

The Function of The Police In Tackling The Crime of Domestic Violence In The Legal Jurisdiction of The Karangasem Resort Police

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ABSTRACT

This study examines the role of the police in handling domestic violence (KDRT) in the jurisdiction of the Karangasem Police. The research method uses a normative-empirical approach with analysis of laws and regulations, field data, and interviews with related parties. The results of the study show that the Karangasem Police implements three main strategies: (1) pre-emptive efforts through community development and norm socialization; (2) preventive efforts in the form of training of accompanying cadres and complaint services; and (3) repressive efforts through legal action. The main obstacles include limited case proof, low public awareness, and cultural barriers that consider domestic violence as a private problem. This study recommends strengthening the capacity of the apparatus, intensive community education, and the development of an integrated reporting system to increase the effectiveness of handling domestic violence. These findings make an important contribution to the development of domestic violence prevention policies in rural areas.

Keywords: *stic Violence Crimes, Response and Policing.*

INTRODUCTION

Domestic violence is a serious social problem that has received little public attention. The criminal provisions contained in *Law Number 23 of 2004* concerning the Elimination of Domestic Violence have formulated several criminal offenses that can be seen as breakthroughs because they reach into households, which have previously been closed to the law (Anwar, 2023; Dadang Iskandar, 2016; Kurniawati, 2017; Mshweshwe, 2020; Owusu Adjah & Agbemafle, 2016; Sharma & Borah, 2022; Soesilo & Indrawati, 2021; Vieira et al., 2020). Handling domestic violence is delegated to the police as the spearhead of the investigation process, and its handling is processed in accordance with applicable law. The most common form of violence today is domestic violence, and it occurs in various groups, from the lower classes to those with higher social status and education (Leasa, 2019; Muhafidin, 2021; Santoso, 2019; Sumanto et al., 2021; Zorjan et al., 2017). In general, most victims of domestic violence are women. They experience physical violence and mental/psychological suffering, which causes profound trauma for the victims, requiring treatment or legal action from law enforcement and the local government. On the other hand, male victims of domestic violence are also found. One form of this violence is the wife's dominance over her husband, which is motivated by the wife's higher income.

Based on the background above, the following problem formulations can be drawn: first, what are the police's efforts in addressing domestic violence crimes in the jurisdiction of the *Karangasem Resort Police Department*? Second, what are the obstacles faced by police investigators in addressing domestic violence crimes in the jurisdiction of the *Karangasem Resort Police Department*?

Domestic violence remains a pervasive issue in Indonesia, with women and children being the most vulnerable victims. Previous studies have examined various aspects of this problem, yet gaps persist in understanding the operational challenges faced by law enforcement, particularly in rural areas like Karangasem. For instance, Richard Sianturi et al. (2017) analyzed domestic violence handling in Semarang, focusing on criminological perspectives but overlooked the institutional barriers within police units. Similarly, Afgan Nugraha (2020) explored infidelity as a cause of domestic violence but did not address its implications for law enforcement strategies. These studies, while valuable, lack a comprehensive analysis of the systemic and cultural obstacles faced by local police in jurisdictions like Karangasem.

This study aims to identify and analyze in-depth police efforts in addressing domestic violence crimes in the jurisdiction of the *Karangasem Resort Police Department*, as well as the obstacles faced by police investigators in addressing domestic violence crimes in the jurisdiction of the *Karangasem Resort Police Department*. The findings aim to inform policy improvements, enhance victim protection mechanisms, and strengthen inter-agency coordination, ultimately contributing to more effective law enforcement practices in rural Indonesian contexts.

