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Legal Analysis of Indonesian National Police Accountability in Addressing Street

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ABSTRACT

Street crime remains a persistent challenge to public security in Indonesia. This study examines the legal construction of the Indonesian National Police's responsibility in addressing street crime and the juridical implications of implementation obstacles. The research problems are how police responsibility is legally constructed in handling street crime and what juridical implications arise from obstacles to its implementation. The study aims to analyze that legal construction and identify the resulting juridical implications. Using normative legal research with statutory, conceptual, and case approaches, it relies on primary, secondary, and tertiary legal materials collected through library research and analyzed by qualitative content analysis. The findings show that police responsibility comprises individual, institutional, disciplinary, ethical, administrative, and civil/criminal liability. Preventive responsibility under Law No. 2 of 2002 is constrained by limited resources, weak coordination, and low community participation. The most serious juridical implications arise from failure to respond to public reports and abandoned investigations, which breach statutory duties and Article 28G of the 1945 Constitution, constitute maladministration under Law No. 37 of 2008, and may create civil liability under Article 1365 of the Civil Code. Strengthening accountability requires procedural compliance, accessible complaint mechanisms, and performance evaluation beyond quantitative indicator.

Keywords: *Accountability, Community Policing, Legal Responsibility, Indonesian National Police, Street Crime*

INTRODUCTION

Street crime remains a persistent challenge to public security in Indonesia. Offences committed in public spaces, including theft, robbery, mugging, and other forms of violence, directly affect the safety and mobility of citizens. Unlike offences that occur within controlled environments, street crime is often opportunistic and unpredictable, requiring law enforcement institutions to combine preventive measures, rapid response, and effective investigation. Recent research conducted by the Indonesian National Police Research and Development Center identifies theft, robbery, illegal racing, and mugging among the forms of street crime encountered by communities and indicates that police patrols, community participation, and cooperation between the police and local communities are important elements in addressing such offences. The persistence of street crime therefore raises questions concerning the legal responsibility of the police in providing protection and security to the community.

The legal responsibility of the Indonesian National Police *(Polri)* is principally derived from the 1945 Constitution and Law Number 2 of 2002 concerning the Indonesian National Police. The Police are entrusted with maintaining security and public order, enforcing the law, and providing protection, guidance, and services to the community. These responsibilities establish a legal framework within which police authority must be exercised lawfully, professionally, and accountably. The legal position of *Polri* also requires consideration of the institutional rights and obligations attached to police officers in carrying out their duties. Sugiharto's study of the regulation of legal assistance for Indonesian police officers demonstrates that the legal status and institutional responsibilities of *Polri* are closely connected with the statutory framework governing the exercise of police functions.[1] Thus, police responsibility cannot be reduced to the successful apprehension of offenders. It also encompasses the lawful and professional performance of preventive and responsive policing functions.

The importance of police responsibility becomes more apparent in the context of street crime because effective enforcement requires a combination of penal and non-penal measures. A study of law enforcement against human trafficking within the jurisdiction of the Sangihe Islands Resort Police demonstrates that law enforcement may operate through both penal measures and preventive approaches, including public education and socialisation.[2] Although the study concerns human trafficking, its findings illustrate a broader principle relevant to police

[1] Yahman Yahman et al., "DISCIPLINARY ACTIONS UNDER THE POLICE CODE OF ETHICS FOR OFFICERS INVOLVED IN ADULTERY," *Journal of Law Theory and Law Enforcement* 3, no. 4 (January 10, 2025): 24–35, https://doi.org/10.56943/jlte.v3i4.680.

