

# **Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

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**Abstract:** This purpose of the study is to determine the effectiveness and the factors that influence law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi. This study uses two types of research, namely normative research and empirical research. This study uses qualitative analysis techniques. In addition, some data were also analyzed using quantitative techniques by describing them through a frequency distribution table. The conclusion of this research is that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi is less effective, including law enforcement efforts against narcotics abusers through penal means in the form of handling through legal channels and non-penal means, which include: pre-emptive efforts, preventive efforts, and repressive efforts. Furthermore, law enforcement factors against perpetrators of narcotics abuse also affect less. Based on this conclusion, it is hoped that law enforcement officers in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi will be more effective in dealing with perpetrators of narcotics abuse. In this case, through a penal or non-penal approach.

**Keywords:** Law Enforcement; Narcotics; Narcotics Abusers; Police.

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## **I. INTRODUCTION**

Today's society is restless with the circulation of narcotics illegal drugs. This situation will threaten the safety of the younger generation directly or indirectly, leading to various criminal cases (Hartini & Sukma, 2019). Narcotics have become a scourge in the reform era and become the nation's primary problem because they destroy much common sense, kill the human community and destroy the foundations of society's morality. How terrible the destruction has been spread and many lives taken by Narcotics, which often occurs in big cities, including in several Regency/Municipal of West Sulawesi Province.

The circulation of illegal drugs shakes the social balance, destroys the morale of the young generation, undermines the morals of the nation, and touches all social stratifications down to children, adults, and people (Sumanto, 2017). Therefore, Law of the Republic of Indonesia Number 35 of 2009 on Narcotics (hereinafter referred to as Law No. 35 of 2009) aims to prevent an increasing trend both quantitatively and qualitatively with widespread victims, especially among children, adolescents, women, and the younger generation.

Law enforcement officials make various efforts to prevent and eradicate drug crimes. One element of law enforcement that also has an essential role in the existence of narcotics crimes is The State Police of the Republic of Indonesia (hereinafter referred to as Police) as a state tool that can carry out law enforcement duties professionally by breaking the syndicated network from abroad through the cooperation of relevant agencies in extraordinary crimes. Furthermore, crime, where certain cases are unique, requires being proactive in finding and finding perpetrators and committing crimes against drug crimes (Hartono, 2012).

According to Soerjono Soekanto (2016), the factors that influence the performance of law enforcement officers are:

1. internal factors, which are related to human resources, welfare, and budget in carrying out their duties;
2. external factors, which are related to the intervention in the task, the dependence on other parties, namely witnesses.

In addition to these factors, there are also systematic obstacles experienced by police officers in implementing the criminal justice system, namely the imposition of crimes that are felt very far from what is expected by the police.

Based on the description above, the purpose of the study is to determine the effectiveness and the factors that influence law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi.

## **II. METHOD**

This study uses two types of research: normative research and empirical research. Normative legal research, namely legal research, includes research on legal principles, research on legal systematics, legal history research and comparative legal research (Qamar & Rezah, 2020). In contrast, empirical legal research looks at the law in its social context (Sampara & Husen, 2016), mainly related to the facts or phenomena of law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi. This research was conducted in the jurisdiction of the Regional Government of West Sulawesi Province.

The population in this study is all Police personnel who handle narcotics crime cases in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi. The number of sample respondents was as many as 81 people.

The types and sources of data used in this study are as follows:

1. Primary data, namely data obtained directly from research respondents related to the effectiveness of law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi;
2. Secondary data, namely data obtained from searching legal literature, in the form of legislation, references, legal scientific journals, legal encyclopedias, and texts or official publications.

The data collection techniques are used as follow:

1. Questionnaires or questionnaires, namely conducting direct interviews by asking questions to be answered by respondents related to the problems studied in this study;
2. Documentation, carried out by way of an official request to the relevant agency;
3. The literature study was carried out by taking inventory, reading, and analyzing primary legal materials.

The entire data obtained were then analyzed using qualitative analysis techniques. In addition, some data were also analyzed using quantitative techniques by describing them through a frequency distribution table.

## **III. RESULTS AND DISCUSSION**

### **A. Effectiveness of Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

The police in eradicating the spread and abuse of narcotics have clear stages and detailed processes, all of which are based on the prevailing laws and regulations, namely Law No. 35 of 2009. The role of the police is essentially an effort to enforce the law. In carrying out their duties, they are bound by a provision including the Law No. 35 of 2009 as a benchmark and explanation regarding the eradication of the spread and abuse of narcotics so that uniformity is obtained regarding the activities that must be carried out related to the eradication of the spread and abuse of narcotics.