METHOD

The research method used in this study is a *normative research method* supported by *empirical research*, utilizing various types of primary legal materials in the form of statutory regulations and secondary legal materials in the form of library references related to domestic violence crimes as sources of research material. Johnny Ibrahim argues that *normative legal research* is a form of scientific research aimed at finding the truth based on the logic of legal science, reviewed from the normative aspect, or as an effort to discover law adapted to a particular case. Primary legal materials include *Law Number 23 of 2004* concerning the Elimination of Domestic Violence and related regulations, while secondary materials include literature, journals, and academic documents. Empirical data was obtained through observation and structured interviews with *Karangasem Police* officers (*Unit PPA*), *DPPPA*, and NGOs. Data analysis was carried out qualitatively to identify patterns, barriers, and solutions in case handling. The results are presented descriptively to answer the problem formulations. This combined approach provides a comprehensive understanding of the role of the police, as well as recommendations for policy improvement.

RESULTS AND DISCUSSION

Police Efforts to Address Domestic Violence in the Karangasem Police Department's Jurisdiction

The definition of domestic violence is also regulated in Article 1, number 1 of Law Number 23 of 2004 concerning the Elimination of Domestic Violence, which states: "Domestic violence is any act against a person, especially women, that results in physical, sexual, or psychological misery or suffering, and/or neglect of the household, including threats to commit acts, coercion, or unlawful deprivation of liberty within the household."

According to Sukri, domestic violence is: Any act committed by one or more persons against another person that results or may result in physical, sexual, or psychological misery or suffering, including threats of certain acts, coercion or arbitrary deprivation of liberty, or economic oppression that occurs within the household.

Domestic violence that results in physical disability or other suffering should not occur, as victims also have the right to feel safe and happy, as well as to receive protection from various threats of criminal acts. According to Jan Rummelink, the Indonesian government passed Law No. 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT) in 2004. This was based on the numerous cases of domestic violence (KDRT) in Indonesia and the government's concern for the human rights of its citizens. The considerations of the PKDRT Law state, among other things: All forms of violence, especially domestic violence, constitute a violation of human rights, a crime against human dignity, and a form of discrimination that must be eliminated.

In a book written by Moerti Hadiati Soeroso, the driving factors/triggers for such violence are: 1. Financial problems; 2. Jealousy; 3. Child problems; 4. Parental problems; 5. Sibling problems; 6. Issues of manners; 7. Issues of the past; 8. Misunderstandings; 9. Problems of not cooking; 10. Husbands winning alone.

The number of domestic violence cases in Karangasem has increased year after year due to several factors. The main factors are economic factors, infidelity, and other factors. Economic factors are due to the last three years, from 2022 to 2024, the community's economy was still hampered by the spread of the COVID-19 virus, which forced people to stay at home or work from home, physical distancing, and the implementation of PPKM (Community Activity Restrictions). Meanwhile, infidelity is the second leading cause of domestic violence in households, caused by one partner's inability to maintain fidelity. Other factors include the lack of children and satisfaction in bed.

Handling domestic violence cases through criminal law according to Law Number 23 of 2004 concerning the Elimination of Domestic Violence is called the integrated criminal justice system. Integrated means that the handling of domestic violence cases does not only involve prosecuting the suspect/perpetrator of the violence but also considers the rights of the victim and how to rehabilitate them. Therefore, Article 4 of Law Number 23 of 2004 concerning the Elimination of Domestic Violence regulates the objectives of eliminating domestic violence as follows: 1) Preventing all forms of domestic violence; 2) Protecting victims of domestic violence; 3) Taking action against perpetrators of domestic violence; and 4) Maintaining the integrity of a harmonious and prosperous household. The authority of the Police in providing protection to victims of domestic violence according to Law Number 23 of 2004 also includes curative efforts or rehabilitation of victims through assistance from social volunteers, medical personnel and advocates. As part of psychological protection, victims need assistance, both related to spiritual services from spiritual guides, as well as advocacy in the legal process. For spiritual services. Under Article 24 of Law Number 23 of 2004, spiritual guides are required to explain the rights and obligations of victims, as well as strengthen their faith and piety. Article 39 explains that

specifically for victim recovery efforts, services can be obtained from health workers, social workers, volunteer companions, and/or spiritual guides.

