

ABSTRACT

APPLICATION OF PROGRESSIVE LAW IN SETTLEMENT CRIMINAL CASE ON INVESTIGATION STAGE (CASE STUDY ON BANDAR LAMPUNG RESORT POLICE)

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Police duties in law enforcement has always put forward the principle of legality in a formal investigation . Investigators face a dilemma choice to advance or stop the case when there's peace between the victim and the suspect . If the investigator is always pursuing legal certainty , the entire case will be forwarded to the judicial process . Such conditions can add to the burden of the criminal justice system that is characterized by over- capacity Pemasyarakatan institutions in Indonesia . Problems in the study discusses the implementation of progressive laws relating to the form , limitations , reasons , and barriers found Bandar Lampung Resort Police investigator.

Research using normative juridical and empirical jurisdiction . Data obtained from primary data and secondary data . The data collection procedures with literature studies, field studies, and study documentation. After going through the process of data collection and processing qualitative analysis.

The results showed that the Bandar Lampung Police investigator in implementing progressive law in the form: penal mediation, applying discretion, and by empowering community policing. Furthermore, there are limitations of criminal cases that can be solved with progressive law. Sub-system within the criminal justice system found police investigators need to implement progressive laws. Constraints identified are the absence of legal rules governing the implementation of penal mediation, the possibility of deviation possessed discretionary authority investigators, as well as an understanding of law enforcement officers who have always adhered to the principle of formal legalistic.

Finally, it is suggested to police investigators that promote progressive law at this stage of the investigation . Investigators also must have a shared understanding about the limitations of the application of progressive law . In addition there is need for synergy in the criminal justice system sub progressive application of the law. Suggestions recommended that the need for written rules on penal mediation in criminal law in Indonesia . To avoid distortion , boss investigator needs to monitor the steps taken by the investigator through his case.

Keywords : Application of Progressive Law , Investigation , Criminal Case