The police, as law enforcement officers, are authorized to carry out the prevention and eradication of criminal acts or crimes. Based on Article 14 section (1) point c of Law of the Republic of Indonesia Number 2 of 2002 on the State Police of the Republic of Indonesia (hereinafter referred to as Law No. 2 of 2002), regulates that:

*“In implementing its principal tasks as referred to in Article 13, the State Police of the Republic of Indonesia shall conduct to educate society for enhancing public participation, law awareness and public compliance against laws and regulations.”*

Based on Article 15 section (1) point f of Law No. 2 of 2002, regulates that:

*“In implementing its tasks as referred to in Article 13 and Article 14, the State Police of the Republic of Indonesia shall authorize generally to implement special examination as part of police actions for prevention”*

The role of the police in eradicating against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi are carried out through repressive efforts, including investigations and investigations that have been regulated in Law of the Republic of Indonesia Number 8 of 1981 on the Code of Criminal Procedure. Narcotics crime that occurred in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi has increased every year.

The police who carry out the investigation and then the investigation results are sufficient. The investigator submits the investigation results to the public prosecutor for further prosecution of the criminal act of drug abuse that he is investigating, where the prosecutor as the public prosecutor is given the authority and task for each case (report) that is delegated. To him from the police, based on Law of the Republic of Indonesia Number 16 of 2004 on the Attorney General's Office of the Republic of Indonesia, drafted an indictment and then transferred the case files that met the formal requirements and material requirements to the District Court for trial.

Furthermore, based on Article 74 of Law No. 35 of 2009, regulates that:

(1) Cases of abuse and illicit trafficking of Narcotics and Narcotics Precursors, including cases that take precedence over other cases to be submitted to the court for immediate settlement.

(2) The process of examining cases of Narcotics crime and Narcotics Precursor crime at the level of appeal, cassation level, review, and execution of the death penalty, as well as the process of granting clemency, the implementation must be accelerated by the laws and regulations.

Law enforcement in the criminal justice system cannot be separated from the role of the National Police and the National Narcotics Agency (BNN) as *ius operatum*, especially in dealing with narcotics abuse in the form of prosecution and eradication of illicit narcotics trafficking for a month to the process of imposing criminal sanctions by Judges.

According to a member of the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, that:<sup>1</sup>

*"The settlement of criminal cases of narcotics abuse is based on the Law No. 35 of 2009, where the provisions regarding the crime are severe to provide a deterrent effect for the perpetrators so as not to repeat their actions. The handling of perpetrators of criminal acts of narcotics abuse in Law No. 35 of 2009, and Law No. 36 of 2009, it is stated that the perpetrators of narcotics abuse are someone who has, controlled, stored, carried, transported, handed over, and so on, showing the perpetrators of narcotics abuse must be with him."*

Based on the description above, it can be said that the law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi were carried out by applicable laws and regulations but still needs to be streamlined so that the effectiveness of law enforcement can be realized in the future.

Furthermore, according to a member of the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, that:<sup>2</sup>

*"The role of the National Police is to play a more effective role in tackling the illicit trafficking of narcotics, including several provisions that expand the authority and responsibility of the Police as an investigative agency given explicitly to deal with illicit narcotics trafficking through the application of the Law No. 35 of 2009. Investigation tactics and techniques can be in raids when an offer occurs or when an officer shows money and the perpetrator shows narcotics as regulated in the Law No. 35 of 2009. After officers have controlled the perpetrators and narcotics evidence, they proceed with interrogation and examination of narcotic evidence at the Forensic Laboratory to determine whether the evidence contains narcotics and the types and classifications for the application of the articles regulated in the Law No. 35 of 2009."*

The information above shows that the pattern of handling narcotics abusers must be guided by the Law No. 35 of 2009 and other statutory provisions. Suppose the Forensic Laboratory examination results say that the evidence is positive for narcotics along with the types and classifications. In that case, an examination is carried out by making an examination report for the witness of the arresting person, followed by an examination report on the suspect as a perpetrator of narcotics abuse with the application of the Law No. 35 of 2009. From the results of the minutes of examination and other administrations that have been fulfilled, proceed with the filing to be forwarded to the submission of the case files to the Public Prosecutor at the first stage to research the case files. If the research shows that the case file is complete, the police investigator submits the second stage case file accompanied by the suspect's submission and evidence.

Handling cases of criminal acts of narcotics abuse, including cases that take precedence and other cases to be submitted to the Court for examination and settlement. In connection with the implementation of police duties, which include: arrests in a position of being caught red-handed, confiscating narcotic evidence, interrogation of suspect BAPs, examination of evidence at the Forensic Laboratory, BAP of witnesses and suspects, resumes, case files, submission of phase I words, and submission of cases stage II.

