within this period began their investigations after the new Criminal Procedure Code came into force. Accordingly, investigators at the Narcotics Investigation Directorate of the NTB Regional Police have directly encountered the implementation of the new criminal procedural law. The existence of new legal norms does not automatically guarantee effective implementation; investigators require a shared understanding, technical guidelines, training, supporting facilities, and clear coordination with relevant institutions. [9]

Based on the foregoing, this article focuses on one principal issue: how Indonesian National Police investigators perform their role in handling narcotics crimes under Law Number 20 of 2025 [9] concerning the Criminal Procedure Code at the Narcotics Investigation Directorate of the NTB Regional Police. The focus is directed toward analyzing the consistency between the investigators' normative role and its implementation in practice, as part of an effort to assess the effectiveness of narcotics law enforcement within the framework of an integrated criminal justice system.

Research Method

This study employs a socio-legal (empirical juridical) research method focusing on the operation of law within social and institutional practice. The approaches used comprise a statutory approach to examine the legal norms underlying investigative authority, a conceptual approach to understand legal doctrine and scholarly views concerning the role of investigators and the criminal justice system, and an empirical approach to examine investigators' conduct in translating legal norms into concrete actions. Primary data were obtained through in-depth interviews, observations, and documentation at the Narcotics Investigation Directorate of the NTB Regional Police, including interviews with officials responsible for controlling investigations, investigators, public prosecutors handling narcotics cases resulting from investigations by the Directorate, and officials of the NTB Provincial National Narcotics Agency. Secondary data were collected from relevant legislation and previous research. Data were analyzed descriptively and qualitatively by connecting legal provisions with their implementation in practice, using Role Theory and Integrated Criminal Justice System Theory as analytical frameworks.

Results and Discussion

1. Role Theory and the Integrated Criminal Justice System as Analytical Frameworks

Role Theory explains that individual behavior within a social system is shaped by a set of expectations attached to a particular position or status. Individuals are not understood as completely autonomous actors; rather, their actions are influenced by social structures, institutional norms, and collective expectations. [5] A role is always attached to status: status indicates a person's position within a social structure, whereas a role refers to the pattern of behavior expected from that status. [7] Within law enforcement institutions, the status of an investigator carries a set of expectations established normatively through legislation, standard operating procedures, and organizational culture.

Role Theory recognizes two principal dimensions, namely role expectation, or the normative expectations attached to a position, and role performance, or the actual performance of that role in practice. The gap between the two is frequently the focus of empirical inquiry because it demonstrates the difference between "what should be done" and "what actually occurs."[6] The theory also recognizes role conflict, which occurs when an individual faces two or more competing role demands, and role ambiguity, which occurs when the boundaries of a role are not clearly defined. In this study, Role Theory is used to assess the consistency between the investigators' normative role and its implementation at the Narcotics Investigation Directorate of the NTB Regional Police.

Integrated Criminal Justice System Theory emphasizes that criminal law enforcement cannot be viewed as the activity of a single isolated institution, but rather as a system in which the police as investigators, the prosecution service as public prosecutors, the courts, correctional institutions, and supporting institutions such as the National Narcotics Agency are interconnected. [8] Integration encompasses structural, substantive, and cultural synchronization. The quality of an investigation affects prosecution strategies and the completeness of case files; consequently, inadequate coordination may result in procedural defects or errors in the application of legal provisions. [23] In the context of narcotics crimes involving cross-regional networks and complex modus operandi, this theory provides a basis for assessing the effectiveness of interinstitutional integration.