[2] Revianto Anriz, Wahyu Prawesthi, and Bahrul Amiq, "LAW ENFORCEMENT AGAINST HUMAN TRAFFICKING IN THE POLICE JURISDICTION AT SANGIHE ISLANDS RESORT," *Journal of Court and Justice*, October 27, 2023, 31–42, https://doi.org/10.56943/jcj.v2i4.409.

responsibility, that is, effective law enforcement requires more than the prosecution of offenders after an offence has occurred. This principle is particularly significant in street-crime prevention, where police visibility, patrols, early detection, and cooperation with communities may determine whether potential offences are prevented or allowed to escalate. Research on community policing in the Depok Metropolitan Police jurisdiction similarly found that implementation remained suboptimal and was influenced by factors including communication, resources, partnership, institutional structure, and the methods used by police officers.[3]

The implementation of police responsibility nevertheless faces institutional and operational challenges. Limited personnel and operational resources, weak coordination, inadequate community engagement, and organisational practices that prioritise measurable enforcement outcomes may affect the ability of police units to respond effectively to street crime. These challenges also have implications for police accountability. Recent legal scholarship emphasises that professionalism, institutional supervision, organisational reform, and accountability are essential to ensuring that law enforcement is consistent with justice, transparency, and human rights.[4] Accountability is particularly important where police officers exercise coercive powers or fail to perform duties required by law. In this respect, the existence of professional ethics mechanisms forms part of the broader institutional framework for controlling the exercise of police authority. Warsym and Harmoko demonstrate that the Police Code of Ethics Commission occupies a specific position within Indonesia's legal system and performs an important function in addressing violations of police professional ethics.[5]

The problem therefore extends beyond the effectiveness of police operations and concerns the juridical consequences of police action or inaction. Police officers who act unlawfully or disproportionately may be subject to legal and professional accountability, while inadequate institutional responses may raise questions concerning administrative accountability and the protection of citizens' rights. Recent Indonesian legal scholarship has specifically examined police accountability in the context of law enforcement actions and emphasised the importance of ensuring that police conduct remains consistent with principles of justice and legal accountability.[6] Accordingly, the assessment of police

[3] David Pratama Purba; A. Wahyurudhanto; Yundini Husni Erwin, "Pemolisian Masyarakat Dalam Pencegahan Kejahatan Jalanan," *Jurnal Ilmu Kepolisian* 15, no. 1 (July 6, 2021): 12, https://doi.org/10.35879/jik.v15i1.294.

[4] Suud Sarim Karimullah, "The Role of Law Enforcement Officials: The Dilemma Between Professionalism and Political Interests," *Jurnal Hukum Dan Peradilan* 13, no. 2 (July 31, 2024): 365, https://doi.org/10.25216/jhp.13.2.2024.365-392.

[5] Dani Manesah and Satria T. Putra, "Analisis Tone Warna Dalam Sinematografi Dalam Menciptakan Efek Bahagia Pada Film Dokumenter ' Permata Di Tengah Danau Toba' Sutradara Andi Hutagalung Teruna Satria Putra," vol. 1, 2024.

[6] Ismail Ismail, Fakhris Lutfianto Hapsoro, and Andi Muhammad Rezaldy, "Akuntabilitas Penegakan Hukum Terhadap Aparat Kepolisian Yang Melakukan Tindak Kekerasan," *Jurnal*

responsibility in handling street crime requires an integrated examination of police law and administrative law instead of an assessment based solely on crime statistics or the number of cases resolved.

Despite the importance of these issues, existing studies tend to examine street crime prevention, police accountability, professional ethics, and police law as separate subjects. Limited attention has been given to the legal construction of *Polri*'s responsibility in handling street crime by connecting the statutory duties of the Police with the administrative-law consequences of inadequate or unlawful performance. This study therefore aims to analyse the legal construction of *Polri*'s responsibility in handling street crime and to identify the juridical implications of obstacles encountered in its implementation. The study is expected to contribute to the development of police and administrative law by clarifying the relationship between police authority, institutional responsibility, and public accountability, while providing a legal basis for strengthening preventive policing and the protection of community rights.

LITERATURE REVIEW

The scholarly conversation on police accountability in Indonesia begins with the constitutional and statutory foundations that define the legal position of the Indonesian National Police. Law Number 2 of 2002 establishes the formal duties of the police, namely maintaining security and public order, enforcing the law, and providing protection, guidance, and services to the community.[7] Within this legal framework, Yahman et al. examine disciplinary actions under the Police Code of Ethics and show that professional ethics mechanisms form an essential part of institutional accountability.[8] Their study of decision No. PUT/11/XI/HUK.12.10/2023 reveals that violations of ethics, including adultery, damage public trust and require consistent enforcement through internal oversight. Putra and Setiasih further demonstrate that police intelligence operations in preventing mass riots must be assessed against multiple regulatory standards, such as Police Regulation No. 1/2009 on the use of force and FIFA rules.[9] This scholarship indicates that police accountability consists of several interconnected

Hukum Ius Quia Iustum 30, no. 3 (September 1, 2023): 602–21, https://doi.org/10.20885/iustum.vol30.iss3.art7.