Concerning law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, it has been carried out by statutory regulations.

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<sup>1</sup>Interview results, on 10 May 2021.

<sup>2</sup>Interview results, on 10 May 2021.

Overcoming the crime of narcotics abuse must carry out all activities, both penal facilities in the form of handling through legal channels and non-penal means, including pre-emptive, preventive, and repressive efforts.

**1. Pre-Emptive Effort**

Pre-emptive efforts in overcoming the crime of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, include:

**a. Prevention**

Prevention is an effort to help individuals avoid starting or trying to use narcotics and psychotropic drugs by living a healthy way and lifestyle and changing living conditions that make individuals susceptible to drug abuse (Kibtyah, 2015). Efforts to overcome and eradicate the crime of narcotics abuse are significant to be done as early as possible because prevention is undoubtedly better than cure.

Respondents' responses about the effectiveness of prevention as a pre-emptive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, can be seen in the following table.

**Table 1. The Effectiveness of Prevention as a Pre-emptive Effort in Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

No	Answer Category	Frequency	Percentage (%)
1	Effective	30	37.04
2	Less Effective	36	44.44
3	Ineffective	15	18.52
<b>Quantity</b>		<b>81</b>	<b>100.00</b>

*Source: Primary Data 2021*

Based on the data in the table above, it shows that prevention as a pre-emptive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, where there are 30 respondents or 37.04% said it was effective. Furthermore, 36 respondents or 44.44% stated that it was less effective. Meanwhile, 15 respondents or 18.52% stated that it was ineffective. It means that, in general, the respondents stated that they were less effective, so that prevention efforts still need to be improved so that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi could be carried out effectively.

**b. Counselling**

Functionally and periodically provide information or counselling to perpetrators about the dangers of narcotics use for perpetrators' health and the legal consequences arising from users and dealers (Widayati & Winanto, 2021). The implementation of counselling is also expected to bring awareness to people who have the potential to do evil.

Respondents' responses about the effectiveness of counselling as a pre-emptive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, can be seen in the following table.

**Table 2. The Effectiveness of Counselling as a Pre-emptive Effort in Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

No	Answer Category	Frequency	Percentage (%)
1	Effective	30	37.04
2	Less Effective	37	45.68
3	Ineffective	14	17.28
<b>Quantity</b>		<b>81</b>	<b>100.00</b>

*Source: Primary Data 2021*

Based on the data in the table above, it shows that counselling as a pre-emptive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, where there are 30 respondents or 37.04% said it was effective. Furthermore, 37 respondents or 45.68% stated that it was less effective. Meanwhile, 14 respondents or 17.28% stated that it was ineffective. It means that, in general, the respondents stated that they were less effective, so that counselling efforts still need to be improved so that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi could be carried out effectively.

**c. Supervision**

Together with the relevant agencies to supervise the distribution of narcotics to prevent leakage so that narcotics abuse does not occur (Eleanora, 2011). Respondents' responses about the effectiveness of supervision as a pre-emptive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, can be seen in the following table.

**Table 3. The Effectiveness of Supervision as a Pre-emptive Effort in Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

No	Answer Category	Frequency	Percentage (%)
1	Effective	32	39.51
2	Less Effective	38	46.91
3	Ineffective	11	13.58
<b>Quantity</b>		<b>81</b>	<b>100.00</b>

Source: Primary Data 2021

Based on the data in the table above, it shows that supervision as a pre-emptive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, where there are 32 respondents or 39.51% said it was effective. Furthermore, 38 respondents or 46.91% stated that it was less effective. Meanwhile, 11 respondents or 13.58% stated that it was ineffective. It means that, in general, the respondents stated that they were less effective, so that supervision efforts still need to be improved so that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi could be carried out effectively.

**2. Preventive Effort**

Preventive efforts in overcoming the crime of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, include:

**a. Patrol**

Carrying out security patrols carried out by local police officers on an ongoing basis can help tackle the crime of narcotics abuse (Prayuda, *et al.*, 2020). If patrols are routinely held in a community environment, people who intend to commit crimes can cancel their intentions.

Respondents' responses about the effectiveness of patrols as a preventive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, can be seen in the following table.

**Table 4. The Effectiveness of Patrol as a Preventive Effort in Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

No	Answer Category	Frequency	Percentage (%)
1	Effective	29	35.80
2	Less Effective	35	43.21
3	Ineffective	17	20.99
<b>Quantity</b>		<b>81</b>	<b>100.00</b>

Source: Primary Data 2021

Based on the data in the table above, it shows that patrol as a preventive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, where there are 29 respondents or 35.80% said it was effective. Furthermore, 35 respondents or 43.21% stated that it was less effective. Meanwhile, 17 respondents or 20.99% stated that it was ineffective. It means that, in general, the respondents stated that they were less effective, so that patrol efforts still need to be improved so that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi could be carried out effectively.