2. Normative Basis of the Role of Indonesian National Police Investigators under the 2025 [1] Criminal Procedure Code and the Narcotics Law

Law Number 2 of 2002 [10] concerning the Indonesian National Police constitutes the legal basis for the functions, duties, and authority of the Police, including law enforcement and the protection, guidance, and service of the community. [10] Under the new Criminal Procedure Code, the role expectation of investigators at the Narcotics Investigation Directorate of the NTB Regional Police derives from Law Number 20 of 2025 [9], which positions Indonesian National Police investigators as the primary investigators with authority to investigate all criminal offenses, implement coercive measures, determine suspects, and coordinate with public prosecutors from the early stages of investigation. [9]

This role is supplemented by specific provisions in Law Number 35 of 2009 [11] concerning Narcotics, which regulates investigative authority, evidence, and the management of seized property and positions the Narcotics Law as a lex specialis in relation to the Criminal Procedure Code. [11] The relationship between general criminal procedural law and special procedural provisions requires investigators to determine the appropriate legal basis so as to avoid errors in the legal basis, overlapping authority, and issues concerning the validity of evidence.

Previous studies indicate that uncertainty regarding the boundaries of authority between the Indonesian National Police and the National Narcotics Agency frequently creates the potential for overlapping investigations, making coordination an essential prerequisite. [4, 12]

3. Implementation of the Investigators' Role from Receipt of Reports to the Commencement of Formal Investigation

The findings show that narcotics cases begin with the receipt of reports, complaints, or information originating from members of the public, intelligence activities, territorial units, the development of previous cases, or coordination with relevant agencies. Such information is not immediately used as a basis for arrest. It is first recorded, examined, and verified to establish its accuracy, source reliability, location, identities of potentially involved parties, and the possible existence of evidence.

"Initial information usually comes from public reports, the development of previous cases, reports from territorial units, or monitoring conducted by personnel. Such information is not immediately used as a basis for arrest. We first conduct checks to verify the accuracy of the information, the location, the parties involved, and the possibility that evidence exists."

Viewed through Role Theory, this conduct demonstrates consistency between role expectation and role performance. Investigators are expected to exercise their authority carefully and objectively and not act solely on the basis of suspicion; this expectation is realized through verification before further action is taken. During the preliminary investigation stage, investigators gather information, conduct surveillance, perform tracking, and use undercover methods in accordance with the characteristics of the case. Changes in narcotics transaction patterns through mobile phones, messaging applications, electronic payments, delivery services, and drop-off methods require investigators to adapt their methods and develop their capacity to collect and process digital information. [1] This demonstrates the adaptive nature of the investigators' role in responding to continuously evolving criminal methods. [13]

The transition from preliminary investigation to formal investigation occurs after an evaluation of the preliminary investigation report, initial statements, items discovered, and the involvement of suspected parties. When the case is considered sufficiently supported, the authorized official issues an investigation order and appoints an investigative team. This mechanism demonstrates the division of roles within the organization: investigators perform operational duties, while officials responsible for investigative control supervise the process to ensure that every action has a clear legal and administrative basis. Once the formal investigation begins, investigators submit the Notification of Commencement of Investigation (SPDP) to the public prosecutor as the beginning of formal coordination concerning the construction of the case, evidentiary requirements, applicable provisions, and administrative completeness.

4. Investigators' Role in Evidence Collection and Evidence Management

The findings show that investigators do not rely solely on items suspected of being narcotics, but also collect witness testimony, expert testimony, documents, electronic information, and other evidence related to the case. Items suspected of being narcotics are first recorded, weighed, packaged, marked, and sealed, after which samples are sent to a forensic laboratory to determine the type and substance content. This procedure preserves the integrity of the evidence and ensures continuity between the item discovered, seized, examined in the laboratory, and presented in the legal process.

"Items suspected of being narcotics are first recorded, weighed, packaged, marked, and sealed. Samples are then sent to the forensic laboratory to determine their type and content. The laboratory examination results are included in the case file."

