

Investigation of Violent Theft Crimes That Caused the Death of People

(Case Study LP/15/K/VII/2018/Sek at the Pariangan Tanah Datar Police)

Investigation of The Crime of Theft with Violence Resulting in The Death of A Person

(Case study LP/15/K/VII/2018/Sek at The Pariangan Tanah Datar Police)

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Abstract

This article aims to find out and analyze investigations into criminal acts of theft with violence that resulted in the death of people and to find out and analyze the obstacles encountered and the efforts made by investigators in carrying out investigations into criminal acts of theft with violence which resulted in the death of people at LP/15/K/VII/2018 in the Legal Area of the Pariangan Police, Tanah Datar. The problem focused on how investigators tried to overcome the obstacles encountered during the investigation on LP/15/K/VII/2018 in the Pariangan Tanah Datar Police Legal Area. In this article, what is used as a legal research method is normative-empirical, namely legal research based on legal research that not only examines the normative system of laws and regulations but also observes the reactions and interactions that occur when the normative system works or is implemented in the society under study. This article is descriptive, in which this study aims to clarify and validate the case studied. The data were obtained through document studies and direct interviews with Investigator Ipda Lian Tanjung at the Pariangan Tanah Datar Police who handled the case and were analyzed qualitatively.

Keywords: Investigations; violence; Criminal Offense of Theft.

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INTRODUCTION

Indonesia as a state based on law is stated in Article 1 paragraph (3) of the 1945 Constitution, namely "Indonesia is a state based on law". In addition, Article 27 paragraph (1) of the 1945 Constitution reads: "All citizens have the same position before law and government and are obliged to uphold that law and government without exception." This strengthens Indonesia's position as a rule of law country which ensures that every citizen has the same status under the law, so that all their behavior must comply with legal norms. Therefore, Indonesia must immediately try to create an environment where its citizens are aware of the law so as to create legal order. Law enforcement is carried out to understand what the purpose of the law is, where the main purpose of law is to create an orderly social order, create order and balance. By creating order in society, the protection of people's interests must be achieved (Qamar et al., 2017).

Legal standards must be observed, therefore criminal sanctions are imposed if violations occur. Criminal punishment cannot be separated from the term criminal law itself because crime becomes the main force in establishing principles and rules for determining what actions may not be carried out, which are prohibited and which include threats or sanctions in the form of special punishment for anyone who violates the prohibition. (Manullang & Nainggolan, 2019).

The police are at the forefront in taking action, preventing, eliminating and handling incidents or violations of criminal law in Indonesia. Within the limits of their duties and powers, the police can receive reports or complaints about violations of Article 5 of the Criminal Code from investigators. According to Dermawan, criminal prosecution is a process that occurs when the rules of criminal law are violated. More specifically, this process is actually a series of administrative actions or administrative actions, therefore it is often referred to as criminal justice management, where the administrative mechanism has administrators and actions that cannot be separated from the responsibility of the supervisor. (Dermawan & OLI, 2015).

It is stated in Article 1 point 5 of the Criminal Procedure Code that an investigation is a series of investigative actions aimed at finding and establishing an alleged criminal incident to determine whether or not an investigation can be carried out. Based on the results of the investigation conducted by the investigator at the crime scene (TKP), and the investigator stated that a crime had occurred, the next step was to carry out the investigative process. In the investigation regulated by Article 1 point 2 of the Criminal Procedure Code, investigators are officials of the Republic of Indonesia's state police or certain civil servant officials who are given special authority by law to carry out investigations according to what is stated in Article 1 number 4 of the Criminal Procedure Code. (Munib, 2018).

According to Moeljatno, in accordance with the provisions contained in Article 1 point 2 of the Criminal Code, an investigation is a series of actions taken by investigators to seek and collect evidence that will shed light on the crime that occurred and to find the suspect. (Moeljatno, 2021). Investigators have the authority to receive reports or complaints about criminal acts, take first action at the scene of incidents, request that a suspect be stopped, conduct examinations and confiscation of letters to be heard and examined as suspects or witnesses, seek and collect evidence that shed light on criminal acts that have occurred and find suspect of a crime (Wulandari, 2014).

