

ABSTRAK

ANALISIS PENEGAKAN HUKUM PIDANA BERBASIS PENDEKATAN INTEGRAL DAN KEILMUAN DALAM MENGHADAPI KEJAHATAN BEGAL

(Studi di Wilayah Kepolisian Daerah Lampung)

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Penegakan hukum pidana (PHP) terhadap kejahatan begal dijalankan oleh Kepolisian Daerah Lampung beserta jajarannya dengan membentuk Team Khusus Antibandit (TEKAB) 308. Tekab 308 dalam menerapkan penegakan hukum pidana menggunakan model represif.

Pendekatan masalah yang digunakan adalah yuridis normatif dan pendekatan empiris. Sumber dan jenis data yang digunakan adalah jenis data primer dan data sekunder. Analisis yang digunakan analisis kualitatif, kemudian di ambil kesimpulan secara induktif.

Hasil penelitian menunjukkan bahwa kondisi *eksisting* PHP terhadap kejahatan begal/C3 dilakukan oleh Reserse Kriminal Umum (Reskrimum) Polda Lampung beserta seluruh jajarannya di Polres/ta. Reskrimum menjalankan PHP melalui Tekab 308. Secara faktual, peran Tekab 308 dipandang berhasil yang ditunjukkan dari angka Jumlah Tindak Pidana (JTP) dan Penyelesaian Tindak Pidana (PTP) semakin menurun. Akan tetapi, peran yang dijalankannya belum optimal bisa menuntaskan persoalan begal sampai ke akarnya. Untuk mengoptimalkan PHP terhadap kejahatan begal secara efektif perlu dilakukan melalui budaya kerja aparat penegak hukum yang mengedepankan model represif. Budaya kerja aparat penegak hukum terbangun melalui penerapan pendekatan integral dan keilmuan untuk menghasilkan produk PHP yang berkualitas dan efektif. Penyidikan perkara begal yang didasarkan atas pendekatan keilmuan hukum pidana berorientasi untuk mewujudkan nilai-nilai kebenaran, keadilan, kemanfaatan, dan kepastian hukum.

Saran dan rekomendasi yang dapat diberikan terkait kondisi eksisting dan optimalisasi penegakan hukum pidana (PHP) terhadap kejahatan begal perlu meningkatkan peran Tekab 308 untuk mengoptimalkan ketiga model PHP dan menerapkan pendekatan integral terhadap penggunaan kedua upaya/sarana yang ada dalam kebijakan kriminal, yaitu penerapan sarana penal dan sarana nonpenal secara serentak dan sekaligus.

Kata kunci: Optimalisasi, penegakan hukum pidana, pendekatan integral dan keilmuan, kejahatan begal.

ABSTRACT

A MODEL OF CRIMINAL LAW ENFORCEMENT WITH INTEGRATED AND SCIENTIFIC APPROACHES IN ERADICATING BEGAL CRIME

(A Study at Lampung Regional Police Jurisdiction)

By
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The existing conditions showed that the application of the model of criminal law enforcement (PHP) against 'Begal' (vehicle robbery) crimes has been organized by Polda Lampung (Regional Police) and its ranks. Polda Lampung has formed Antirobber Special Team or Team Khusus Antibandit (TEKAB) 308 that applied the model of criminal law enforcement in a repressive manner.

This research applied normative and empirical approaches. The data sources consisted of primary and secondary data. The data were analyzed qualitatively and concluded inductively.

The result of this research showed that the existing condition of PHP toward vehicle robbery was done by General Criminal Investigation (Reskrimum) of Lampung Regional Police together with the staffs in city surroundings. Police station in implementing PHP, Reskrimum used TEKAB 308. Factually, the rule of TEKAB 308 could be regarded as a success because the number of the criminal act (JTP) and its disposal was decline much. The affairs although it was a success its rule cannot be said has been optimal in eradicating the vehicle robbery issues to its root. To optimize PHP forward problems effectively, it could be done through the officers work culture in putting forward a repressive model. Their work culture could be built by applying integral and scientific approaches to produce an effective and have good of a quality PHP. Vehicle robbery investigation which based on criminal law scientific approach was oriented to actualize the values of truth justice, usefulness and legal certainty.

The suggestions and recommendations of the research showed that the existing conditions and the application of the model of criminal law enforcement (PHP) against begal crime, then it is suggested that it is necessary to improve the role of TEKAB 308 in optimizing the three PHP models and applying an integrated approach to the two measures to eradicate the crimes, namely penal and non-penal technique with simultaneously and synchronously.

Keywords: Optimization, criminal law enforcement, integrated and scientific approaches, begal crime.