[7] Mochammad Muslihuddin and Dr. Yahman Yahman, "LAW ENFORCEMENT AGAINST HEALTH PROTOCOL COVID-19 VIOLATIONS IN INDONESIA," *Journal of Law Theory and Law Enforcement*, August 11, 2022, 44–52, https://doi.org/10.56943/jlte.v1i3.102.

[8] Yahman et al., "DISCIPLINARY ACTIONS UNDER THE POLICE CODE OF ETHICS FOR OFFICERS INVOLVED IN ADULTERY."

[9] Milenio Januar Putra and Herma Setiasih, "THE ROLE OF INDONESIAN POLICE INTELLIGENCE IN PREVENTING MASS SOCCER SPECTATORS' RIOT BASED ON THE REGULATION OF THE HEAD OF SECURITY INTELLIGENCE AGENCY OF INDONESIAN NATIONAL POLICE NO. 2/2013," *Journal of Law Theory and Law Enforcement* 2, no. 3 (August 9, 2023): 45–54, https://doi.org/10.56943/jlte.v2i3.358.

dimensions, including internal discipline, external oversight, and compliance with domestic and international norms.

A second line of inquiry addresses the operational and institutional obstacles that shape the practical implementation of police responsibility. Purba et al. analyse community policing in the Depok Metropolitan Police jurisdiction and find that implementation remains suboptimal because of factors including communication, resources, partnership, institutional structure, and the methods used by officers.[10] Their findings suggest that preventive policing depends on public cooperation and that limited community participation weakens the capacity of police units to identify and respond to street crime. Anriz et al. examine law enforcement against human trafficking in the Sanghe Islands Resort Police and show that effective enforcement may combine penal measures with preventive approaches, including public education and socialisation.[11] Although their study focuses on human trafficking, the underlying principle applies to street crime, that is, police responsibility extends beyond the prosecution of offenders after an offence has occurred. Karimullah adds that law enforcement officials often face a dilemma between professionalism and political interests, which can affect the consistency and credibility of police accountability.[12] These studies collectively indicate that resource limitations, weak coordination, organisational culture, and external pressures may hinder the effective discharge of police duties.

A third area of scholarship identifies a gap in the literature concerning the legal construction of police responsibility in handling street crime. Ismail and Rezally examine accountability in law enforcement against police officers who commit acts of violence and emphasise the importance of ensuring that police conduct remains consistent with justice and legal accountability.[13] Their analysis shows that failures in accountability may lead to maladministration, violations of citizens' rights, and declining public trust. Bovens provides a conceptual framework that defines accountability as a relationship in which an actor must explain and justify conduct before a forum capable of questioning and assessing that conduct and, where appropriate, attaching consequences.[14] This framework is useful for understanding that formal rules and oversight institutions alone are insufficient unless they are supported by accessible procedures and meaningful follow-up. Existing studies nevertheless tend to examine street-crime prevention, police accountability, professional ethics, and police law as separate subjects. Limited

[10] Yundini Husni Erwin, "Pemolisian Masyarakat Dalam Pencegahan Kejahatan Jalanan."
[11] Anriz, Prawesthi, and Amiq, "LAW ENFORCEMENT AGAINST HUMAN TRAFFICKING IN THE POLICE JURISDICTION AT SANGIHE ISLANDS RESORT."
[12] Karimullah, "The Role of Law Enforcement Officials: The Dilemma Between Professionalism and Political Interests."
[13] Ismail, Hapsoro, and Rezaldy, "Akuntabilitas Penegakan Hukum Terhadap Aparat Kepolisian Yang Melakukan Tindak Kekerasan."
[14] Mark Bovens, "Analysing and Assessing Accountability: A Conceptual Framework 1," *European Law Journal* 13, no. 4 (July 7, 2007): 447–68, https://doi.org/10.1111/j.1468-0386.2007.00378.x.