**b. Skills Development**

Develop programs to change the behaviour of actors through the provision of skills to support independent businesses such as handicrafts (Ridwan, 2016). Respondents' responses about the effectiveness of skills development as a preventive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, can be seen in the following table.

**Table 5. The Effectiveness of Skills Development as a Preventive Effort in Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

No	Answer Category	Frequency	Percentage (%)
1	Effective	28	34.57
2	Less Effective	39	48.15
3	Ineffective	14	17.28
<b>Quantity</b>		<b>81</b>	<b>100.00</b>

Source: Primary Data 2021

Based on the data in the table above, it shows that skills development as a preventive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, where there are 28 respondents or 34.57% said it was effective. Furthermore, 39 respondents or 48.15% stated that it was less effective. Meanwhile, 14 respondents or 17.28% stated that it was ineffective. It means that, in general, the respondents stated that they were less effective, so that skills development efforts still need to be improved so that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi could be carried out effectively.

### 3. Repressive Effort

Repressive efforts are a conceptual overcoming of crime taken after the crime has occurred. Repressive efforts are carried out in intelligence activities or operations, transfer operations and coaching activities (Hariyanto, 2018). As an effort against national abuse, prosecution of perpetrators who commit criminal acts of narcotics abuse is processed according to applicable law as well as coordination and cooperation between relevant agencies, cooperation with foreign countries, community participation, capacity building of law enforcement officials, improved facilities and equipment, counselling, improving educative development, these efforts are carried out with the aim of not only creating a deterrent effect but also revealing modes and networks and then in the investigation process the perpetrators as suppliers, users, dealers and producers can be identified.

Repressive efforts in overcoming the crime of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, include:

#### a. Investigation

Investigators in dealing with narcotics abuse have clear stages and detailed processes, all of which are based on applicable laws and regulations (Yanti & Andri, 2018). In carrying out investigations, investigators, in this case, are bound to a corridor that is used as a benchmark in carrying out investigations, namely in the form of implementing instructions which are an elaboration of the police detective function script to provide guidelines and explanations regarding the process of investigating criminal acts so that a uniform understanding of the activities is obtained. The main things that must be implemented include the handling of narcotics.

The purpose and implementation instructions in the investigation are so that criminal investigators in dealing with narcotics abuse can be carried out efficiently and effectively without violating the law. Based on Article 81 Law No. 35 of 2009, regulates that:

*“Indonesian National Police Investigators and BNN investigators are authorized to conduct investigations on abuse and illicit trafficking of Narcotics and Narcotics Precursors based on this Law.”*

Based on Article 84 Law No. 35 of 2009, regulates that:

*“In investigating the abuse and illicit trafficking of narcotics and narcotic precursors, the investigators of the Indonesian National Police shall notify in writing of the commencement of the investigation of the BNN investigators and vice versa.”*

Respondents’ responses about the effectiveness of investigation as a repressive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, can be seen in the following table.

**Table 6. The Effectiveness of Investigation as a Repressive Effort in Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

No	Answer Category	Frequency	Percentage (%)
1	Effective	32	39.51
2	Less Effective	40	49.38
3	Ineffective	9	11.11
<b>Quantity</b>		<b>81</b>	<b>100.00</b>

Source: Primary Data 2021

Based on the data in the table above, it shows that investigation as a repressive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, where there are 32 respondents or 39.51% said it was effective. Furthermore, 40 respondents or 49.38% stated that it was less effective. Meanwhile, 9 respondents or 11.11% stated that it was ineffective. It means that, in general, the respondents stated that they were less effective, so that investigation efforts still need to be improved so that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi could be carried out effectively.

**b. Prosecution**

The function of the Prosecutor as one of the law enforcement officers has a significant and strategic function. It is because the Prosecutor has duties and authority not only in law but also in civil and state administration and also in the field of public order and peace (Fadhilah, *et al.*, 2018). In the criminal field, the Prosecutor functions as a public prosecutor and carries out court decisions that have permanent legal force in handling criminal cases delegated to him by applicable regulations.

