

ABSTRAK

PERAN KEPOLISIAN DALAM PENYIDIKAN KASUS KEKERASAN RUMAH TANGGA YANG MENAKIBATKAN KEMATIAN (STUDI KASUS POLRES OKU SELATAN)

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Kekerasan dalam rumah tangga adalah setiap tindakan terhadap seseorang yang menyebabkan kesengsaraan atau penderitaan fisik, seksual, psikologis, atau penelantaran rumah tangga; ini termasuk ancaman untuk melakukan perbuatan, pemaksaan, atau perampasan kemerdekaan seseorang dalam lingkungan rumah tangga KDRT mencakup kekerasan fisik selain kekerasan seksual dan mental, seperti caci maki, penghinaan, dan teror mental jika korban meninggalkan atau melaporkan peristiwa. Penelitian ini mengkaji Peran Kepolisian dalam penyidikan kasus kekerasan rumah tangga yang mengakibatkan kematian yang lakukan istri terhadap suami dan faktor penghambat peran kepolisian dalam penyidikan kasus kekerasan rumah tangga yang mengakibatkan kematian di wilayah polres oku selatan.

Pendekatan masalah yang digunakan adalah pendekatan yuridis normatif dan yuridis empiris, Narasumber pada penelitian ini terdiri Penyidik pada polres oku selatan bagian reserse, Kadus dusun 2 desa pendagan dan Dosen Akademisi Bagian Pidana FH Unila.

Hasil penelitian menunjukkan bahwa Peran Kepolisian dalam penyidikan tindak pidana kekerasan rumah tangga yang mengakibatkan kematian, Kepolisian dalam perannya melakukan penyidikan mengacu pada KUHP. Terkait wewenang kepolisian dalam melakukan penyidikan terhadap suatu tindak pidana diatur oleh KUHP dan Undang-Undang No 2 Tahun 2002 Tentang Peran Kepolisian. Faktor penghambat meliputi faktor aparat penegak hukum serta faktor masyarakat menjadi faktor penghambat dalam penyidikan kasus kekerasan rumah tangga yang mengakibatkan kematian, aparat penegak hukum dalam melakukan tindakan penyelidikan maupun penyidikan masih kurang efektif dimana mereka sempat melakukan salah tangkap dimana anak korban yang menjadi pelaku padahal mereka tidak tahu apapun terkait kasus kekerasan rumah tangga yang mengakibatkan kematian. masyarakat yang kurang memberikan keterangan sehingga dalam tahap penyelidikan kepolisian sempat salah tangkap sehingga anak korban sempat menjadi tersangka tetapi setelah melakukan penyidikan

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kepolisian menetapkan istri korban sebagai tersangka, masyarakat yang hidup dan bergantung pada pertanian membuat mereka tidak mengetahui tentang tindak kekerasan rumah tangga yang mengakibatkan kematian.

Saran dalam penelitian ini adalah Kepolisian perlu meningkatkan efektivitas penyidikan melalui penguatan profesionalisme penyidik, penerapan prosedur yang konsisten, serta pelatihan berkelanjutan agar setiap proses penyidikan berlangsung transparan, akuntabel, dan objektif sesuai ketentuan hukum. Penegakan hukum terhadap korban kekerasan dalam rumah tangga perlu dilaksanakan secara adil, tidak diskriminatif, dan tetap berlandaskan penghormatan terhadap hak asasi manusia. masyarakat diharapkan berperan aktif dalam menjaga keamanan lingkungan serta berani melaporkan setiap tindak kekerasan dalam rumah tangga agar kasus dapat segera ditangani dan dapat mencegah terulangnya peristiwa serupa yang sebelumnya menelan korban jiwa.

Kata Kunci : Peran Kepolisian, Penyidikan, KDRT

ABSTRACT

THE ROLE OF THE POLICE IN THE INVESTIGATION OF DOMESTIC VIOLENCE CASES RESULTING IN DEATH (A CASE STUDY AT THE SOUTH OKU POLICE RESORT)

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Domestic violence is any act committed against a person that causes physical, sexual, psychological suffering, or household neglect; it includes threats to commit such acts, coercion, or the unlawful deprivation of a person's liberty within the domestic sphere. Domestic violence encompasses not only physical abuse but also sexual and psychological violence, such as verbal abuse, insults, and mental intimidation, particularly when the victim attempts to leave or report the incident. This study examines the role of the police in investigating domestic violence cases resulting in death, specifically cases in which the wife is the perpetrator against the husband, as well as the factors that hinder the police in carrying out investigations of domestic violence cases resulting in death within the jurisdiction of the South OKU Police Resort.

The problem approach used in this study consists of a normative juridical approach and an empirical juridical approach. The informants in this research include investigators from the Criminal Investigation Unit of the South OKU Police Resort, the head of Hamlet 2 of Pendagan Village, and an academic lecturer in the field of Criminal Law from the Faculty of Law, University of Lampung.

The results of the study indicate that the role of the police in investigating the criminal offense of domestic violence resulting in death is carried out by referring to the Indonesian Criminal Code (KUHP). The authority of the police in conducting investigations of criminal offenses is regulated by the Criminal Procedure Code (KUHAP) and Law Number 2 of 2002 concerning the Indonesian National Police. The inhibiting factors include both law enforcement factors and community factors that hinder the investigation of domestic violence cases resulting in death. In terms of law enforcement, investigative and inquiry actions were not carried out effectively, as there was an incident of wrongful arrest in which the victim's child was initially suspected as the perpetrator, even though the child had no knowledge or involvement in the domestic violence case resulting in death. From the community perspective, the lack of public willingness to provide

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information contributed to errors at the investigation stage, leading to the victim's child being temporarily designated as a suspect. However, after further investigation, the police determined the victim's wife as the actual suspect. Additionally, the community's livelihood, which largely depends on agricultural activities, resulted in limited awareness and knowledge regarding incidents of domestic violence resulting in death.

The recommendations of this study suggest that the police need to enhance the effectiveness of investigations by strengthening the professionalism of investigators, consistently applying established procedures, and conducting continuous training to ensure that every investigative process is carried out transparently, accountably, and objectively in accordance with legal provisions. Law enforcement in cases of domestic violence must be implemented fairly, without discrimination, and remain grounded in respect for human rights. Furthermore, the community is expected to play an active role in maintaining environmental security and to have the courage to report any acts of domestic violence so that cases can be promptly addressed and the recurrence of similar incidents that previously resulted in loss of life can be prevented.

Keyword: The Role of the Police, Investigation, Domestic Violence