In tackling domestic violence in Karangasem Regency, the PPA Unit of the Karangasem Police collaborates with various other government agencies. These prevention efforts can be divided into three stages, namely: a) Preemptive Efforts. Preemptive efforts are efforts made by law enforcement officers in coaching to prevent the occurrence of a crime. These preemptive efforts are carried out by providing values or norms to the community to stay away from criminal acts. Based on the results of the study, the preemptive efforts that have been carried out by the Karangasem Police, especially the PPA Unit, are conducting outreach to various places at the beginning of each month. The PPA Unit of the Karangasem Police collaborates with other government agencies such as the social office, the Karangasem Women's Empowerment and Child Protection Service (DPPPA) in this case through P2TP2A, to the Social Work Service. In addition to forming a joint team in the outreach, the PPA Unit also involves the government or leaders of a place that will be given outreach such as RT, RW, to the village head/sub-district head. b) Preventive Efforts. Preventive Efforts are efforts to prevent domestic violence before it occurs.

The difference with preemptive efforts is that preemptive efforts are more inclined to eliminate someone's intention to commit a crime, while preventive efforts that try to eliminate or reduce the opportunity to commit a crime or in this case the crime of domestic violence. The preventive efforts that have been carried out and are being attempted to be carried out immediately are as follows: 1. Training Cadres for Companions of Domestic Violence Victims Every time there is a report of domestic violence at the Karangasem Police, the PPA unit will prepare a cadre of companions for victims of domestic violence. These companion cadres are given the task of accompanying victims in their efforts to overcome the trauma caused by the physical and psychological violence they experienced to prevent further violence that may be received by the victim. These Victim Companion Cadres can be members of the community closest to the victim so they need to be trained by the Karangasem Police to improve their abilities. 2. Forming a Rapid Reaction Team. This rapid reaction team is a team formed by the PPA Unit together with P2T2PA Karangasem which is assigned if there is a report from the community/neighbors of the victim that a crime of domestic violence has occurred. This team does not recognize the word vacation in carrying out its duties and is required to always be ready to prevent the occurrence of more severe domestic violence so that damage can be minimized. 3. Establish Complaint Services at the RT/RW level. The PPA Unit of the Karangasem Police together with P2TP2A is working on the establishment of a domestic violence complaint service at the RT/RW level. The establishment of this complaint service aims to accelerate the actions of law enforcement officers in preventing domestic violence. With the existence of a complaint service that is increasingly smaller in scope, it is hoped that all opportunities for violence can be minimized. This complaint service will also be trained to address problems that are often experienced by women and children, both physically and psychologically. The community itself, as stated in Law No. 23 of 2004 which regulates in Article 15 Every person who hears, sees, or knows about the occurrence of domestic violence is obliged to make efforts according to the limits of his/her ability to: a. prevent the occurrence of

criminal acts; b. provide protection to victims; c. provide emergency assistance; and d. assist in the process of submitting applications for protection determination. c) Repressive Efforts.

Repressive efforts are efforts to overcome criminal crimes carried out after a crime has been committed in this case domestic violence. Repressive efforts carried out by the Karangasem Police, especially the PPA Unit, when receiving reports of domestic violence are as follows: 1. Penal Mediation (Mediation Efforts); and 2. Legal channels. Legal channels are processes that must be passed by suspects who commit criminal or civil acts. Especially for cases of domestic violence (KDRT), which is a criminal act that must be sanctioned for the perpetrators as regulated in Law Number 23 of 2004 concerning the Elimination of Domestic Violence. In order to carry out duties as law enforcers, especially in criminal proceedings, the police have the authority as investigators and investigators.

Obstacles Faced by Police Investigators in Addressing Domestic Violence in the Karangasem Police Department

Based on the author's observations, one of the main factors contributing to domestic violence is fatigue from a long day's work. In several cases, the common thread is husbands returning home from work. When fatigued, communication becomes ineffective because the focus has been on work all day, starting in the morning. This makes a tired person less able to be a good listener and requires more rest. Likewise, the emotions experienced when exhausted increase the likelihood of violence. Excessive work demands felt within a limited timeframe can lead to emotional stress, commonly referred to as emotional exhaustion or "burnout."