In connection with the prosecution stage as based on Article 91 section (1) of Law No 35 of 2009, regulates that: *“The Head of the local Public Attorney Office, after receiving notification of the confiscation of Narcotics goods and Narcotics Precursors from the investigators of the State Police of the Republic of Indonesia or BNN investigators, within no later than 7 (seven) days must determine the status of the confiscated goods of Narcotics and Narcotics Precursor to prove the case, the interest of developing science and technology, the interest of education and training, and/or being destroyed.”*

Respondents’ responses about the effectiveness of prosecution as a repressive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, can be seen in the following table.

**Table 7. The Effectiveness of Prosecution as a Repressive Effort in Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

No	Answer Category	Frequency	Percentage (%)
1	Effective	31	38.27
2	Less Effective	34	41.98
3	Ineffective	16	19.75
<b>Quantity</b>		<b>81</b>	<b>100.00</b>

Source: Primary Data 2021

Based on the data in the table above, it shows that prosecution as a repressive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, where there are 31 respondents or 38.27% said it was effective. Furthermore, 34 respondents or 41.98% stated that it was less effective. Meanwhile, 16 respondents or 19.75% stated that it was ineffective. It means that, in general, the respondents stated that they were less effective, so that prosecution efforts still need to be improved so that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi could be carried out effectively.

**b. Court Decision**

The examination of a criminal case in a judicial process aims to find the material truth (*material waarheid*) of the case (Rasyidi, 2016). It can be seen from the various efforts made by law enforcement officers in obtaining the evidence needed to uncover a case both at the preliminary examination stage, such as investigation and prosecution and at the trial stage of the case.

In imposing their sentences as far as possible, judges avoid decisions that arise from subjective wills. Although judges have the freedom to do so, judges must not act arbitrarily because of the control of the

community who is in control of each judge's decision if the decision does not show a sense of community justice or upholds the feeling of community justice.

In connection with the court examination stage, of course, it is related to the sanctions or penalties imposed on the perpetrators to enforce the law against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi. The punishment can be fines and imprisonment imposed on the perpetrators so that they do not repeat their actions. It is hoped that court decisions with severe sanctions will deter perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi.

Respondents' responses about the effectiveness of court decision as a repressive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, can be seen in the following table.

**Table 8. The Effectiveness of Court Decision as a Repressive Effort in Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

No	Answer Category	Frequency	Percentage (%)
1	Effective	33	40.74
2	Less Effective	37	45.68
3	Ineffective	11	13.58
<b>Quantity</b>		<b>81</b>	<b>100.00</b>

Source: Primary Data 2021

Based on the data in the table above, it shows that court decision as a repressive effort in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, where there are 33 respondents or 40.74% said it was effective. Furthermore, 37 respondents or 45.68% stated that it was less effective. Meanwhile, 11 respondents or 13.58% stated that it was ineffective. It means that, in general, the respondents stated that they were less effective, so that court decision efforts still need to be improved so that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi could be carried out effectively.

#### 4. Other Efforts

Based on the repressive efforts in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi described above, it will explain the efforts to overcome narcotics abuse through control efforts, supervision of official channels, efforts to eradicate illicit channels, therapeutic efforts and medical rehabilitation, and social rehabilitation efforts, as well as other supporting efforts.

- a. Efforts to control and supervise official channels, with the following targets:
  - 1) Ensure that the amount of narcotics available is by real needs;
  - 2) Ensuring the determination and rationality of its use so that it does not lead to dependence;
  - 3) Using narcotics as a last resort in treatment;
  - 4) Prevent leakage from official channels, where the scope of control and supervision on official channels includes import-export, cultivation/cultivation, production distribution, storage, transportation, and use.
- b. Efforts to eradicate the dark path, with the following targets:
  - 1) Cut off the illicit traffic of narcotics;
  - 2) Revealing the activities of narcotics illicit trafficking syndicates by knowing the modus operandi carried out;
  - 3) Uncovering the motivation behind the distribution of narcotics.
- c. Medical therapy and rehabilitation efforts, with the target to free victims from the effects of dependence on narcotics and the effects of other health disorders so that they can function normally. Its activities cover various medical, educational, vocational, and social aspects.
- d. Social rehabilitation efforts, with the target to overcome social problems and to complete the handling of victims of narcotics abuse crimes, social rehabilitation efforts are needed in the form of physical, mental, spiritual and social guidance so that they are expected to be able to carry out their functions and social roles properly. In the life of society.
- e. Supporting efforts, with the target to support the implementation of effort to overcome the abuse and illicit trafficking of narcotics in order to be more effective and efficient, namely:
  - 1) Data collection and evaluation;
  - 2) Energy education and training;
  - 3) Completion of laws and regulations;



4) Research and development.

Based on several law enforcement efforts against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi described above, to realize effective countermeasures, all activities include non-penal means, including pre-emptive, preventive, and repressive actions. It must be carried out optimally by the Police, Courts, Prosecutors, Prisons, the local community, and the perpetrators' awareness of change.