The increasing number of cases of theft with violence is one of the most prominent and troubling problems for the public which has received serious attention from the national government and its apparatus. According to the law, theft with violence is one of the criminal acts (delict) which is troubling and detrimental to society. Article 365 of the Criminal Code (KUHP) states "Whoever takes an item, which completely or partly belongs to another person, with the intention of possessing said item against the right accompanied or followed by violence or threats to another person, with the intention will prepare and facilitate the theft or if caught red-handed (caught) so that there is an opportunity for himself or his friends to escape or so that the stolen goods remain in his hands." (Musak, 2015).

In West Sumatra, from December 2017 to January 2022, there were 1,921 cases of theft, according to criminal statistics from the West Sumatra Regional Police. There were 2,705 cases of general theft, 294 cases of aggravated theft, 382 cases of petty theft, and 151 cases of violent theft, in which 291 people were injured, 42 people were disabled, and 27 people died. As a result of theft with violence, the victim suffers material and immaterial losses. However, the perpetrators of criminal acts do not consider the losses caused by their actions. This criminal act of theft is carried



out by the perpetrator in various ways and is caused by the negligence and intention of the perpetrator himself, so it is very troubling and always results in losses for the victim.

One example is the case of theft with violence that killed two people in Pariangan, Simabur, Batusangkar, Tanah Datar District. Isrin (the perpetrator) stole with violence and killed the two victims, M. Sawir (63) and his wife Zainimar (61), at the victim's house in Jorong Tanjung Limau, Nagari Simabur, Pariangan District, Tanah Datar District.

On Sunday, 15 July 2018 at 21.00 WIB, there was a notification from the public who knew that a crime had been committed. In the case file Number: LP/15/K/VII/2018/Sek Pariangan Police Investigator conducted an investigation into reports from a witness named Muhammad Call Mad who works as Wali Jorong Tanjung Limau, Nagari Simabur, Pariangan District, that Mad and along with 2 people friends named Helmi and Syafruddin saw the victim Zainimar lying face down in blood under the dining table and immediately reported it to the Pariangan Police Office, Tanah Datar.

According to the witness' report, Pariangan Police investigators went straight to the TKP to find out whether a crime had actually occurred. In the results of TKP processing by Ipda Lian Tanjung (Head of Criminal Investigation Unit) and several members of the Criminal Investigation Unit, namely Briпка Saipul Anwar, Brigadier Effredon and Brigadier Azan Fujiyanto, all the results of TKP processing that were seen, heard and found and all actions taken by investigators based on crime scene processing.

In an interview with one of the investigators, Ipda. Lian Tanjung (Head of Criminal Investigation Unit) and members of them including investigators admit that apart from facing challenges to reveal the perpetrators, they also face challenges to find witnesses in this case. According to investigators, in the case of theft with violence there were only two corpses lying stiff and covered in blood found at the victim's house. This is due to the fact that the perpetrator lost evidence or records of the crime, and because investigators need to identify the perpetrator's motivation to facilitate disclosure. Thus, the ability and approach of the investigator is used to dig deeper into the actual events during the investigation. Based on the author's interview with Pariangan police investigators, they said that investigating the truth of the report, the investigator must be calm and free from all prejudice, this is because the investigator must be objective and in processing the TKP, several preparations are needed such as preparations for processing the TKP, the tools needed in processing the TKP, for example Dactyloscopic, photographic equipment and equipment. Based on the author's interview with the assistant investigator of the Pariangan Police, First Brigadier Adzan Fujiyanto on July 27, 2022 at 10.00 at the Tanah Datar Police regarding a report from Muhammad alias Mad, the investigator concluded that there had been a theft with violence at a house in Jorong Tanjung Limau, Nagari Simabur, Pariangan District, Tanah Datar District. Based on the conclusions of the investigators above, an investigation can be carried out by Pariangan Police investigators, the investigation begins with processing the TKP, TKP Examination is generally aimed at the circumstances that occurred at the TKP such as all evidence at the TKP. With reference to Article 183 of the Criminal Procedure Code, which stipulates that the conviction of a person is based on at least two valid pieces of evidence according to the law, the judge's conviction about the guilt of a defendant is determined in a manner and with legal evidence according to the law.(Tolib, 2014).