attention has been given to the legal construction of police responsibility in handling street crime by connecting the statutory duties of the police with the administrative-law consequences of inadequate or unlawful performance. This study therefore aims to analyse that legal construction and to identify the juridical implications of obstacles encountered in its implementation, with reference to Law Number 2 of 2002, Law Number 30 of 2014, Law Number 37 of 2008, and Police Regulation Number 1 of 2021 on community policing.

RESEARCH METHODOLOGY

This study employs normative legal research as its primary methodological approach, a choice justified by the nature of the research question, namely the legal construction of police responsibility and the juridical implications of its implementation. Normative legal research focuses on the analysis of positive law, that is, the body of legal norms, principles, and regulations that govern a particular field of legal relations.[15] This approach is particularly appropriate for examining the accountability of the Indonesian National Police in addressing street crime because the subject matter consists primarily of statutory duties, institutional obligations, and administrative law consequences. The study utilises three complementary approaches, including the statutory approach, the conceptual approach, and the case approach.[16] The statutory approach involves a systematic examination of relevant legislation, such as Law Number 2 of 2002 concerning the Indonesian National Police, Law Number 30 of 2014 concerning Government Administration, and Law Number 37 of 2008 concerning the Ombudsman of the Republic of Indonesia. The conceptual approach draws upon legal doctrines and theoretical frameworks, including the concept of accountability as elaborated by Mark Bovens, to interpret and evaluate the legal materials. The case approach examines court decisions, oversight reports, and documented incidents that illustrate how police responsibility operates in practice and where accountability mechanisms succeed or fail.

The legal materials used in this study consist of primary, secondary, and tertiary sources, all of which were collected through systematic library research.[17] Primary legal materials include the 1945 Constitution of the Republic of Indonesia, statutes, government regulations, and police regulations, such as Police Regulation Number 1 of 2021 concerning Community Policing. Secondary legal materials comprise scholarly books, academic journal articles, and previous research reports that discuss police accountability, street crime, administrative law, and human rights. Tertiary legal materials include legal dictionaries, encyclopedias, and indexes that assist in clarifying legal terminology and locating further sources. The collection process involved identifying relevant materials from library collections,

[15] Soerjono Soekanto and Sri Mamudji, *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*, 21st ed. (CV. Rajawali, 2022), https://jdih.dprd.sukoharjokab.go.id/koleksi-buku/791.

[16] Marzuki Peter Mahmud, *Penelitian Hukum*, 19th ed. (Jakarta: Kencana, 2019), https://opac.perpusnas.go.id/DetailOpac.aspx?id=1409842.

[17] Johnny Ibrahim, *Teori & Metodologi Penelitian Hukum Normatif* (Bayu Media, 2013), https://bintangpusnas.perpusnas.go.id/konten/BK26135/teori-and-metodologi-penelitian-hukum-normatif.

online legal databases, and official government publications. The selection of materials was guided by their relevance to the research objectives, their legal authority, and their currency. This systematic approach ensures that the analysis rests upon a comprehensive and reliable foundation of legal sources.

The analysis of the collected legal materials was conducted using qualitative content analysis, a method that involves interpreting legal texts to identify their meaning, coherence, and implications. This analysis proceeded through several stages, including data reduction, data display, and conclusion drawing. Data reduction involved selecting and summarising relevant provisions, doctrines, and scholarly arguments. Data display involved organising the reduced data into thematic categories, such as the legal framework of police responsibility, obstacles to implementation, and juridical consequences. Conclusion drawing involved interpreting the organised data to answer the research questions and to formulate legal arguments. The analysis is interpretive and prescriptive in nature, meaning that it seeks to understand existing legal norms and to propose improvements based on legal reasoning. This method is suitable for the study because it allows the researcher to connect statutory duties with administrative law consequences and to evaluate whether current accountability mechanisms adequately address the challenges of street crime. The findings are presented in a narrative form that integrates legal analysis with contextual explanation, thereby providing a clear and coherent account of police accountability in Indonesia.

