

ABSTRAK

**PENEGAKAN HUKUM PIDANA OLEH SUBDIT IV TIPIDTER
DITRESKRIMSUS POLDA LAMPUNG TERHADAP TINDAK PIDANA
PENGELOLAAN TAMBANG MINERAL TANPA
IZIN USAHA PERTAMBANGAN
(Studi Pada Kepolisian Daerah Lampung)**

Oleh

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Penegakan hukum pidana terhadap tindak pidana *Illegal Mining* menjadi isu penting karena aktivitas ini menimbulkan dampak masif berupa kerusakan lingkungan, kerugian negara, dan ketidakpastian hukum. Penelitian ini bertujuan untuk menganalisis pelaksanaan penegakan hukum terhadap *Illegal Mining* oleh Subdirektorat IV Tindak Pidana Tertentu (Tipidter) Direktorat Reserse Kriminal Khusus (Ditreskrimsus) Polda Lampung serta mengidentifikasi faktor-faktor yang memengaruhi efektivitas penegakan hukumnya.

Metode penelitian yang digunakan adalah pendekatan yuridis normatif dan empiris. Data diperoleh melalui studi kepustakaan terhadap peraturan perundang-undangan yang relevan, doktrin hukum pidana, serta putusan pengadilan terkait *Illegal Mining*. Data empiris dikumpulkan melalui wawancara dengan penyidik Subdit IV Tipidter Polda Lampung, Direktur Wahana Lingkungan Hidup Indonesia (Walhi) Lampung, dan akademisi Hukum Pidana Fakultas Hukum Universitas Lampung.

Hasil penelitian menunjukkan bahwa penegakan hukum terhadap *Illegal Mining* dilaksanakan melalui tahapan penyelidikan, penyidikan, dan penuntutan sebagaimana diatur dalam KUHAP dan Undang-Undang Nomor 3 Tahun 2020 tentang Mineral dan Batubara. Subdit IV Tipidter memiliki peran strategis dalam mengungkap jaringan pelaku dan menindak kegiatan pertambangan tanpa izin. Namun, efektivitasnya masih terkendala oleh ketidakpastian hukum, keterbatasan kapasitas aparat penegak hukum, minimnya sarana dan prasarana pengawasan, serta rendahnya kesadaran hukum masyarakat.

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Simpulan pada penelitian ini ialah penegakan hukum *Illegal Mining* oleh Subdit IV Tipidter Polda Lampung menekankan keseimbangan antara penegakan hukum penal dan non-penal, berfokus pada penegakan hukum (formulasi, aplikasi, eksekusi) dan pencegahan sosial (kesejahteraan, edukasi). Efektivitas penegakan hukum masih terhambat oleh lima faktor Soerjono Soekanto, terutama celah normatif dalam UU Minerba, keterbatasan sarana/personel, serta rendahnya kesadaran hukum dan ketergantungan ekonomi masyarakat. Melalui penelitian ini penulis merekomendasikan peningkatan kepastian hukum, penguatan kapasitas aparat melalui pelatihan dan koordinasi lintas sektor, penyediaan sarana prasarana pendukung seperti peralatan patroli dan teknologi pengawasan, serta pelaksanaan edukasi hukum secara berkelanjutan melalui kolaborasi antara Subdit IV Tipidter, Dinas ESDM, dan WALHI Lampung.

Kata Kunci: Penegakan Hukum Pidana, *Illegal Mining*, Pengelolaan Tambang Mineral.

ABSTRACT

**CRIMINAL LAW ENFORCEMENT BY SUBDIT IV TIPIDTER POLDA
LAMPUNG OF THE SPECIAL CRIMINAL INVESTIGATION
DIRECTORATE AGAINST UNAUTHORIZED
MINERAL MINING MANAGEMENT
(A Study at Lampung Regional Police)**

By

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Criminal law enforcement against Illegal Mining has become an important issue as this activity causes massive impacts such as environmental degradation, state financial losses, and legal uncertainty. This study aims to analyze the implementation of law enforcement against Illegal Mining by the Sub-Directorate IV of Certain Crimes under the Directorate of Special Criminal Investigation of the Lampung Regional Police, as well as to identify the factors influencing its effectiveness.

The research employs a normative and empirical juridical approach. Data were obtained through a literature review of relevant legislation, criminal law doctrines, and court decisions related to Illegal Mining. Empirical data were collected through interviews with investigators from Sub-Directorate IV of Environmental and Forestry Crimes of the Lampung Regional Police, representatives of the Indonesian Forum for the Environment, and Criminal Law Academics from the Faculty of Law, University of Lampung.

The results show that law enforcement against Illegal Mining is carried out through the stages of investigation, inquiry, and prosecution as regulated in the Indonesian Criminal Procedure Code and Law Number 3 of 2020 concerning Mineral and Coal Mining. Sub-Directorate IV Tipidter plays a strategic role in uncovering networks of perpetrators and taking action against unlicensed mining activities. However, its effectiveness remains constrained by legal uncertainty, limited capacity of law enforcement officers, inadequate supervision facilities and infrastructure, and low public legal awareness.

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The conclusion of this study is that the countermeasures against illegal mining conducted by Subdirectorate IV of Environmental and Forestry Crimes of the Lampung Regional Police emphasize a balanced approach between penal and non-penal law enforcement, focusing on legal enforcement (formulation, application, and execution) as well as social prevention (welfare enhancement and public education). However, the effectiveness of law enforcement remains constrained by Soerjono Soekanto's five factors, particularly normative gaps within the Mineral and Coal Law, limited facilities and personnel, as well as low legal awareness and the community's economic dependence on mining activities.

Based on these findings, the author recommends strengthening legal certainty, enhancing the capacity of law enforcement officers through training and cross-sectoral coordination, providing adequate supporting infrastructure such as patrol equipment and monitoring technologies, and implementing continuous legal education through collaboration among Subdirectorate IV Tipidter, the Energy and Mineral Resources Office, and The Forum of Lampung Environmental Activist.

Keywords: *Criminal Law Enforcement, Illegal Mining, Mineral Mining Management.*