According to the Wali Jorong Tanjung Limau who reported this incident to the Pariangan Police, he said that he was the first to enter the house because of a report from one of his residents named Mad, who was suspicious because the victim's house and the back door had always been open for 2 days and the lights had never been turned on. , but the victim was never seen leaving the house or going out, which usually the victim always told neighbors when traveling out of town. It was one of these factors that made Mad (the victim's neighbor) venture into the house, after checking it turned out that M. Sawir (the victim) had been found dead in the room in a pathetic state when his head was smashed closed by a pillow.

After that, investigators tried to find witnesses to investigate this case so that information was needed, the things in question were anything that was seen that could be information and was accurate in finding suspects, but none of the people knew about the incident or saw it. This made it difficult for investigators to find the perpetrators, and the TKP had been messed up by unauthorized persons because these were things that made it difficult for investigators to find the



perpetrators as a result of one of the victim's children being a member of the TNI serving in Padang Panjang so he immediately took the initiative to enter the house and help the victim along with several local people so that a lot of evidence had shifted making it difficult for investigators to find traces of fingerprints at the crime scene.

Based on the description above, this is an interesting subject to discuss thoroughly and in depth because in this case the author talks about how to know and understand the investigative procedures used in uncovering the crime of theft with violence that resulted in the death of people, as stated in Article 365 of the Indonesian Criminal Code. Criminal Law Act.

RESEARCH METHODS

The legal research method used is normative-empirical, namely legal research based on legal research that not only examines the normative system of laws and regulations, but also observes the reactions and interactions that occur when the normative system works or is implemented in the society under study.(Efendi & Ibrahim, 2018). This research is descriptive in nature, the purpose of which is to describe, explain and also validate the phenomena studied in such a way that the problems formulated are worthy of being raised, contain information and are not too broad.(Ramadan, 2021). Information collection techniques are obtained by conducting document studies and conducting interviews with purposive sampling techniques, which are samples that have certain criteria. This was done using the question and answer method directly to Polri investigators, namely Ipda Lian Tanjung (Head of Criminal Investigation Unit) and his members who were related to the problem under investigation at the Pariangan Police, Tanah Datar. The materials in the research are sourced from regulations and provisions that are relevant to the title and research problem. The author conducts a qualitative analysis after obtaining the necessary data, namely research that is based on scientific phenomena or symptoms with meaning/verbal data as the basic research subject(Roosinda et al., 2021).

RESULTS AND DISCUSSION

Implementation of Investigation of Criminal Acts of Theft with Violence which Resulted in the Death of People

Based on the results of research that has been carried out at the Pariangan Tanah Datar Police by interviewing investigators and examining case materials in the form of examination minutes along with evidence. The facts contained in the previously obtained documents are then explained. Information obtained from files as a result of research.

Table 1. Data on theft crimes that occurred in 2018 at the Pariangan Tanah Datar Police

NO	No. Cases and Cases	Perpetrator	Victim	Investigation Results
1.	LP/11/III/2018/RESKRIM Motor Vehicle Theft	Efpri Wardi bin Awaludin (late)	Nofrizon	Done(P21) Forwarded to the Attorney General
2.	LP/09/IV/2018/RESKRIM Theft in the Family	Yogi Saputra	Maifil Eka	Discontinued due to settlement within the Families
3.	LP/15/K/VII/2018 /Sek Violent Theft	Isrin	M. Sawir and Zainimar	Done (P21) Forwarded to the Attorney General
4.	LP/16/IX/2018/RESKRIM Theft	Sesga Dwi Putra	Aldes Saputra	Not continued because of Diversion

Source: Pariangan Tanah Datar Police

From the data table above, data was obtained in 2018 because the crime of theft which resulted in death only existed in 2018 and did not occur in the years before or after 2021 and 2022. From the data it can be seen that there were cases that were completed (P21) and delegated to the prosecutor's office or those that were not resolved or were not continued with the implementation of the investigation by the police.