RESULT AND DISCUSSION

Legal Construction of Police Responsibility in Handling Street Crime

The legal construction of police responsibility in handling street crime is founded on the constitutional obligation of the State to protect its citizens and maintain public security and order. Within this framework, the Indonesian National Police (*Polri*) serves as the principal state institution responsible for maintaining security and public order, enforcing the law, and providing protection, guidance, and services to the public.[18] Police responsibility in this context is not a single or monolithic concept. It consists of several distinct legal categories that operate at different levels and trigger different consequences. The first category is individual responsibility, which attaches to a police officer personally for acts or omissions that violate legal duties, including the unlawful use of force or neglect of statutory obligations.[19] The second category is institutional responsibility, which attaches to *Polri* as an organization when systemic failures, inadequate supervision, or defective policies contribute to harm or rights violations.[20] The third category is

[18] "Undang-Undang (UU) Nomor 2 Tahun 2002 Tentang Kepolisian Negara Republik Indonesia" (2002), https://peraturan.bpk.go.id/Details/44418/uu-no-2-tahun-2002.

[19] Aryadi Almau Dudy and Suheflihusaini Ashady, "Sistem Pertanggungjawaban Pidana Aparat Kepolisian Dalam Penggunaan Senjata Api Yang Mengakibatkan Peluru Nyasar Dalam Menjalankan Tugas," *Jurnal Risalah Kenotariatan* 5, no. 1 (June 25, 2024): 147–56, https://doi.org/10.29303/risalahkenotariatan.v5i1.228.

[20] Ismail Hasani, Halili, and Ikhsan Yosarie, "Police Transformation within Constitutional Democracy Design: Evidence from Indonesia," *Jurnal Civics: Media Kajian Kewarganegaraan* 23, no. 1 (April 2, 2026): 331–46, https://doi.org/10.21831/jc.v23i1.96514.

disciplinary responsibility, which arises from violations of internal police regulations and operational procedures and is enforced through the police hierarchy. The fourth category is ethical responsibility, which concerns breaches of the Police Code of Ethics and professional standards of conduct, examined by the Police Code of Ethics Commission.[21] The fifth category is administrative responsibility, which relates to maladministration, including unlawful conduct, abuse of authority, negligence, and procedural irregularities, and is subject to external oversight by the Ombudsman.[22] The sixth category is civil and criminal liability, which arises when police conduct fulfils the elements of a tort or a criminal offence and is determined through judicial proceedings.[23] This analytical distinction is essential because it clarifies which forum has jurisdiction, which standards apply, and what consequences may follow.

Among these categories, preventive responsibility occupies a central position in the legal construction of police duties under Law Number 2 of 2002. Preventive responsibility refers to the statutory obligation of the police to maintain security and public order through measures that anticipate and reduce opportunities for crime before offences occur. Article 5 of Law Number 2 of 2002 establishes that Polri is a state instrument responsible for maintaining security and public order, enforcing the law, and providing protection, guidance, and services to the community. Article 13 further specifies that the primary duties of the police include maintaining public security and order, which encompasses preventive patrols, early detection, community engagement, and the mitigation of potential disturbances. These preventive duties are not merely aspirational or programmatic. They constitute binding legal obligations that must be performed within the limits of statutory authority, human rights principles, and standards of public administration and police conduct. Failure to perform these preventive duties may trigger legal consequences, including disciplinary sanctions for operational negligence, ethical sanctions for professional misconduct, administrative findings of maladministration, and in certain circumstances civil or criminal liability where the failure results in demonstrable harm to citizens. The legal construction of police responsibility in handling street crime therefore requires an integrated examination of these categories, with particular attention to the preventive dimension that defines the proactive role of the police in protecting the community.

From the perspective of legal and administrative responsibility, the exercise of police authority is inseparable from professional standards, procedural requirements, and accountability mechanisms. The powers conferred upon *Polri*

[21] Yahman et al., "DISCIPLINARY ACTIONS UNDER THE POLICE CODE OF ETHICS FOR OFFICERS INVOLVED IN ADULTERY."

