

**PUBLIC OPINION IN KARANGANYAR REGENCY ON THE PREVENTIVE
FUNCTION OF THE PUBLIC PROSECUTOR'S OFFICE IN EFFORTS TO
CONTROL AND ENFORCE CRIMINAL ACTS**

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Abstract

This research was prepared with the aim of obtaining information about the opinion of the community, especially the Karanganyar District community, Karanganyar Regency, regarding the application of the function of law enforcement officials in this case the public prosecutor's office, namely the preventive function as an effort to prevent criminal acts in the community. The research uses a sociological approach in the context of empirical law involving empirical data analysis to understand legal phenomena in society. In addition, the statutory approach is used to analyze the relevant legal framework. The data collection techniques used are interview techniques with randomly selected respondents from the Karanganyar District community of Karanganyar Regency and literature study techniques from primary data in the form of laws and regulations and legal events. Unlike the journal of Education and Development Institut Pendidikan Tapanuli Selatan, entitled "Fungsi Preventif Seksi Pengamanan Pembangunan Strategis Pada Kejaksaan Tinggi Nusa Tenggara Barat Dalam Tindak Pidana Korupsi", that this research focuses on the opinion of the people of Karanganyar District, Karanganyar Regency towards the public prosecutor's office in general in the context of preventive efforts and how regulations in positive law in Indonesia regulate the preventive function of the public prosecutor's office. That in this study the policy regarding the preventive function of the public prosecutor's office has been regulated in Article 30 paragraph (3) of the Law of the Republic of Indonesia Number 16 of 2004 concerning the Public Prosecutor's Office of the Republic of Indonesia and also the Regulation of the Attorney General of the Republic of Indonesia Number Per-006/A/JA/07/2017 concerning Organization and Work Procedures of the Public Prosecutor's Office of the Republic of Indonesia. In fact, the public prosecutor's office has not worked optimally in order to improve this function based on several opinions from people who have never received face-to-face information directly in their neighborhood.

Keywords: *Public Opinion, Preventive Function, Public Prosecutor's Office*

INTRODUCTION

Indonesia is a state of law based on a constitution as the organizer of state life, which is in the form of state institutions grouped according to the division of powers. Mhd Adha

Hendra, “ SEBAGAI TOLAK UKUR EKSISTENSI NEGARA HUKUM MODERN DI INDONESIA,” Al Fathonah 1 no. 5 (2022). One of the state institutions authorized to enforce the law from criminal acts is the prosecutor's office. The public prosecutor's office is an institution that acts as a public prosecutor in criminal cases, acting as a representative of the state and society. On the other hand, the prosecution also has an important role as the main representative of the state in court and is responsible for applying the rule of law.(2) Crime is a serious threat to public security and order and can also threaten social stability in a country. In an effort to overcome and prevent the occurrence of a criminal offense, law enforcement agencies play an important role. One of these law enforcement agencies is the public prosecutor's office, which has the main function of enforcing the law and providing protection to the community. In Indonesia, the public prosecutor's office is tasked not only with prosecuting criminals in a court trial, but also has a role in prevention efforts or preventive functions. In the context of the Karanganyar District community, as one part of the criminal justice system in Indonesia, the public prosecutor's office plays a role by contributing to maintaining community security and order through various forms of preventive programs and activities.

An activity based on the preventive function is a process of social control, which means to prevent a society from implementing legal norms in an orderly manner.(3) Article 30 paragraph (3) of Law Number 16 of 2004 concerning the Public Prosecutor's Office of the Republic of Indonesia states that increasing public legal awareness is one of the activities carried out by the public prosecutor's office in realizing public order and tranquility. This involves efforts to provide people with an understanding of the law, their rights and obligations in society and the consequences of breaking the law. This can be accomplished through legal counseling, (4) training, campaigns, and various other educational programs. The aim is to create a society that is more aware of the law, so that they can play an active role in maintaining order and preventing violations of the law, supervision of cults that can endanger society and the state. The elucidation of the law emphasizes that the duties and authority of the public prosecutor's office, as stipulated in paragraph (3), are preventive in nature. This means that the Public Prosecutor's Office has the responsibility to prevent violations of the law or criminal offenses by taking proactive and preventive measures before a crime occurs. The preventive function of the public prosecutor's office is an effort to prevent and control the occurrence of criminal acts that occur in the community.