For cases that were not resolved in 2018 with Case Number LP/09/IV/2018/RESKRIM, namely family theft, the investigation was not continued by police investigators because the report was withdrawn by the victim Maifil Eka, because it had been resolved amicably. For other unresolved cases, namely Case Number LP/16/IX/2018/RESKRIM with the case of goat livestock theft with the suspect Sesga Dwi Putra (16) and the victim Aldes Saputra (42), this case was not continued because it was resolved by diversion. stipulated in Articles 6 to 15 of the Law on the Juvenile Criminal Justice System, this diversion process can only be carried out in cases where a crime is punishable by a criminal law of less than seven years and there is no repetition of the offence.

For cases resolved with case number LP/11/III/2018/RESKRIM with motor theft cases, with the suspect Efpri Wardi and the victim Nofrizon, in this case this has been transferred to the prosecutor's office because P21 has been received or notification that the results of the preliminary investigation are complete, because the investigator conveyed the evidence and the suspect to the prosecutor's office. For case files that are discussed according to the results of studies that have been conducted at the Pariangan Police, Tanah Datar when interviewing investigators and examining case files as investigative files with evidence, the facts contained in case file number: LP/15/ K/VII/2018/Sek with cases of theft, which were associated with violence and caused the death of people, based on the results of an interview with Ipda Lian Tanjung,

1. Receive reports from Witnesses

That Pariangan Police investigators will carry out investigations and investigations if there are reports of victims, witnesses and members of the public who know that a crime has occurred. In the case file number: LP/15/K/VII/2018/Sek, the Pariangan Police investigator conducted an investigation into reports from a witness named Muhammad nicknamed Mad, the work of Wali Jorong Tanjung Limau, Nagari Simabur, Pariangan District. That Mad and his two friends named Helmi and Syafruddin saw in the victim's house Zainimar lying face down covered in blood at the dining table and immediately reported it to the Pariangan Police Office, Tanah Datar.

2. TKP (Case Incident) Processing

Based on the author's interview with Briпка Saipul Anwar, Member of the Pariangan Police Criminal Investigation Unit on May 27, 2022 at 11.00 WIB, said that when investigating the truth of reports, investigators must be calm and free from all prejudice, this is because investigators must be objective. In carrying out TKP processing, several preparations are needed such as preparations for TKP processing, tools needed in TKP processing such as dactyloscopes, photographic equipment and films, measuring devices, vehicles and so on. Based on the author's interview with First Brigadier Azan Fujiyanto as an investigator on the report from Muhammad alias Mad, the investigators concluded that it was true that a crime of theft had occurred which resulted in death which occurred in a house in Jorong Tanjung Limau, Nagari Simabur, Pariangan District, Tanah Datar District. Based on the conclusions of the investigators above, an investigation can be carried out by Pariangan Police investigators, the investigation begins with processing the TKP.

Finding evidence at the TKP by investigators is very helpful for investigators who are investigating criminal acts of theft with violence resulting in death. In the author's interview with First Brigadier Effredon as the assistant investigator of the Pariangan Police. To find out if there were alleged fingerprint marks on the evidence found at the TKP of the crime of theft with violence, the investigator carefully conducted an investigation. To see the fingerprints, the investigator lightly and carefully swept the evidence with a floured brush and then When viewed with a magnifying glass, the fingerprints that are visible are then photographed, then the rubber coating plastic is opened and affixed to the fingerprint marks so that the fingerprints are attached to the rubber, finally the rubber is covered again with plastic so that outside air does not penetrate.

3. Coordinate with the Criminal Investigation Unit of the Tanah Datar Police

From the results of TKP processing, everything that was seen, heard and found, as well as all actions taken by investigators, must be immediately presented in the minutes. Based on the TKP research letter from fellow investigator Brigadier Effredon, in outline the minutes contained, among other things:

- a. Regarding the opinion of the investigator at the scene of the case, such as regarding the incident of a crime known through reports or known by himself, mentioning the names and addresses of people found at the TKP and other information deemed necessary.
- b. Concerning searches, confiscation, wrapping and sealing of evidence
- c. Provisional examination of witnesses
- d. Regarding the arrest of the suspect
- e. About the possible confrontation (usually a separate report is made)
- f. Regarding reconstruction, if held.