One external factor contributing to domestic violence is infidelity. Factors that contribute to infidelity include a negative social environment, which often encourages someone to have an affair for recognition, closeness with coworkers who spend more time together than with their partner, and events like reunions that allow someone to meet ex-lovers or idols from school. When a wife is the victim of an affair, what usually happens is that she will constantly question it, becoming angry, jealous, and bringing it up constantly, which ultimately inflames her husband's emotions, leading to physical violence. Conversely, when the husband is the perpetrator of an affair, he will usually immediately hit his wife or argue, which also ends in physical violence. Psychological violence occurs when both husbands and wives dislike or are unable to question their partner's infidelity and try to keep it to themselves (psychologically). Neglect occurs when a husband commits an affair and spends his money on extravagant spending with his mistress, neglecting the needs of his wife and children.

Obstacles faced by the Karangasem Police in addressing domestic violence against women include victims' lack of openness in providing information to investigators, which makes it difficult for investigators to determine appropriate action and determine the type of violence and the applicable law against the perpetrator. Supporting Evidence: During the investigation process, investigators, in this case the Karangasem Police, often encounter obstacles in obtaining evidence, particularly for psychological violence and domestic neglect.

While the general public believes that the most dangerous place is outside the home, this is not the case for women. Women and children are actually more harmed and experience violence in the personal sphere, whether in relation to their roles as wives or other family members such as children, mothers, grandmothers, sisters-in-law, and so on. However, this type of violence is particularly difficult to uncover, partly because many consider it normal and even part of a husband's upbringing, an internal family conflict that should not be interfered with by others. This view is held by both outsiders and those within the family itself. Therefore, the victim tries his best to cover up and even appears to defend the person who has committed violence against him. The threat of violence by his own family cannot be seen by outsiders. They do not dare to report because of family ties, certain values, certain good names and other difficulties that arise if the victim reports. Evidence for the crime of neglect in the household is also difficult to obtain, where someone who supports his family or not is of course only the victim who knows for sure, because family neglect is something that only one family knows, so it will be difficult to determine the evidence because neglect of the household is related to the husband's obligations to his family and of course there is no evidence. In cases of physical violence that occur in the household, usually the witness is the victim herself, because the act was carried out by someone who is still within the scope of the victim's own household, therefore it is less possible for outsiders or other people to interfere in the victim's household affairs.

Efforts to overcome these obstacles include seeking and securing additional evidence to meet the minimum requirements for evidence, as well as coordinating with investigators, namely the police. Prosecutors, together with the police, coordinate and assist each other in addressing the challenges that arise in handling domestic violence cases. Victims of domestic violence sometimes find it difficult to provide information or testimony in court, especially if the victim is traumatized. Efforts to address these obstacles include integrated coordination in providing services to victims with the appropriate social services or institutions. This is intended to ensure victims receive protection and assistance, enabling them to provide information and testimony in court.

CONCLUSION

Based on the results of this research, it can be concluded that the *Karangasem Resort Police* have undertaken various efforts in handling domestic violence (*KDRT*) cases through pre-emptive, preventive, and repressive approaches. However, challenges remain, including victims' reluctance to come forward, difficulties in proving cases—particularly those involving psychological violence and neglect—and entrenched public perceptions that view domestic violence as a private matter. To address these issues, it is necessary to strengthen the capacity of law enforcement through specialized training, intensify public outreach on victims' rights and reporting mechanisms, develop more accessible reporting systems such as online applications, and provide safe houses for victim protection. Furthermore, periodic evaluations of the implementation of the *PKDRT Law* and dedicated budget allocations are essential to ensure a sustainable and effective response. The implementation of these measures is expected to optimize domestic violence handling in Karangasem and provide stronger protection for victims.

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