**5. Techniques for Realizing Effective Law Enforcement**

Concerning law enforcement, law enforcement officers as implementers also experience pressures from various parties that are not easy to avoid, including coming from the perpetrator's family and from other parties who try to influence the work of law enforcement, in addition to having their perception of the problem they are dealing with.

Law enforcement also cannot be separated from the operation of a criminal justice system in specific contexts. The same applies to law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi. The problem does not just stop when law enforcers have implemented the law by the provisions of Law No. 35 of 2009 to be the only best solution. Every law enforcer has a different will, and each has a perception that is not always the same in addressing a problem. So that, of course, it will produce something that is not always the same, even though it is under the provisions of the same laws and regulations.

Based on the sources above, the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi can reveal a drug crime using former narcotics addicts. The use of former drug addicts by investigators is the right action. It is because ex-narcotics addicts are facts of life that can provide an overview of the behaviour of narcotics criminals. The techniques for investigating narcotics crimes are as follows (Taufik, 2017):

- a. Observation;
- b. Surveillance;
- c. Undercover Agent;
- d. Undercover Buy; and
- e. Raid Planning Execution.

Furthermore, when a narcotics crime case occurs, the National Police will coordinate with relevant agencies, including the Prosecutor's Office, the Judiciary, the Criminal Laboratory, and Immigration. The coordination carried out by the National Police as an investigator with the Prosecutor's Office as the public prosecutor has a reasonably necessary meaning for the Police, namely that the process of investigation and investigation carried out by the Police on narcotics crime cases will be given to the Prosecutor's Office. This coordination can prevent case files from being returned to the Police because of legal deficiencies or weaknesses.

This coordination will undoubtedly avoid the possibility of pre-prosecution. The forms of coordination by the National Police as investigators with the public prosecutor are: the investigator is obliged to notify the Public Prosecutor at the time the investigation begins; then the investigator is obliged to notify the extension of the detention, and the investigator is obliged to notify the public prosecutor of the termination of the prosecution.

Coordination between the Police as investigators and the Prosecutor's Office as the public prosecutor is also needed in dealing with complicated narcotics cases. It will be easier for the public prosecutor to know the problems to be handled to save time for investigators and public prosecutors. Good coordination with the Police as investigators and the Prosecutor's Office as the public prosecutor will positively impact the Police and the Prosecutor's Office. The result of coordination carried out by the Police as investigators with the Prosecutor's Office as the public prosecutor is to prevent and eradicate problems and violations that arise in society caused by drug abuse, namely by submitting prosecution files based on the results of investigations conducted by the police. Investigators to judges to be examined and decided to obtain a legal determination for perpetrators of drug crimes.

Based on the description above, it can be concluded that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi is less effective, including law enforcement efforts against narcotics abusers through penal means in the form of handling through legal channels and non-penal means, which include: pre-emptive efforts (prevention, counselling, and supervision), preventive efforts (patrol and skills development), and repressive efforts (investigation, prosecution, and court decision). In addition, the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi also applies techniques from the investigation of narcotics crimes which include: observation, surveillance, undercover agent, undercover buy, and raid planning execution.

**B. Factors Affecting the Effectiveness of Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

The spread and abuse of narcotics is a complex problem of the causative factors and the multidimensional consequences that arise, both quality and quantity. Its development at this time has reached a very alarming level. Based on the data available at the National Narcotics Agency, it is noted that the problem of the distribution and abuse of narcotics in the country has penetrated most of the productive age groups, namely those who are still students and students. The results of the BNN survey stated that every day 40 Indonesians die from narcotics, 3.2 million people, or 1.5% of the Indonesian population, become narcotics users and abusers.

**1. Law Enforcement Factor**

The effectiveness of Police's function in eradicating narcotics crime is indeed inseparable from the factors that influence it, including (Dinata, 2021):

- a. Law Compliance;
- b. Human Resources;
- c. Facilities and Infrastructure; and
- d. Operational Costs.

Therefore, the four factors, namely legal compliance, the influence of human resources, facilities and infrastructure, and operational costs, need to be studied. The influence of these four factors on the effectiveness of the function of the Police in eradicating perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi will be described below.

**a. Law Compliance**

Law compliance is related to everyone's legal awareness in the current era of national development, whose existence is highly demanded (Ernis, 2018). If everyone understands the rights and obligations as a legal subject, the community's legal compliance will increase. The occurrence of criminal acts of drug abuse, one of which is indicated by the perpetrator's disobedience to the law. The crime of narcotics abuse is quite disturbing to the public for fear of impacting the younger generation.