Investigators also examine communication devices to identify relationships between suspects and suppliers, couriers, dealers, and buyers, and then connect communication and transaction data with witness statements, locations, times of occurrence, and physical evidence. From the perspective of Role Theory, this conduct demonstrates the evidentiary role of investigators: they do not merely collect evidence but must establish the relationships among pieces of evidence so that the criminal event and the suspect's involvement can be clarified. [15] The increasing use of electronic evidence places greater demands on investigators to acquire, examine, preserve, and properly document electronic evidence. If such evidence is not properly managed, its authenticity and relevance may be challenged, making digital forensic science important for ensuring the integrity and authenticity of evidence. [16, 18] The probative value of electronic information and documents must also be understood as an extension of legally admissible forms of evidence in criminal procedure. [17, 14]

5. Implementation of Coercive Measures and Protection of Suspects' Rights

The findings show that investigators carry out arrests, detention, searches, and seizures in accordance with the requirements of criminal procedural law. At the time of arrest, investigators present their assignment letter and arrest warrant to the person being arrested, except in cases of apprehension in the act, and explain the grounds for the arrest and the criminal offense of which the person is suspected. Seized items are recorded, weighed, packaged, labeled, sealed, and documented in an official report.

In implementing coercive measures, investigators may face role conflict. On the one hand, in narcotics cases investigators are required to act quickly to prevent suspects from fleeing or destroying evidence; on the other hand, investigators must protect the rights of persons subjected to coercive measures. This role conflict must be resolved by continuing to comply with legal procedures because the success of an investigation is measured not only by the apprehension of an offender or the discovery of evidence but also by the legality of investigative actions. [6] The application of due process under the new Criminal Procedure Code further strengthens the consequences of unlawful coercive measures, making the protection of suspects' rights one of the indicators of the legality of the examination process [19]

6. Determination of Suspects and Completion of Case Files

A person is designated as a suspect after investigators have obtained sufficient evidence and conducted a case conference to assess the sufficiency of the evidence, the relationship between the person examined and the criminal event, and the appropriateness of the legal provisions applied. The case conference constitutes a form of supervision and control over investigators' decisions, ensuring that suspect determination is not based solely on the investigator's belief but is supported by evidence and can be explained factually and legally.

Under the new Criminal Procedure Code, suspect determination is positioned as a legal consequence of sufficient evidentiary support rather than merely an initial objective of the investigation. [9] Once designated as a suspect, the person is informed of the alleged criminal offense and his or her rights, including access to legal assistance, the opportunity to contact family members, and the right to provide statements without pressure or coercion. In this regard, investigators perform two roles simultaneously: collecting information to clarify the criminal offense and protecting the suspect's rights during examination. [19]

After the examination is completed and the evidence is considered sufficient, investigators prepare the case file containing orders, examination records, documentation of coercive measures, laboratory results, a list of evidence, and supporting documents, and then submit it to the public prosecutor for examination of its formal and substantive completeness. If the file is incomplete, the public prosecutor returns it with instructions. The return of a case file constitutes part of the supervisory mechanism; however, repeated returns due to the same deficiencies indicate that the investigators' role has not been performed optimally, particularly in explaining the relationship between the evidence and the elements of the alleged offense.

7. Interinstitutional Coordination within the Integrated Criminal Justice System

The findings show that investigators at the Narcotics Investigation Directorate of the NTB Regional Police coordinate with public prosecutors, the NTB Provincial National Narcotics Agency, forensic laboratories, courts, rehabilitation institutions, communication service providers, financial institutions, and police units in other jurisdictions. Coordination with public prosecutors takes place from the submission of the SPDP through the transfer of suspects and evidence and includes communication concerning evidentiary requirements, the application of legal provisions, administrative completeness, case-file examination, and compliance with prosecutorial instructions.

From the perspective of the Integrated Criminal Justice System, the relationship between investigators and public prosecutors is complementary: the public prosecutor does not assume the investigator's authority but provides directions based on evidentiary requirements at the prosecution stage [20].

Coordination with the NTB Provincial National Narcotics Agency takes place through information exchange, network development, prevention of duplicate handling, and the implementation of integrated assessments. Such coordination is necessary because both the Indonesian National Police and the National Narcotics Agency possess authority to handle narcotics crimes; without coordination, overlapping targets and investigative actions may occur. [3, 4] Information exchange between the two institutions constitutes a form of structural synchronization, while integrated assessment demonstrates the involvement of legal, medical, and social dimensions in handling suspects.