[22] Irawan Hendra, "Maladministrasi Dalam Tinjauan Regulasi," ombudsman, 2024, https://ombudsman.go.id/artikel/r/pwkinternal--maladministrasi-dalam-tinjauan-regulasi.

[23] Sahdi Muhammad Rafi, "PERTANGGUNGJAWABAN KEPOLISIAN DALAM KASUS SALAH TANGKAP OLEH PENYIDIK" (Universitas Sulawesi Barat, 2025), https://repository.unsulbar.ac.id/id/eprint/1989.

must be exercised lawfully, proportionately, and carefully, while police officers are required to comply with applicable legislation, professional ethics, and internal operational procedures.[24] In the context of street crime, these standards are reflected in preventive patrols, the proper handling of public reports, lawful investigative measures, accurate documentation, and appropriate treatment of victims and suspects. Failure to fulfil these obligations may give rise to internal disciplinary or ethical responsibility and, depending on the nature of the act or omission, administrative accountability or other legal consequences. Internal supervision through the police's professional and security mechanisms, together with external oversight by institutions such as the National Police Commission and the Ombudsman, consequently forms an important part of the broader accountability framework.

Police responsibility must also be understood through the development of community policing, which broadens the conventional law enforcement orientation. Rather than treating the police as the sole actor responsible for crime control, this approach emphasizes cooperation between police officers and the community in identifying security problems, preventing crime, and developing appropriate responses.[25] In Indonesia, this orientation is institutionally reflected in the role of Bhayangkara Pembina Keamanan dan Ketertiban Masyarakat (*Bhabinkamtibmas*), who functions as a link between *Polri* and local communities in detecting potential disturbances, facilitating communication, and supporting preventive security measures. Community participation is therefore not merely supplementary to police work but constitutes an important component of effective crime prevention.

Accordingly, the legal construction of police responsibility in handling street crime comprises three interrelated dimensions, namely law enforcement, crime prevention, and public service. Each dimension corresponds to specific statutory obligations and triggers distinct accountability mechanisms. Law enforcement is governed by Article 13 of Law Number 2 of 2002, which assigns the police the duty to investigate criminal offences and take lawful action against offenders.[26] Failures in this dimension may result in disciplinary sanctions for operational negligence, ethical sanctions for professional misconduct, or criminal liability where the conduct fulfils the elements of an offence.[27] Crime prevention is grounded in Article 5 of the same Law, which mandates the police to maintain public security and order through preventive measures, including patrols, early detection, and community engagement as further regulated by Police Regulation Number 1 of 2021 on

[24] Republic of Indonesia, *Law Number 2 of 2002 concerning the Indonesian National Police*; Republic of Indonesia, *Law Number 30 of 2014 concerning Government Administration*, State Gazette of the Republic of Indonesia of 2014 No. 292, Supplement to the State Gazette No. 5601.
[25] Indonesian National Police, *Police Regulation of the Republic of Indonesia Number 1 of 2021 concerning Community Policing* (*Pemolisian Masyarakat*).
[26] Undang-undang (UU) Nomor 2 Tahun 2002 tentang Kepolisian Negara Republik Indonesia.
[27] Muhammad Rafi, "PERTANGGUNGJAWABAN KEPOLISIAN DALAM KASUS SALAH TANGKAP OLEH PENYIDIK."

community policing. Deficiencies in preventive performance may give rise to administrative findings of maladministration examined by the Ombudsman.[28] Public service requires responsiveness, accessibility, professionalism, and respect for citizens' rights, and it is evaluated against the General Principles of Good Governance under Law Number 30 of 2014.[29] This framework shifts performance assessment from purely quantitative indicators, such as arrest rates, toward a broader evaluation that also considers public safety, preventive effectiveness, and public trust.[30]

Implementation, Obstacles, and Juridical Implication of Police Responsibility

The implementation of police responsibility in handling street crime faces interconnected operational, institutional, and legal challenges. Law No. 2 of 2002 on the Indonesian National Police *(Polri)* assigns the police the functions of maintaining public security and order, enforcing the law, and providing protection, guidance, and services to the public.[31] In practice, however, the effective performance of these duties may be constrained by limitations in personnel and operational resources, unequal workloads, inadequate coordination, administrative burdens, and the need to adapt policing strategies to different local conditions. These constraints may reduce the capacity for preventive patrols, timely responses to public reports, effective investigations, and sustained engagement with communities.