Respondents' responses about the effect of law compliance factor in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, can be seen in the following table.

**Table 9. The Effect of Law Compliance Factor in Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

No	Answer Category	Frequency	Percentage (%)
1	Affecting	32	39.51
2	Less Affecting	35	43.21
3	Unaffecting	14	17.28
<b>Quantity</b>		<b>81</b>	<b>100.00</b>

*Source: Primary Data 2021*

Based on the data in the table above, it shows that law compliance factor in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, where there are 32 respondents or 39.51% said it was affecting. Furthermore, 35 respondents or 43.21% stated that it was less affecting. Meanwhile, 14 respondents or 17.28% stated that it was unaffecting. It means that, in general, the respondents stated that they were less affecting, so that law compliance efforts still need to be improved so that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi could be carried out effectively.

**b. Human Resources**

Human resources include law enforcement officers, which include understanding law enforcement institutions and law enforcement officers (human resources) (Nasution, 2020). So, law enforcement officers in upholding the law start with witnesses, police, legal advisors, prosecutors, judges, and correctional civil officers. Every apparatus and apparatus includes parties concerned with their duties or roles, including reporting or complaints activities, investigations, investigations, prosecutions, proofs, sentencing, imposing sanctions, and efforts to incarcerate convicts.

In the process of working of the law enforcement apparatus, there are 3 important elements that influence, namely:

- 1) Law enforcement institutions along with various supporting facilities and infrastructure and institutional working mechanisms;
- 2) Work culture related to the apparatus, including regarding the welfare of the apparatus; and

3) A set of regulations that support both institutional performance and those regulate legal materials used as work standards, material law, and procedural law.

Respondents' responses about the effect of human resources factor in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, can be seen in the following table.

**Table 10. The Effect of Human Resources Factor in Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

No	Answer Category	Frequency	Percentage (%)
1	Affecting	31	38.27
2	Less Affecting	37	45.68
3	Unaffecting	13	16.05
<b>Quantity</b>		<b>81</b>	<b>100.00</b>

Source: Primary Data 2021

Based on the data in the table above, it shows that human resources factor in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, where there are 31 respondents or 38.27% said it was affecting. Furthermore, 37 respondents or 45.68% stated that it was less affecting. Meanwhile, 13 respondents or 16.05% stated that it was unaffecting. It means that, in general, the respondents stated that they were less affecting, so that human resources efforts still need to be improved so that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi could be carried out effectively.

**c. Facilities and Infrastructure**

Facilities and infrastructure factors are supporting factors in carrying out investigations carried out by the police in preventing the spread and abuse of narcotics. The availability of adequate facilities and infrastructure is expected to facilitate the mechanism of the police work process in preventing the spread and abuse of narcotics effectively. The implementation of the role of the police that is not accompanied by adequate facilities and infrastructure will certainly not be carried out effectively.

The provision of the necessary resources must also follow the implementation of the role of the police to support the proper execution of tasks (Anam, *et al.*, 2021). Respondents' responses about the effect of facilities and infrastructure factors in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, can be seen in the following table.

**Table 11. The Effect of Facilities and Infrastructure Factors in Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

No	Answer Category	Frequency	Percentage (%)
1	Affecting	30	37.04
2	Less Affecting	38	46.91
3	Unaffecting	13	16.05
<b>Quantity</b>		<b>81</b>	<b>100.00</b>

Source: Primary Data 2021

Based on the data in the table above, it shows that facilities and infrastructure factors in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, where there are 30 respondents or 37.04% said it was affecting. Furthermore, 38 respondents or 46.91% stated that it was less affecting. Meanwhile, 13 respondents or 16.05% stated that it was unaffecting. It means that, in general, the respondents stated that they were less affecting, so that facilities and infrastructure efforts still need to be improved so that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi could be carried out effectively.

**d. Operational Costs**

The number of costs incurred due to narcotics abuse must be accompanied by an increase in the costs used to finance the disclosure of narcotics abuse (Sandi, 2016). The cost factor is one of the inhibiting factors in the law enforcement process of narcotics abuse at the investigation level. The lack of budget makes it not optimal or unaffecting in uncovering narcotics abuse. Currently, the budget issued in the context of investigations in uncovering and/or enforcing the law in eradicating the spread and abuse of narcotics has not been sufficient, so in completing law enforcement, there are still obstacles and are not optimal and satisfactory.

Respondents' responses about the effect of operational costs factor in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, can be seen in the following table.

