



Juridical Study of the Authority of Psychologists in Psychological Examination of Members of the National Police Who Commit Disciplinary Violations in the Ranks of the Bali Police

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ABSTRACT

The background of this research is based on the importance of a psychological approach in dealing with disciplinary violations of members of the National Police, considering the complexity of psychological factors that underlie undisciplined behavior. This study aims to analyze the authority of psychologists in examining members of the National Police who violate discipline in the Bali Police and identify obstacles faced in its implementation. The research method used is qualitative normative by examining laws and regulations, official documents, and related literature. Data is analyzed through identification, categorization, and interpretation of primary and secondary legal sources. The results of the study show that psychologists play an important role in identifying psychological problems and providing interventions through counseling. However, its implementation is constrained by structural factors such as lack of support from superiors, lack of clear job desks, and limited budget and understanding. The conclusion of the study underscores the need to strengthen the role of psychologists through the preparation of clear regulations, capacity building, and special budget allocation. These findings have practical implications for the development of a more comprehensive disciplinary violation handling system with a psychological approach, as well as providing the basis for further research on the effectiveness of psychological interventions in police institutions.

Keywords: Psychology, Police, and Discipline and Ethics

INTRODUCTION

The Indonesian National Police is a state apparatus that plays a role in maintaining public security and order, enforcing the law, and providing protection, guidance, and services to the public in order to maintain domestic security. Article 13 of Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia states that the National Police has the main tasks of maintaining public security and order, enforcing the law, and providing protection, guidance, and services to the community (Arif, 2021; Ashari, 2020; Pandelaki, 2018; Ranofika et al., 2023; Suntaka, 2018; Tamrin, 2023; Tuasikal, 2020). Regarding their duties and functions, the Police need to possess various technical abilities, including skills in the field of psychology. This is considered necessary because police work inherently requires special psychological competencies and because of the national scope of the Police's responsibilities (Ahmad et al., 2022; Nuzuli, 2023; Rusli, 2023). Police officers are expected to act appropriately by taking into account the

most fundamental principles of psychology. In this way, there will no longer be instances of police members conducting interrogations through violence.

By looking at the above background, the following problem formulations can be derived: first, how is the authority of psychologists in examining members of the National Police who commit disciplinary violations within the ranks of the *Polda Bali* (Bali Regional Police)? Second, what are the obstacles faced by psychologists when examining police members who commit disciplinary violations within the *Polda Bali*?

The role of psychologists in examining members of the National Police who commit disciplinary violations is a crucial aspect of efforts to create a professional police force with integrity. Previous research by Ardani et al. (2020) in the *Journal of Police and Criminal Psychology* focused on the effectiveness of psychological interventions in reducing work stress among police members but did not address the formal authority of psychologists in the disciplinary examination process. Meanwhile, Prakoso's (2019) research in the *Indonesian Journal of Legal Sciences* examines the role of forensic psychology in the criminal investigation process but does not specifically discuss the context of internal disciplinary violations within police institutions. These two studies reveal a related academic gap: (1) the legal basis for psychological authority in the disciplinary examination of the National Police, and (2) a comprehensive analysis of operational obstacles encountered in the field.

This study aims to explore and analyze in depth the authority of psychologists in examining police members who commit disciplinary violations within the ranks of the *Polda Bali*, as well as the obstacles they encounter. The findings of this research are expected to provide practical contributions in the form of recommendations for improving SOPs in psychological examinations, as well as theoretical contributions to the development of police psychology literature in Indonesia.

METHOD

This study uses a normative research method with a qualitative approach to analyze the authority of psychologists in examining members of the National Police who commit disciplinary violations within the *Polda Bali* (Bali Regional Police). The research data consisted of primary sources in the form of laws and regulations, such as Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia, Government Regulation Number 2 of 2003 concerning Police Member Discipline, and Regulation of the National Police Chief Number 14 of 2011 concerning the Code of Ethics of Police Members. Secondary data included books, journals, and related research results. Johnny Ibrahim argues that normative legal research is a form of scientific inquiry aimed at finding the truth based on legal scientific logic, reviewed from the normative perspective, or as an effort to find the law that is tailored to a specific case.