In an article published in the journal of *Education and Development Institut Pendidikan Tapanuli Selatan*, entitled “*Fungsi Preventif Seksi Pengamanan Pembangunan Strategis Pada Kejaksaan Tinggi Nusa Tenggara Barat Dalam Tindak Pidana Korupsi*”(5) this study discusses the duties and functions, mechanisms, and obstacles carried out by the strategic development security section in efforts to prevent corruption at the West Nusa Tenggara High Prosecutor’s Office. In contrast to the previous research, this research discusses public opinion, especially in the Karanganyar District of Karanganyar Regency and also how regulations in positive law in Indonesia regulate the preventive function of the public prosecutor’s office. In addition, in the journal of *Kareba: Jurnal Ilmu Komunikasi* entitled “*Opini Tokoh Masyarakat Terhadap Peranan Polisi Sebagai Pelindung, Pengayom dan Pelayan Masyarakat Di Daerah Rawan Konflik Kota Makassar*”(6), discusses the opinions of community leaders on the role of the police as protectors, protectors, and community servants in areas prone to inter-group conflict in Makassar City, the forms of protection, guidance, and services that have been provided by the police to the community, especially in areas prone to inter-group conflict in Makassar City and also the importance of community leaders’ opinions as social capital in policy making for police elites in carrying out the role of the police as protectors, protectors, and community servants in conflict-prone areas of Makassar City. In contrast to this research, the object of this study is ordinary citizens who live in Karanganyar District, Karanganyar Regency, whose area is often traversed by citizens from other regions who have different legal norms. In this research, law enforcement agencies are also different from previous studies, namely in this study it is more focused on the Public Prosecutor’s Office as a law enforcement agency that has a role in prevention efforts or preventive functions in maintaining order and preventing violations of the law that occur in the community.

The object of the problem in this research is about how the awareness of the Karanganyar District community regarding the function of the public prosecutor’s office in preventing criminal acts and the factors that influence public opinion on the preventive performance of the public prosecutor’s office, evaluation of preventive programs carried out by the public prosecutor’s office in the area, assessment of the effectiveness of the public prosecutor’s preventive efforts in handling criminal acts, and the last is the means of communication between the public prosecutor’s office and the community in efforts to prevent criminal acts. This study aims to explore the opinions of the community in

Karanganyar District on the effectiveness and success of the preventive function carried out by the public prosecutor's office in enforcing the law related to criminal offenses. Through an in-depth understanding of the views of the community, it is hoped that this research can provide valuable input for the public prosecutor's office in improving its preventive performance and strengthening the relations between law enforcement agencies and the community. This research will explore various aspects, including the level of public awareness about the role of the public prosecutor's office in preventing criminal acts as well as legal policy regulations regarding the public prosecutor's preventive function. In addition, the study will also investigate the means of communication between the public prosecutor's office and the community in crime prevention efforts. It is hoped that the results of this research can make a significant contribution to the understanding of the role of the public prosecutor's office in preventing criminal acts in Karanganyar District and provide concrete input for related parties in an effort to increase the effectiveness and efficiency of the prosecutor's preventive program.

RESEARCH METHOD

This research adopts empirical legal research methods, with a sociological and statutory approach. Empirical legal research is that the truth of a matter can be determined by the existence of facts that correspond to reality or actual conditions. This concept is often referred to as correspondence with reality, where the truth of a statement or claim depends on the extent to which it reflects the circumstances that exist in the real world.⁽⁷⁾ Primary data was obtained from interviews to obtain in-depth opinions of the community in Karanganyar District, Karanganyar Regency,⁽⁸⁾ while secondary materials include law books, theses, theses, and law dissertations, as well as legal journals. These are sources that provide analysis, interpretation, or interpretation of the law, which can be used as additional references in legal research.⁽⁹⁾