Actions Taken By Investigators In Carrying Out Investigations Of Violent Theft Crimes That Caused The Death Of People

From the results of TKP processing carried out by investigators, to find a suspect for the crime of theft with violence which resulted in death at a house in Jorong Tanjung Limau, Nagari Simabur, Pariangan District, investigators coordinated with the Criminal Investigation Unit of the Tanah Datar Police to search for and arrest suspects who, if already outside the jurisdiction of the Pariangan Police.

1. Arrest

Whereas for the purposes of investigation and for the perpetrators of criminal acts who were summoned twice in a row did not appear without good reason, based on the arrest warrant because they were strongly suspected of having committed the crime of theft under Article 365 of the Criminal Code with violence resulting in the death of a person, which occurred in Tuesday, July 17 2018, at 04.00 WIB which took place in Jorong Tanjung, Nagari Simabur, Pariangan District, Tanah Datar Regency. An arrest order against a suspect or defendant who is strongly suspected of having committed a crime based on sufficient evidence, the investigator is ordered to make an arrest, to search the body/clothes of the suspect. The purpose of investigators to make arrests is in accordance with Article 20 of the Criminal Procedure Code, namely to support investigator investigations.

2. Detention

Whereas based on the results of the preliminary examination there is sufficient evidence for investigation, the suspect is strongly suspected of having committed a crime, it is feared that the suspect will run away, destroy evidence and/or repeat the crime in accordance with Article 21 paragraph 1 of the Criminal Procedure Code (Nusi, 2016). Therefore it is necessary to be detained with an arrest warrant No. Pol 06/VII/2018/Reskrim, for the detention of suspects.

Name : Isrin

Gender : man

Place and date of birth : Padang, 04 September 1972

Work : Taxibike

Religion : Islamic

Address : Jorong Koto Baru, Nagari Batu Basa, Pariangan District

The detention was carried out from 19 July 2018 to 07 August 2018, so for the purposes of investigation, a request was made to extend the suspect's detention at the Pariangan Police Detention Center for 40 days from 08 August 2018 to 16 September 2018.

3. Search

On Thursday, 19 July 2018 at 13.00 WIB with the issuance of search warrant No. Pol: SP-Dah/01/VII/2018/Reskrim in accordance with Article 33 paragraph (5) and Article 16 paragraph (1) letter (a) of the Criminal Procedure Code, Law no. 2 of 2002, investigators searched the suspect for a dark blue T-shirt with the word Komodo written on it, a pair of cream trousers for the Cactus Country brand and a pair of black sneakers for the Neckermann brand which were allegedly hidden where evidence directly related to the theft case was hidden. with violence which resulted in death in the house of Jorong Tanjung Limau, Nagari Simabur, Pariangan District, Tanah Datar Regency, which resulted in the death of both victims. During the search, the following were witnessed by:

Table 2. List of witnesses during the search

No.	Name	Work	Address
1	Edward St. Kayo	Wali Nagari Batu Basa	Jorong Koto Baru Nagari Batu Basa
2	Mulfira Yanti	Housewife	Jorong Koto Baru Nagari Batu Basa
3	Evi Hendri Susanto	Police	Aspol Polsek Pariangan

Source: Author Processed Data

The act of searching the investigator's body and/or clothes, including searching items that are strongly suspected of being in his possession or being carried, to be confiscated under article 1 point 18 of the Criminal Procedure Code(Sumampouw, 2018).