Institutional factors may further affect the implementation of police responsibility. Accountability and professional performance depend not only on the existence of legal duties and internal standards but also on how performance is assessed, supervised, and evaluated. An excessive emphasis on measurable outputs may result in insufficient attention to preventive policing, service quality, procedural compliance, and public trust. Organizational culture and hierarchical structures may likewise influence the willingness of officers to report errors or misconduct and may limit the effectiveness of internal supervision. Police responsibility, therefore, cannot be understood solely as an individual obligation but must also be examined in relation to institutional capacity, organizational governance, and supervisory effectiveness.

The implementation of preventive policing also depends substantially on cooperation between the police and the community. Limited public participation, fear of retaliation, and lack of confidence in law-enforcement institutions may discourage citizens from reporting crime or cooperating with preventive measures.

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[28] Hendra, "Maladministrasi Dalam Tinjauan Regulasi."
[29] "Undang-Undang (UU) Nomor 30 Tahun 2014 Tentang Administrasi Pemerintahan" (2014), https://peraturan.bpk.go.id/Details/38695/uu-no-30-tahun-2014.
[30] Bovens, "Analysing and Assessing Accountability: A Conceptual Framework 1."
[31] Republic of Indonesia, *Law No. 2 of 2002 on the Indonesian National Police (Undang-Undang Nomor 2 Tahun 2002 tentang Kepolisian Negara Republik Indonesia)*, arts. 2, 4, and 13.

This is particularly significant in the handling of street crime, where information from the community can assist the police in identifying patterns, locations, and circumstances associated with criminal activity. Consequently, strengthening police responsibility requires improvements in operational resources as well as the development of public trust and effective cooperation between the police and the communities they serve.

These implementation obstacles have important juridical implications. Ineffective responses to reports of crime or failures to perform statutory duties may hinder the prevention and investigation of offences, including the identification of offenders and preservation of relevant evidence. More specifically, each type of obstacle triggers distinct legal consequences. Resource limitations that result in delayed responses may constitute maladministration under Law Number 37 of 2008, particularly the forms of neglect or disregard of legal obligations and protracted delay in public service.[32] Weak coordination among police units that leads to abandoned investigations may also qualify as maladministration, and where such failure results in demonstrable harm, it may give rise to state liability under Article 1365 of the Civil Code, which requires compensation for unlawful acts causing loss to another person.[33] Limited community participation does not itself create liability, but institutional failure to facilitate reporting mechanisms may compound the police's failure to protect citizens.

Article 28G paragraph (1) of the 1945 Constitution guarantees every person the right to protection of their personal security, family, honour, dignity, and property, as well as the right to be free from fear.[34] This constitutional guarantee is not merely aspirational. It imposes a positive obligation on the state, particularly the police as the principal institution responsible for public security, to take reasonable measures to protect citizens from criminal threats. When police failures in addressing street crime systematically deprive citizens of this protection, such failures may constitute a violation of the constitutional right to security. The legal remedies available to affected citizens include filing a complaint with the Ombudsman for maladministration, bringing a lawsuit before the State Administrative Court for administrative decisions or actions, and pursuing civil damages under Article 1365 of the Civil Code. In cases involving criminal offences, victims may also seek restitution or compensation through the criminal justice process. These remedies, however, remain underutilized because of limited public awareness, fear of retaliation, and procedural barriers. Strengthening access to these mechanisms is therefore essential to ensuring that police responsibility translates into enforceable legal accountability.