The research was conducted in the community environment of Karanganyar District, Karanganyar Regency. Data collection techniques were carried out through interviews, observation, and participation. In order to obtain primary data and compare it with secondary data, researchers conducted interviews with pre-selected resource persons. The interviews were conducted in a guided or directed manner, where the researcher had a guide to ask questions to the interviewees. This aims to obtain the information needed from the people of

Karanganyar District, Karanganyar Regency. Apart from interviews, data was also collected through literature or document studies to obtain theories, principles, and other thoughts relevant to the research problem. Through literature and documentation studies, researchers can examine various legal regulations and events related to the research problem at hand. The analysis carried out in this field research has a qualitative nature, which often involves collecting data from literature, interviews, participation and observation without using formal or instrumental measurement methods. This aims to get a detailed explanation that produces clear and detailed descriptive data.

RESULT AND DISCUSSION

Causes of Crime in Karanganyar District

Karanganyar District is one of the districts in Karanganyar Regency which is located between the Karanganyar Regency government center. Karanganyar District is an area near the border of Sukoharjo Regency with Solo, and as an area that is often traversed by people from Solo and other cities who want to go to Tawangmangu or as an alternative road to East Java Province or mobilize from Central Java Province to East Java Province, in this case differences in behavior patterns and customs and habits of the community as well as different legal norms from one region to another, in this case can threaten the emergence of criminal acts if they do not respect and respect each other and are very vulnerable to creating community conflicts that can lead to criminal acts. In addition, the emergence of criminal acts is also due to people who are less sensitive and obedient to existing rules and regulations, especially in areas that are often traveled by people between provinces.

Preventive Function of the Public Prosecutor's Office

An activity based on the preventive function is a process of social control, which means to prevent a society from carrying out the applicable legal norms in an orderly manner. Preventive refers to measures taken to reduce or even eliminate the possibility of an undesirable event occurring in the future. Typically, preventive measures tend to be more cost-effective when compared to the costs incurred to mitigate the impact of an adverse event occurring.⁽¹⁰⁾ The preventive function or what we often know as a form of prevention carried out by the prosecutor's office in law enforcement efforts aimed at the community creates opinions or responses with the aim of preventing and controlling criminal acts that

can arise in the community environment. While the definition of society is a social entity consisting of individuals who have an inner life, such as expressions of the soul, collective will, shared consciousness, and so on.⁽¹¹⁾ Through successful prevention activities carried out by the public prosecutor's office and being able to build positive opinions among the public, it is hoped that the public's negative perception of the law can be reduced. Therefore, it is hoped that positive perceptions can be created that have a good impact on respect and compliance with the law. ⁽¹²⁾ Article 30 paragraph (3) of Law No. 16/2004 on the Prosecutor's Office of the Republic of Indonesia states that increasing public legal awareness is one of the activities carried out by the public prosecutor's office in realizing public order and tranquility. It involves efforts to provide people with an understanding of the law, their rights and obligations in society as well as the consequences of violating the law. This can be done through legal counseling, training, campaigns, and various other educative programs. The aim is to create a society that is more aware of the law, so that they can play an active role in maintaining order and preventing violations of the law, monitoring the flow of beliefs that can endanger society and the state. The elucidation of the regulation emphasizes that the duties and authority of the public prosecutor's office, as stipulated in paragraph (3), are preventive in nature. This means that the public prosecutor's office has the responsibility to prevent violations of the law or criminal acts by taking proactive and preventive measures before crimes occur. The preventive function of the public prosecutor's office is an effort to prevent and control the occurrence of criminal acts that occur in the community.