Data collection techniques were carried out through document studies and content analysis of various legal sources and psychological literature. The data were then analyzed qualitatively through the stages of identification, categorization, interpretation, and verification to ensure the accuracy of the findings. The validity of the data was maintained through triangulation of sources by comparing information from various documents and expert opinions.

This study has limitations, namely its focus on normative analysis without involving empirical data directly from the field. As a result, the findings are limited to legal and psychological aspects reflected in the relevant regulations and literature. Nevertheless, with this approach, the research is expected to provide a comprehensive understanding of the role of psychologists in handling disciplinary violations committed by members of the National Police.

RESULTS AND DISCUSSION

The Authority of Psychologists in Examining Members of the National Police Who Commit Disciplinary Violations in the Bali Police

Many people interpret psychology in various senses, psychology itself contains different meanings according to the development of science itself, For more depth about the meaning of psychology, here are various opinions of experts about the meaning of psychology. Sarlito Wirawan Sarwono gave an understanding of psychology, namely: "Psychology is the science which studies human behavior is relation to their environment." (Psychology is the science that studies human behavior related to its environment).

In general, the role of psychology is divided into 2 areas in law, namely scientific and applicative. Scientifically, psychology plays a role in the process of legal development based on psychological research. Applicatively, psychology plays a role in psychological interventions that can help in legal processes. The function of legal psychology in the legal process began to be seen since the establishment of the Indonesian Psychological Association. This shows that legal psychology is needed to help reveal criminal cases, deviant behavior, as well as for the enforcement of the legal system. The branches of psychology that play a role in the legal system and legal process are Social Psychology, Cognitive Psychology, Developmental Psychology, and Clinical Psychology. Like the results of psychological research on the memory ability of witnesses or victims, it can also be used to explain the behavior of the defendant and the victim. Legal psychology in legal processes can be applied in the stages of the legal process.

Police psychology as a branch of psychology is the application of psychological concepts for the benefit of law enforcement, meaning that the main concepts of psychology are used for law enforcement in order to achieve justice, namely by using certain techniques that are commonly applied by psychology so that investigators in conducting examinations of suspects do not need to be angry and can direct suspects to be able to provide correct answers. Regardless of the fact whether he is guilty or not, as well as in criminal psychology faced by the investigator as an examiner, he can deal with the perpetrator of a criminal act better in order to facilitate the investigation at the investigation level.

Discipline comes from the Latin word discipline, which means Practice or education of decency and spirituality as well as character development. Some expert opinions give the following definition of discipline: according to Moekijat defines discipline as a force that exists in the body of the doer himself that causes him to adapt voluntarily to the decisions, rules, and high values of work and behavior. Sastrohadiwiryono defines work discipline as an act of respect, respect, obedience, and obedience to the rules that apply both in writing and unwritten and being able to

implement them and not refuse to accept sanctions if there is a violation of the duties and authorities given to him. According to Government Regulation No. 2 of 2003, Discipline is serious obedience and compliance with the disciplinary regulations of members of the National Police of the Republic of Indonesia (PP. No. 2 of 2003 Article 1 paragraph (2)). Discipline can be defined as "a form of attitude or action of respecting, appreciating, obeying and obeying applicable rules, both written and unwritten and able to carry them out and not evade to get sanctions if a person violates the duties and authorities that have been given to members of the National Police of the Republic of Indonesia".

Regulation on Police discipline with Government Regulation No. 3 of 2003 issued on January 1, 2003 which has been adjusted to the demands of duties and authorities as well as the responsibilities of members of the National Police as civilian police. In addition, the formulation of the National Police's discipline is adjusted to the context of legal and constitutional developments as well as the aspirations of the community according to the demands of the times. Members of the police will become civilian police and serve everyone in the community from different social strata and ranks in society. Every police officer must remember that there is no indispensable qualification for a police officer other than perfect control of anger or emotion, not to take into his heart any form of insult, including in the smallest degree of speech or threats that may be made to him. Police figures are required to be no different in the implementation of their duties and functions according to the law and in daily life. So there is no clear boundary between personal life and work life in the implementation of work in members of the National Police. A member of the National Police who is not on duty is still considered a police figure who must always be ready to provide protection to the community. Therefore, disciplinary regulations for members of the National Police, in addition to regulating the way of life in the implementation of their duties, also regulate the life of members of the National Police as individuals in community life.