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[32] Hendra, "Maladministrasi Dalam Tinjauan Regulasi."
[33] Hasani, Halili, and Yosarie, "Police Transformation within Constitutional Democracy Design: Evidence from Indonesia."
[34] "Undang-Undang Dasar (UUD) Tahun 1945 Dan Amandemen Nomor - Tentang UUD 1945 Dan Amandemen" (n.d.), https://peraturan.bpk.go.id/Details/101646/uud-no--.

Police failures in street crime cases may meet the criteria for maladministration under Law Number 37 of 2008. For example, a failure to respond promptly to a public report of robbery or mugging can constitute negligence or disregard of legal obligations. Similarly, an investigation that is abandoned without explanation or that ignores available evidence may amount to a procedural irregularity or an abuse of authority.[35] These examples fall within the statutory definition of maladministration, which includes unlawful conduct, abuse of authority, negligence, and procedural irregularities. Law Number 30 of 2014 further requires police authority to be exercised in accordance with legality and the General Principles of Good Governance.[36] Therefore, where these criteria are satisfied, the matter may be examined by the Ombudsman or other oversight mechanisms.

The juridical consequences of police failures must be assessed according to the specific facts and applicable legal framework. Not every unsolved crime or unsuccessful police response automatically creates legal liability. To determine the appropriate form of accountability, four categories must be distinguished. Operational limitations refer to resource constraints, including insufficient personnel, equipment, or information, and they do not involve any breach of legal duty. Professional or ethical violations involve breaches of internal police regulations or the Police Code of Ethics, and they are subject to disciplinary mechanisms. Maladministration consists of unlawful conduct, abuse of authority, negligence, or procedural irregularities, and it is examined through external oversight. Legal liability arises when police conduct fulfils the elements of a criminal or civil wrong, such as unlawful use of force or negligent failure to protect citizens, and it is determined through judicial proceedings. This distinction ensures that accountability measures remain proportionate, fair, and consistent with the principles of legality and good governance.

Therefore, the implementation of police responsibility in handling street crime must be understood as a relationship between operational capacity, institutional governance, legal duties, and accountability. Among the obstacles discussed, the failure to respond to public reports and the abandonment of investigations carry the most serious juridical implications. These failures directly violate the statutory duty to protect and serve under Law Number 2 of 2002, and they simultaneously breach the constitutional right to security under Article 28G of the 1945 Constitution. Unlike resource shortages, which may be excused as operational limitations, these failures constitute actionable negligence that meets the criteria for maladministration and may give rise to civil liability under Article 1365 of the Civil Code. Strengthening police responsibility consequently requires prioritizing procedural compliance and accessible complaint mechanisms, alongside improvements in operational capacity and professional standards.

[35] Hendra, "Maladministrasi Dalam Tinjauan Regulasi."
[36] Undang-undang (UU) Nomor 30 Tahun 2014 tentang Administrasi Pemerintahan.

CONCLUSION

This study concludes that police responsibility in handling street crime is legally grounded in the constitutional obligation of the state to protect citizens and in Law Number 2 of 2002 concerning the Indonesian National Police. This responsibility consists of preventive, repressive, and service functions that must be exercised within statutory limits and human rights principles. Among the obstacles examined, the failure to respond to public reports and the abandonment of investigations carry the most serious juridical consequences. Unlike resource shortages, which may be classified as operational limitations, these failures directly breach statutory duties and the constitutional right to security under Article 28G of the 1945 Constitution, and they satisfy the criteria for maladministration under Law Number 37 of 2008 as well as potential civil liability under Article 1365 of the Civil Code.

This finding matters because the most serious juridical implications arise not from the absence of legal rules but from the failure to apply them consistently. Institutional weaknesses, including weak coordination, unbalanced performance evaluation, and limited community participation, aggravate this failure by allowing procedural neglect to persist without meaningful correction. Consequently, failures in the performance of police duties may lead to disciplinary accountability, ethical sanctions, maladministration proceedings, or civil and criminal liability, depending on the facts and the forum that examines the conduct.

Strengthening police responsibility therefore requires targeted reforms that prioritize procedural compliance, timely response to public reports, and accessible complaint mechanisms. These measures must be supported by adequate operational capacity, professional standards, and performance evaluation that considers service quality, preventive effectiveness, and public trust as integral elements of police accountability.

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