4. Foreclosure

This is for investigations, criminal prosecutions and court proceedings, investigators control and/or store movable and immovable goods, tangible goods and intangible goods that are suspected of having a direct relationship with the crime committed, as in the confiscation letter No. Pol.: SP.Sita/07/VII/2018/Reskrim, investigators have confiscated the items witnessed by:

Table 3. List of Witnesses in the Implementation of Confiscation of Goods

No.	Name	Place and date of birth	Work
1	Evi Hendri Susanto, SH	Aspol Polsek Pariangan	POLRI
2	Mohammed	Guardian Jorong	Wali Jorong Tanjung Limau

Source: Author Processed Data

5. Inspection

a) Crime scene inspection

Whereas in the process of conducting an investigation into the criminal act of theft with violence which resulted in death which occurred in the victim's house located in Jorong Tanjung Limau, Nagari Simabur, Pariangan District in connection with the police report number Pol: LP/15/K/VII/2018/Sek, July 17, 2018.

b) Examination of Witnesses

Table 3. List of Witnesses in the Implementation of Confiscation of Goods

No.	Name	Place and date of birth	Gender	Work	Religion	Address
1	Sahrial	Simabur, 03 November 1952	Man	Craftsman Taxibike	Islam	Jorong Simabur Nagari Simabur District of Simabur
2	Mohammed	Tanjung Limau, 31 December 1971	Man	Guardian Jorong	Islam	Jorong Tanjung Limau Nagari Simabur, Pariangan
3	Yulizar St. Mudo	Batusangkar, 27 July 1959	Man	Driver	Islam	Jorong Tanjung Limau Nagari Simabur, Pariangan

Source: Author Processed Data

c) Suspect Examination

Investigation as the first attempt to collect evidence to make clear a crime is fully the responsibility of the State Police. Regarding the results of the suspect's examination and the results of the suspect's examination as well as other evidentiary materials, before being handed over to the public prosecutor, the investigator is obliged to objectively evaluate said evidentiary material on the basis of true truth bearing in mind the principles of humanity(Sari, 2016). In this case, the suspect is Isrin, who works as a motorcycle taxi driver and has worked with the victim's family for a long time.

6. Police investigators cooperate with the community

After all the information and evidence has been collected, investigators can draw conclusions about the crimes that have occurred and who the perpetrators of these crimes are. One of the methods carried out by Polri investigators is trying to cooperate in several forms:

- a) Providing information to the public that there has been a criminal act of theft with violence resulting in death at a house in Jorong Tanjung Limau, Nagari Simabur, Pariangan Tanah Datar District.
- b) Obtaining information from the public, informants and witnesses regarding persons suspected of committing the crime. Based on research conducted at the Pariangan Police, it was found that the purpose of carrying out investigations into criminal acts of theft with violence resulting in death is to find suspects of theft with violence obtained from receiving

reports from victims, or witnesses and then taking the first action by conducting an on-site investigation. incidents and carry out preventive investigations by asking the public to assist investigators in finding suspects and taking action by force to arrest suspects of theft with violence resulting in the death of people for detention, search, confiscation, examination for the purposes of investigation to determine whether or not a criminal offender is true and who committed the crime. In carrying out investigations into criminal acts of theft with violence resulting in the death of people where the positive legal basis is the Criminal Code, Criminal Procedure Code and the 2002 Police Law related to this incident.

Obstacles Faced by Investigators in Investigating Acts of Theft With Violence Resulting in the Death of People

Interviews conducted by the author with investigators, that in the process of carrying out the crime of theft with violence resulting in death, witnesses with accurate information are needed to obtain information from them, the things referred to are in the form of everything that is seen can be information and accurate in disclosing the suspect, but in In this case, there were no witnesses at the TKP. This became one of the obstacles encountered by investigators, namely that it was difficult to find these witnesses, because the crime of violent theft that occurred around 3 in the morning, where many people were already at their homes and no one heard the slightest screams or suspicious noises,so it is difficult to find witnesses at the TKP is one of the constraints of investigators in carrying out investigations into criminal acts of theft with violence resulting in death.

Besides that, the family of the victim was uncooperative in assisting the investigation process which made it difficult to find suspects because the Pariangan Police investigators did not get information about anyone who was a close friend of the victim, people the victim did not like, with whom the victim was or is still hostile. and anyone who was last with the victim. All information regarding these questions is needed by investigators in carrying out investigations into criminal acts of theft with violence resulting in death, but due to the uncooperativeness of the victim's family, this has become an obstacle in the investigation process. with whom the victim was or is still hostile and who was last with the victim. All information regarding these questions is needed by investigators in carrying out investigations into criminal acts of theft with violence resulting in death, but due to the uncooperativeness of the victim's family, this has become an obstacle in the investigation process.