The Police disciplinary regulations contain the main obligations and prohibitions and sanctions if the obligations of a member of the Police are not carried out or there is a violation of the prohibition. The disciplinary regulations also contain the punishment imposed on members of the National Police if they violate prohibitions or regulations. The disciplinary regulation is to foster members of the National Police in a work atmosphere full of conflict, tension and uncertainty, as well as to foster a new character and culture of the National Police according to the demands of reform as a civilian force. In the Police Disciplinary Regulations, the procedures for examination, the procedure for imposing disciplinary punishment, and the procedure for submitting objections if the member of the National Police who was sentenced to discipline felt that he objected to the punishment imposed on him. The purpose of imposing disciplinary punishment is to improve and educate members of the National Police who commit disciplinary violations so that they can change for the better.

In the Settlement of Violations and the Sentencing of Police Discipline, it is carried out immediately and directly at the time of knowledge of the disciplinary violation committed by the Members of the National Police as referred to in Article 14 paragraph (1) of Government

Regulation Number 2 of 2003. The imposition of disciplinary punishment is decided in a disciplinary hearing which is the authority of the superior who has the right to punish. The investigation of cases of disciplinary violations is based on public reports, arrests, or findings by officers. The official authorized to impose disciplinary action is a direct superior, indirect superior or a member of the Provost of the National Police. The Provost is a functional unit in the National Police that is tasked with assisting leaders to foster and enforce discipline and maintain the discipline of members of the National Police.

The settlement of disciplinary violations is permanent and inherent in the superior who has the right to punish (Ankum). Ankum is authorized to order the Provost and/or appointed officials to conduct an examination of disciplinary violations by members of the National Police. Based on Article 25 of the Government Regulation of the Republic of Indonesia Number 2 of 2003 and Article 33 of the Regulation of the Chief of the National Police of the Republic of Indonesia Number 2 of 2016 concerning the settlement of disciplinary violations of members of the National Police, it is carried out through the following stages: 1. Report or Complaint; 2. Preliminary Inspection; 3. Examination in Front of the Disciplinary Hearing; 4. Imposition of disciplinary penalties; 5. Implementation of Punishment.

Obstacles Faced by Psychologists When Examining Police Members Who Commit Disciplinary Violations in the Bali Police

The Code of Ethics of Psychology is the result of noble values contained in Pancasila and the 1945 Constitution. Based on these noble values, Higher Education in Psychology has produced psychologists and psychological scientists who always respect and respect human dignity and uphold the preservation of human rights. The knowledge, competence, skills and experience possessed by Psychologists and Psychological Scientists should only be used for purposes that are based on principles that obey the principles and noble values of Pancasila and the 1945 Constitution as well as human values in general, accompanied by efforts to prevent abuse committed by the psychological community and other parties. In the police, the procedure for implementing police psychology is regulated in the standard operational procedures of Psychological Counseling from the Bali Police Personnel Bureau of the Psychology Section.

The implementation of Psychologists in the Problematic Police is carried out through: a. Examination through observation. Police is a work profession that is tasked with ensuring law enforcement and maintaining public safety. Related to the task of law enforcement, the police work to fight crime, namely by reducing the level of crime that occurs in the environment. b. Examination Through In-Depth Interviews. Interviews are conducted by adjusting the subject's problems and the subject's personal characteristics based on the individual's previous understanding steps. The interview guidelines will be very helpful for the direction of the interview so that it does not widen, so that it can focus on providing comfort for the client to convey his feelings and problems and the counselor's response is tailored to the subject, mark and record it by asking the subject if it is allowed to record or record the conversation.

In order to ensure the professional ability of the police in the implementation of their duties and functions, it is stated in Article 32 of Law Number 2 of 2002 concerning the Police, that the development of professional skills of officials of the National Police of the Republic of Indonesia is carried out through the development of professional ethics and the development of their knowledge and experience in the technical field of the police through education, training, and assignment in stages and continuously.

