

INTISARI

PERLINDUNGAN HUKUM TERHADAP APARAT KEPOLISIAN DALAM PELAKSANAAN TUGAS PENEGAKAN HUKUM (STUDI PUTUSAN NO. 06/PID.B/2013/PN.SMG)

Oleh : Timotius Eric Haryanto¹ dan Muhammad Fatahillah Akbar²

Penelitian ini bertujuan pertama, untuk menelusuri, mengetahui, dan menganalisis pengaturan perlindungan hukum terhadap Aparat Kepolisian Negara Republik Indonesia dalam pelaksanaan tugas pokok penegakan hukum dan untuk menelusuri, mengetahui, dan menganalisis perlindungan hukum terhadap aparat kepolisian dari kekerasan ketika sedang menjalankan tugas dalam putusan No. 06/Pid.Sus/2013/PN.Smg.

Penelitian ini merupakan penelitian hukum normatif dengan sifat deskriptif. Jenis data yang digunakan adalah data primer yang didapatkan dari narasumber dan data sekunder yang didapatkan dari studi kepustakaan. Data yang diperoleh dari hasil penelitian dianalisis menggunakan metode kualitatif.

Berdasarkan hasil penelitian yang dilakukan dapat disimpulkan pengaturan perlindungan hukum terhadap Aparat Kepolisian Negara Republik Indonesia dalam pelaksanaan tugas pokok penegakan hukum terdapat pada Kitab Undang-Undang Hukum Pidana pasal 211 hingga Pasal 215 dan Undang-Undang No 2 Tahun 2002, dan penerapan perlindungan hukum terhadap Aparat Kepolisian Negara Republik Indonesia dalam Putusan No 06/Pid.B/2013/PN.Smg sudah baik dan benar.

Kata Kunci : Perlindungan Hukum Aparat Kepolisian, Kekerasan Kepolisian, Diskresi Aparat Kepolisian, *Four Way Test*.

¹ Mahasiswa Strata-1 (S-1) pada Departemen Hukum Pidana Fakultas Hukum Universitas Gadjah Mada

² Dosen Hukum Pidana Fakultas Hukum Universitas Gadjah Mada

ABSTRACT

LEGAL PROTECTION AGAINST POLICE POLICY IN THE IMPLEMENTATION OF LEGAL ENFORCEMENT DUTIES (DECISION STUDY NO. 06 / PID.B / 2013 / PN.SMG)

Author : Timotius Eric Haryanto³, Muhammad Fatahillah Akbar⁴

This research for legal writing is objectively aim for knowing and analyzing the regulation and procedure of legal protection Indonesian National Police in carrying out the main duties of law enforcement. The second objective is to trace, find out, and analyze the legal protection of police officers from violence while carrying out their duties in decision No. 06 / Pid.B / 2013 / PN.Smg. This research is categorized as normative research. The primary data are gathered from interview and secondary data come from literature study. The analyzing methods are qualitative type.

The research in this legal writing is a normative legal research. The nature of this legal research is descriptive. Primary data is gathered by direct interview and the secondary data is derived by literature study. Every data in this research analyzed with qualitative method.

The results of research and study in this legal writing it can be concluded first the regulation of law protection against the Police Office of the Republic of Indonesia in the implementation of the main task of law enforcement is found in the Criminal Code of Criminal Law Articles 211 to Article 215 and Law No. 2 of 2002, and the application of legal protection against the Office The State Police of the Republic of Indonesia in Decision No 06 / Pid.B / 2013 / PN.Smg is good and true.

Keywords: Protection of the Law of Police Officers, Police Violence, Discretion of Police Officers, Four Way Test

³ Undergraduate Student of Criminal Law Department in Faculty of Law Universitas Gadjah Mada, Yogyakarta

⁴ Lecturer of Faculty of Law, Universitas Gadjah Mada, Yogyakarta