Furthermore, the obstacle faced by investigators in this case is the lack of legal awareness of the community and village apparatus regarding the surrounding environment. This is because after the occurrence of the crime of theft with violence which resulted in two deaths, nagari officials such as Wali Jorong and Wali Nagari as the author interviews with investigators, Wali Jorong and Wali Nagari were relatively afraid and kept silent at home, when investigators came to Wali Jorong's house and the Wali Nagari in the investigation process, they did not open the door and just stayed at home, this became an obstacle for investigators because there was no legal awareness of the community and the nagari apparatus about the surrounding environment, the community also classified as not caring about what was happening.

The community component of law enforcement originates from the community and aims to create peace. As a result, from a certain perspective, society can influence the law enforcement. It is very common for Indonesians to interpret law and even associate it with officers (in this case law enforcers as individuals). This means that the good or bad of the law is always associated with the way law enforcers act. In the preliminary examination, a suspect who is suspected of having committed a crime may have a tendency to save himself, such as destroying evidence or vice versa(Kodat, 2023). Confused and convoluted statements from suspects sometimes prevent investigators from completing the minutes of examination of suspects prior to confiscation.

An interview with Mr. Lian Tanjung, Head of the Criminal Investigation Unit of the Pariangan Police, discussed the difficulties encountered when the confiscation of goods was carried out in the



community. This includes refusing to confiscate carried out by people who feel they own the goods to be confiscated, the general public does not understand confiscation in the legal process, the public is worried that confiscated goods will be damaged, lost, or will not be returned, and the public is not cooperative in assisting law enforcement. Basically, ongoing legal information and counseling can be used to increase legal awareness so that people know and understand certain laws, including those regarding confiscation in legal proceedings.

The last obstacle encountered during the investigation process of this case was the lack of facilities and infrastructure for the investigation. From the results of the author's interview with investigators from the Pariangan Police, Tanah Datar, currently carrying out an investigation into the case file with number LP/15/K/VII/2018/ the crime of theft with violence requires facilities and infrastructure, this is because the distance is very far and the road is narrow. inadequate or not yet paved so that investigators need a private car, and costs money. In carrying out the investigation of this crime, investigators use their own pocket money and there is no special operation money that is handed down, furthermore there is no sophisticated equipment such as sniffer dogs,

Efforts Made by Investigators in Overcoming Obstacles in Investigating Violent Theft Crimes That Caused the Death of People (On LP/15/K/VII/2018/Sek at Pariangan Police, Tanah Datar)

Coincidentally, Thursday was market day for the city of Batusangkar and he greeted Isrin at dawn, then Effendi continued on his way to the Batusangkar market. According to the Head of the Criminal Investigation Unit of the Tanah Datar Police, Ipda Lian Tanjung, the investigation process began with the statement of the witness.

When examining the crime scene, investigators had difficulty finding initial evidence regarding sharp weapons, because the perpetrators kept evading and claiming that the sharp weapons or pistols did not belong to the perpetrators but after finding the weapons used investigators conducted DNA checks on the bloodstains found in the grip of the machete used to hit Zainimar on the head. From these results, investigators do not yet have enough evidence to ensnare the perpetrators because even though they can provide many benefits, it turns out that DNA results cannot be used as the only strong reference.

Investigators carried out the processing of the TKP for the second time after days of not finding the perpetrators in this incident. The next effort made by the Polsek investigators was to directly bring in investigators from the Tanah Datar Police led by the Criminal Investigation Unit Ipda Lian Tanjung by using a dactyloscopy tool, which is a tool used to observe and examine the fingers or finger lines, so that one of the perpetrator's fingerprints was found attached to it. glass cup in Zainimar's cloth cupboard in his bedroom, by taking information from a witness named Herman Effendi, investigators immediately raised suspicions against Isrin, it turned out that the fingerprints on the glass cup matched Isrin's fingerprints, which were almost lost because it had been a long time since the crime of theft with violence that resulted in death. So that investigators determined Isrin as the perpetrator of the theft with violence which resulted in death but Isrin still has not admitted that the act was his doing.