Legal Policy on the Preventive Function of the Public Prosecutor's Office

In Indonesia, regulations regarding the preventive function carried out by law enforcement officials are not clearly regulated in the Criminal Code or Criminal Procedure Code but are regulated in special legislation within the scope of the public prosecutor's office as one of the law enforcement officials, Article 30 paragraph (3) of the Law of the Republic of Indonesia Number 16 of 2004 concerning the Public Prosecutor's Office of the Republic of Indonesia emphasizes that in the domain of public order and tranquility, The Public Prosecutor's Office is responsible for various activities, including efforts to raise legal awareness, maintain security in the implementation of law enforcement policies, supervision of the circulation of printed matter, supervision of cults that have the potential to endanger society and the state, prevention of abuse and/or blasphemy of religion, legal research and

development, and criminal statistics.⁽¹³⁾ Although the article does not explicitly mention the preventive function of the public prosecutor's office, it is clearly explained in the Explanation of Law of the Republic of Indonesia Number 16 of 2004 concerning the Public Prosecutor's Office of the Republic of Indonesia where Paragraph (3) explains that the duties and authority of the public prosecutor's office are preventive and/or educative in accordance with statutory provisions. The term "co-organizing" refers to the implementation of activities that involve assistance, participation, and cooperation. In carrying out these tasks, the prosecution The Preventive function of the public prosecutor's office is also explained in the Regulation of the Attorney General of the Republic of Indonesia Number Per-006/A/JA/07/2017 concerning the Organization and Work Procedures of the Prosecutor's Office of the Republic of Indonesia. Article 145 paragraph (2) of the first part of the regulation states that the scope of the prosecutor's intelligence field includes intelligence activities of investigation, security, and mobilization to prevent criminal acts to support law enforcement both preventively and repressively in various fields such as ideology, politics, economy, finance, socio-culture, defense, and security. In addition, the public prosecutor's office is also tasked with carrying out preventive actions against certain people and helping to organize public order and tranquility. The regulation emphasizes more on the form of preventive functions aimed at the community, such as investigation, security, and mobilization in the form of deterrence in the fields of ideology, political economy, finance, social culture, defense and security, especially in the community with the aim of organizing public order and peace.⁽¹⁴⁾

Analysis of Public Opinions in Karanganyar District on the Preventive Function of the Public Prosecutor's Office

The community of Karanganyar District is a community that lives in the border area between cities and areas that are passed as a link between provinces. With this mobilization, the Karanganyar Subdistrict community is likely to cause communication between individuals/groups of migrants who have different customary backgrounds and social norms. If these differences are not mutually appreciated and respected, it will cause commotion and even result in criminal acts. For this reason, the public prosecutor's office is present with its preventive function as one of the government's efforts from law enforcement officials to overcome this threat. However, in reality, some people who live in the area do not feel the function played by law enforcement officials. People think that the public prosecutor's office

carries out other tasks rather than carrying out this function, which has greater benefits for the order of the community environment. They explained that the reason why this happened was because the preventive function was carried out in the form of posters sent through social media, where people living in the area do not all use social media, plus there are signal constraints that hinder the delivery of information on the prosecutor's preventive function. The opinion of the community can be used as evaluation material for the Karanganyar Public Prosecutor's Office in particular as the closest law enforcement center to the community to improve the distribution of information regarding the prevention of criminal acts in the community must be prioritized considering that the residents of Karanganyar District are areas traversed by alternative routes between cities and between provinces which are very vulnerable to the emergence of criminal acts. The Public Prosecutor's Office is expected to conduct face-to-face socialization so that the distribution of information can be directed to the layers of society in Karanganyar District.

CLOSING

Conclusion

The preventive function of the public prosecutor's office is regulated in Law of the Republic of Indonesia Number 16 of 2004 concerning the Public Prosecutor's Office of the Republic of Indonesia where Paragraph (3) and also Regulation of the Attorney General of the Republic of Indonesia Number Per-006/A/JA/07/2017 concerning the Organization and Work Procedure of the Prosecutor's Office of the Republic of Indonesia. Article 145 paragraph (2) part one. With this policy, the Public Prosecutor's Office can carry out its duties seriously and the community must accept voluntarily as an effort to create an orderly, safe and peaceful community environment. However, based on the opinion of the Karanganyar District community in the form of less than optimal work of the prosecutor's office in carrying out the preventive function as an effort to prevent criminal acts for several reasons such as the lack of direct and face-to-face socialization with the community, it can be used as an evaluation of the performance of the public prosecutor's office as a law enforcement officer who has the obligation to provide protection to all citizens.

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