Coordination with forensic laboratories ensures scientific certainty regarding the type and content of substances, while coordination with communication service providers and financial institutions is used to trace relationships among offenders and transaction patterns. Coordination between the Indonesian National Police and communication service providers, as well as other agencies, further demonstrates the importance of clear cross-institutional authority. [21]

Coordination with courts occurs in the implementation of actions requiring judicial authorization or approval, serving as judicial oversight of investigative measures that may restrict an individual's rights. In cross-regional cases, investigators coordinate with other regional and district police units because suppliers, couriers, storage locations, and distribution routes may fall within different jurisdictions.

Every coordination activity must be supported by clear documentation demonstrating the division of tasks, actions undertaken, and responsible parties. Such interinstitutional collaboration among law enforcement agencies constitutes a core element of the effectiveness of an integrated criminal justice system. [22, 23]

8. Adjustment to the 2025 Criminal Procedure Code and Evaluation of the Investigators' Role

The enactment of Law Number 20 of 2025 [9] has required the Narcotics Investigation Directorate of the NTB Regional Police to adjust its investigative administration and procedures, including investigation documents, the implementation of coercive measures, fulfillment of suspects' rights, coordination with public prosecutors, and electronic evidence management. The adjustment does not merely involve changing document formats but ensuring that every action has a legal basis, stated reasons, a record of the time of implementation, identification of parties who were notified, and complete official documentation. Investigators' understanding of the new Criminal Procedure Code has been developed through socialization, directions from leadership, internal discussions, and case conferences. [9]

Nevertheless, the findings indicate that several areas still require further technical guidance, particularly digital evidence management, the use of electronic administration, access to certain data, and the relationship between the new Criminal Procedure Code and special provisions of the Narcotics Law. Unclear guidelines may lead to differences in application among investigators or units. [2] During the transition period, investigators are also handling cases whose investigations commenced both before and after the new Criminal Procedure Code entered into force. Consequently, the determination of applicable procedural law must take into, account the date on which the investigation commenced and the transitional provisions so that the legal basis remains consistent from investigation through prosecution. [9]

Based on Role Theory, the performance of the investigators at the Narcotics Investigation Directorate of the NTB Regional Police has generally moved toward the role prescribed by legislation. Investigators have carried out the receipt of reports, preliminary investigations, formal investigations, evidence collection, coercive measures, suspect examinations, and case-file completion, while also protecting suspects' rights and coordinating with relevant institutions. Nevertheless, a gap remains between role expectation and role performance, particularly regarding uniform understanding of the new Criminal Procedure Code, digital evidence management, electronic administration, and documentation of coordination. From the perspective of the Integrated Criminal Justice System, strengthening these aspects is important to ensure that interinstitutional integration is not merely structural but also substantive and cultural. [8, 20]

Conclusion

The role of Indonesian National Police investigators at the Narcotics Investigation Directorate of the NTB Regional Police in handling narcotics crimes under Law Number 20 of 2025 [9] concerning the Criminal Procedure Code has, in principle, been carried out in accordance with their duties and authority. This role is realized through the stages of receiving reports, preliminary investigation, formal investigation, evidence collection, implementation of coercive measures, suspect determination and examination, preparation and completion of case files, and coordination with public prosecutors, the National Narcotics Agency, forensic laboratories, courts, and other relevant institutions within an integrated criminal justice system.

Analyzed through Role Theory, the performance of the investigators demonstrates a relatively strong consistency between role expectation and role performance, particularly in information verification, preservation of evidence integrity, case conferences, and protection of suspects' rights. Nevertheless, the investigators' role still needs to be strengthened because gaps remain in the uniform understanding of the new Criminal Procedure Code, digital evidence management, refinement of electronic administration, documentation of coordination, and harmonization between the Criminal Procedure Code and the special provisions of the Narcotics Law.

Accordingly, the development of technical guidelines, implementation of training, strengthening of supervision, improvement of human-resource capacity, and optimization of interinstitutional coordination are necessary to ensure that the investigators' role in handling narcotics crimes is effective, lawful, and accountable in accordance with the requirements of an integrated criminal justice system.

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