The data collected shows that the Pariangan Police Criminal Investigation Unit has very inadequate facilities and infrastructure. One example is the shortage of operational tools. During the process, investigators sometimes use dactyloscopic operational tools at random or do not have experience and skills in using these tools, so that law enforcement is very influential in the law enforcement process because it not only requires adequate facilities and means in terms of quantity and quality, but investigators also must have personal abilities. Facilities and infrastructure are tools that assist the investigation process, and these tools are very important in the investigation process. This led to the disclosure of perpetrators of violent theft which resulted in the death of people becoming longer.

There was a TKP processing process carried out by people who felt they had family and community connections by messing up the position of all the items in the house that were checked to see if anything was missing and the furniture that was examined was messy, because the victim's family was looking for any items that were missing at home, making it difficult for investigators in the investigation process, and to overcome this the Pariangan Police investigators made efforts by



coordinating with Tanah Datar Police investigators to find fingerprint evidence using a pretty good dactyloscopy device owned by the Tanah Datar Police but had to use skills personal investigators in looking for fingerprints in using it because previously Pariangan Police investigators had conducted TKP but the results were still nil.

CONCLUSION

Conducting investigations into criminal acts of forced theft which resulted in the death of people, in the search for suspects is the first step to contacting the TKP to conduct investigations and investigations. If the evidence and information are stated to be sufficient and linked to a suspect in a crime, then the role of the investigator is to investigate, prevent and take action against the investigator with decisive action to catch the suspect in the crime. In this case the obstacle for investigators was that it was difficult to find witnesses at the scene of the incident, because the scene had been entered and damaged by unauthorized parties. and the victim's family did not help investigators because they allowed the community to enter the house, thus increasing difficulties in carrying out investigations besides the lack of awareness of the nagari apparatus and the community about the law and the surrounding environment, making it difficult for investigators to obtain information to investigate criminal acts of theft with violence that occurred . In addition, the Pariangan Tanah Datar police lack the facilities and equipment needed to carry out investigations. To overcome the obstacles and obstacles encountered during the investigation of the case, investigators were able to find witnesses in quite a long time and went through a lengthy process because there was one witness named Herman Effendi who works as a motorcycle taxi driver who saw the suspect Isrin climb out of the house of the victim M. Sawir, but at that time the witness did not suspect the suspect because he have often carried out activities at the family home of M. Sawir and his wife. Starting from this, the police conducted TKP investigations in searching for evidence, so that investigators found a sharp weapon in the form of a machete that still had bloodstains in its grip. The machete was used to hit Zainimar's head. After processing the crime scene, investigators at the Pariangan Tanah Datar Police brought in investigators from the Tanah Datar Police led by the Criminal Investigation Unit Ipda Lian Tanjung using a Dactyloscope to observe and examine the lines attached to the glass cup in Zainimar's cloth cupboard. After being investigated, the fingerprints matched Isrin's fingerprints. So that investigators named Isrin a suspect in the crime of theft with violence which resulted in death.

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Constitution

Article 1 paragraph 3 of the 1945 Constitution concerning Indonesia as a rule of law country.

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The Criminal Procedure Code (KUHP) Article 1 point 2 Concerning Investigation.

The Criminal Procedure Code (KUHP) Article 1 number 4 Concerning Investigators.

The Criminal Procedure Code (KUHP) Article 1 number 5 Concerning Investigations.

The Criminal Procedure Code (KUHP) article 1 number 18 concerning body searches.

Article 20 of the Criminal Procedure Code (KUHP) concerning detention.

The Criminal Procedure Code (KUHP) Article 21 paragraph 1 Concerning Detention Orders.

The Criminal Procedure Code (KUHP) Article 33 paragraph 5 Concerning House Searches.

The Criminal Code (KUHP) Article 365 Concerning Ptheft with violence or threats of violence against people.