

Efektifitas penerapan pasal 169 KUHP melalui surat keputusan bersama (SKB) di Wilayah Polres Bandung : studi kasus penanganan geng motor

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Abstrak

Tesis ini, membahas masalah efektifitas penerapan pasal 169 KUHP melalui Surat Keputusan Bersama (SKB) di wilayah hukum Polres Bandung, dalam menangani kasus geng motor. Keefektifan pasal 169 KUHP ini sengaja dibahas karena sebelumnya kepolisian di wilayah kabupaten Bandung seperti mampu menangani kejahatan geng motor, meskipun tindakan-tindakan hukum telah dilaksanakan.

Penelitian ini menggunakan metode penelitian kualitatif dengan pendekatan fenomenologi. yaitu dengan melakukan wawancara tidak terstruktur agar informan tidak merasa seperti diwawancarai, sehingga akan memperoleh hasil wawancara yang maksimal. Kajian kepustakaan menggunakan teori strategi pencegahan kejahatan, pencegahan kejahatan situasional, teori peran dan teori konflik serta konsep koordinasi.

Melalui penelitian dan hasil analisis, penulis menyimpulkan bahwa setelah terbitnya Surat Keputusan bersama (SKB) maka kepolisian mendapat legitimasi penuh untuk menerapkan pasal 169 KUHP. Kemudian dengan langkah-langkah sosialisasi ke berbagai pilar penting dalam penanggulangan kejahatan geng motor tersebut, serta tindakan preventif yang diambil oleh Kapolres Bandung semakin memperlihatkan keefektifan pasal 169 KUHP sebagai pasal pokok dalam penanggulangan geng motor. Hal tersebut terlihat dengan tidak adanya aktifitas geng motor sama sekali dan adanya pembubaran geng motor di kabupaten Bandung.

.....The thesis, analyses the affectiveness of the implementation of article 169 Indonesian Criminal Code through Mutual Decree (SKB) of Related Institution in Bandung resort police area in handling a case of motorcycle gang. The affectiveness of this article 169 Indonesian Criminal Code is deliberately discussed since prior to it the police of Bandung area seemed have not been able in handling the motorcycle gang crimes, even though several law actions have been implemented.

The research uses the qualitative research method with phenomenology approach. Unstructured interviews were used to know other people experiences, therefore the informant does not have the feeling that he/she is being interviewed to get a maximum result. The library study was used to dig theories on crime prevention strategy, situational crime prevention, role theory and conflict theory, and coordination concept.

Through the writer research and the analysis the fact of findings, concluded that after the issuance of Mutual Decree (SKB) the police has a full legitimate power to enforce article 169 Indonesian Criminal Code. Then with socialization steps to all related institutions motorcycle gang crime, has been prevented by the head of resort police Bandung, and of article 169 Indonesian Criminal Code has been effective in handling the motorcycle gang. It is proven by the disappearance of motorcycle gang activities and the dissolution of motorcycle gang in Bandung District.