**Table 12. The Effect of Operational Costs Factor in Law Enforcement against Perpetrators of Narcotics Abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi**

No	Answer Category	Frequency	Percentage (%)
1	Affecting	29	35.80
2	Less Affecting	35	43.21
3	Unaffecting	17	20.99
<b>Quantity</b>		<b>81</b>	<b>100.00</b>

Source: Primary Data 2021

Based on the data in the table above, it shows that operational costs factor in law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, where there are 29 respondents or 35.80% said it was affecting. Furthermore, 35 respondents or 43.21% stated that it was less affecting. Meanwhile, 17 respondents or 20.99% stated that it was unaffecting. It means that, in general, the respondents stated that they were less affecting, so that operational costs efforts still need to be improved so that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi could be carried out effectively.

In connection with law enforcement's effectiveness against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi, of course, it cannot be separated from the obstacle of inadequate operational costs. Insufficient funds are caused by the overlapping factor of tasks delegated to the police. It can happen because the number and personal capacity of the police are not sufficient. The distribution and abuse of narcotics is a particular crime when compared to general crimes, because it is handled in an investigative capacity, narcotics abuse requires extra work that cannot be equated with handling other general crimes. In addition, law enforcement on the distribution and abuse of narcotics is a crime that is very well organized in doing so because the distribution and abuse of narcotics are not only for users but can reveal narcotics networks, both nationally and internationally. Therefore, substantial operational costs are needed in preventing the spread and abuse of narcotics in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi in the future.

## 2. Factors of Narcotics Abusing Perpetrators

The factors that cause a person to abuse narcotics are as follows (Tarigan, 2017):

### a. Yourself

Namely the inability to adapt to the environment, weak personality, lack of self-confidence, inability to control themselves, curiosity, wanting to try, wanting to imitate the urge to have an adventure, experiencing mental stress, not thinking about the consequences in the future, ignorance of the dangers of narcotics.

### b. Family or Parents

One or both parents are drug users, do not get attention and affection from their parents, the family is not harmonious (there is no open communication in the family), parents do not provide supervision to their children, parents spoil their children too much, parents are busy looking for money/pursuing a career so that attention to their children is neglected.

### c. Friends or Peer Groups

The existence of one or more group friends who are drug users, group members who become narcotics dealers, invitations or seductions from group friends to use narcotics, coercion from group friends to use narcotics because if they do not want to use, they will be considered unfaithful friends Want to show attention to friends.

### d. Community Environment

People do not care or do not care about the lax social supervision of the community, difficulty to find work, weak law enforcement, many violations of the law, high poverty and unemployment, declining public morality, and many drug dealers looking for consumers, many narcotics users around their homes.

Based on the description above, it can be said that narcotics abuse by the younger generation, in this case, students and students, is a severe problem because narcotics abuse can damage the younger generation's future. Therefore, the younger generation is a strategic target for the narcotics trafficking mafia. Therefore, the younger generation is very vulnerable to this problem, so the spread of narcotics among students and students must be prevented as early as possible so as not to damage the time of the Indonesian people in the future.

Eradication against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi must be carried out. Not all narcotics are prohibited; there are types of narcotics used to

benefit health services or the development of science and technology. On this basis, there is a special permit granted by the Minister of Health to carry out production, storage specifically, import and export in several places, such as the pharmaceutical industry, hospitals, medical centres, pharmacies, community health centres, doctors, and scientific institutions. . So that what must be eradicated is its use that is not by regulations and laws. Eradication of narcotics crime to create a deterrent effect on its users can be done by being punished. Fines, imprisonment, life imprisonment, and the death penalty can be given to those who commit crimes according to the level of the act committed. It should be noted that parents or guardians who intentionally do not report addicts to their family members may also be subject to criminal penalties. Before deciding that a person or group is guilty, the investigator must have supporting evidence so that there is no mistake.

Based on the description above, it can be concluded that law enforcement factors against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi is less affecting, including law enforcement factors (law compliance, human resources, facilities and infrastructure, and operational costs) and factors of narcotics abusing perpetrators (yourself, family or parents, friends or peer groups, and community environment).

#### **IV. CONCLUSIONS AND SUGGESTIONS**

Based on the description of the results and discussion, the conclusion is that law enforcement against perpetrators of narcotics abuse in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi is less effective, including law enforcement efforts against narcotics abusers through penal means in the form of handling through legal channels and non-penal means, which include: pre-emptive efforts, preventive efforts, and repressive efforts. Furthermore, law enforcement factors against perpetrators of narcotics abuse also affect less. Based on this conclusion, it is hoped that law enforcement officers in the Directorate of Narcotics Investigation of the Regional Police of West Sulawesi will be more effective in dealing with perpetrators of narcotics abuse. In this case, through a penal or non-penal approach.

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