Efforts to enforce police discipline are urgently needed for the realization of the implementation of the duties imposed and the achievement of the professionalism of the National Police. It is very unlikely that law enforcement can run well, if the law enforcement itself (Polri) is not disciplined and unprofessional. The indiscipline and unprofessionalism of the National Police will have a great impact in terms of law enforcement or disclosure of crimes that occur in the community. The condition of weakening the discipline and professionalism of members of the National Police that occurred at this time is often starting to become the talk of the wider community. With frequent reports in various mass media about disciplinary actions carried out by members of the National Police, for example, the many cases of misuse of firearms by members of the National Police, the existence of members of the National Police who are involved in criminal acts, arbitrary actions of members of the National Police, and many other cases that illustrate the lack of discipline of members of the National Police, make it a concern for the community related to the implementation of the main duties of the National Police, namely maintaining security and order society, order and law enforcement, the implementation of protection, protection, and service to the community, and the development of community peace by upholding human rights.

Based on findings in the field, the obstacles faced in enforcing the law on violations of isolin in the Police environment in the Bali Police are as follows: (a). Frequent changes in internal legal rules in the body of the National Police are also nothing but problems that are often faced by the Bali Police Changes in rules will have an impact on the application of the law that occurs in the field so that it will allow the creation of problems because law enforcement officers (APH) must return conform to applicable laws. This obstacle can cause confusion from officials in certain fields so that the implementation of law enforcement must be adjusted again to the new rules even though the rules are only limited to complementing. (b). It is difficult to obtain witness information from the public and there is no legal sanction for witnesses if they do not comply with the summons. This happens because people are still afraid to deal with the law. Even though it is clearly written that there is legal protection for witnesses who give their testimonies and so that they are not afraid to cooperate with the police in enforcing the law in Indonesia. The rules regarding witness protection are found in Law No. 13 of 2006 concerning the Protection of Witnesses and Victims, and in accordance with the provisions of Article 4, the protection of witnesses and victims aims to provide a sense of security to witnesses or victims in providing information in every criminal justice process. Finally, the absence of witnesses can also affect the investigation and of course burdensome for violators of the code of ethics who are at trial. (c). In general, family members of the National Police such as wives/husbands, children, parents, or guardians do not dare to report

members of the National Police who are suspected of violating the National Police code of ethics because they understand that the consequences of criminal acts can result in dismissal. (d). There is no coercive effort such as criminal proceedings to summon the alleged offender if he is not present. Given that the trial can still continue even if the violator is absent 2 (two) times in a row, and the verdict will still be handed down in accordance with the decision of the Police Code of Ethics Commission (KKEP) hearing.

Efforts to bring violators into the trial certainly greatly affect the course of the trial. With the presence of the alleged violator, the trial will get information from the violator which can later be used as a reference to make administrative sanction decisions. €. There is a Psychological Factor for leaders as Annum to sentence dishonorable dismissal (PTDH) for members of the National Police who violate the Police Code of Ethics, taking into account the consequences of the family concerned. Psychological factors affect not only human daily behavior, but also their character. Therefore, psychological problems must be solved to the root so that they do not get worse. Psychological problems experienced by Annum or the superiors of the National Police whose members commit criminal acts of violating the code of ethics will usually feel that they have failed to foster their members as good members of the National Police and have a commitment to maintain the integrity of the Republic of Indonesia. Therefore, psychological factors in this case are also an obstacle because it not only has an impact on the offender and his family, but also the person above him who feels responsible for guiding and educating him to become a member of the National Police who is dedicated to his country.

CONCLUSION

The authority of psychologists in examining members of the National Police who commit disciplinary violations within the ranks of the *Polda Bali* (Bali Regional Police) includes helping to identify the problems that lead to disciplinary actions by members of the National Police and providing counseling to reduce indiscipline among police members, which is closely related to issues of lack of awareness, compliance, and fulfillment of their responsibilities as part of the Police. The obstacles faced by psychologists in this context include the lack of optimal support for counseling programs, the absence of well-defined *job desk* arrangements for psychologists, budget constraints, limited socialization, and insufficient understanding among both police members and psychologists themselves. To address these challenges, this research recommends preparing clear operational guidelines regarding the duties and authority of psychologists in the police system, intensifying the socialization of psychological programs to all ranks of the National Police, implementing specialized training for psychologists aligned with the police environment, allocating an adequate and dedicated budget to sustain such programs, and conducting periodic evaluations to ensure program effectiveness and enable improvements. With these measures, it is expected that the role of psychologists will become more optimal in fostering the discipline and professionalism of National Police members and in creating a more humane, psychology-based disciplinary enforcement system.

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