

PELAKSANAAN MEDIASI PENAL OLEH PERPOLISIAN MASYARAKAT
(POLMAS) DI KEPOLISIAN SEKTOR GALUR
KABUPATEN KULON PROGO

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INTISARI

Latar Belakang : Perpolisian masyarakat merupakan salah satu program kepolisian Republik Indonesia yang ditujukan untuk menanggulangi kriminalitas dan kondisi kamtibmas yang dihadapi masyarakat dewasa ini. Penelitian ini bertujuan untuk mendeskripsikan dan menganalisis pelaksanaan mediasi penal yang dilaksanakan berdasarkan diskresi oleh perpolisian masyarakat di Polres Kulonprogo Sektor Galur; Mendeskripsikan dan menganalisis faktor pendukung dan penghambat dari pelaksanaan mediasi penal oleh perpolisian masyarakat di Polres Kulonprogo Sektor Galur; dan Merumuskan pola ideal mediasi penal yang dilaksanakan berdasarkan diskresi oleh kepolisian masyarakat di masa mendatang.

Metode : Penelitian ini termasuk ke dalam jenis penelitian hukum yuridis-empiris (socio-legal research) yang bersifat deskriptif-analitis. Teknik pengumpulan data yang digunakan yaitu studi kepustakaan, wawancara (interview), dan daftar pertanyaan. Penelitian ini menggunakan analisis deskriptif kualitatif yaitu data yang diperoleh dianalisis secara kualitatif dan disajikan secara deskriptif. Metode kualitatif adalah suatu tata cara penelitian yang menghasilkan data deskriptif-analisis.

Hasil : Hasil penelitian yaitu bahwa pelaksanaan mediasi penal yang dilaksanakan berdasarkan diskresi oleh Kepolisian Resor Kulonprogo, Sektor Galur melalui institusi perpolisian masyarakat yaitu dengan melibatkan banyak pihak selain pihak pelaku dan korban, juga melibatkan stakeholder seperti tokoh masyarakat dan tokoh agama yang tergabung di FKPM. Faktor pendukung pelaksanaan mediasi pidana oleh Kepolisian Sektor Galur yaitu: Pertama, substansi undang-undang Nomor 2 tahun 2002 tentang Kepolisian Negara Republik Indonesia yang memberikan kebebasan kepada pihak kepolisian pada saat pelaksanaan segala tugas, kewajiban dan wewenangnya dalam penegakan hukum; Kedua, petugas penyidik. Adapun faktor penghambat pelaksanaan mediasi adalah: sarana dan prasarana, Kedua, dukungan masyarakat; Ketiga, faktor budaya yang tumbuh di masyarakat; Keempat, faktor struktur institusi kepolisian.

Kata Kunci: Mediasi Penal, Diskresi, Perpolisian Masyarakat, Polres Kulonprogo Sektor Galur

ABSTRACT

Community policing is one of the Republic of Indonesia's police programs aimed at tackling crime and kamtibmas conditions faced by society today. The Community Policing Program has an advantage in solving security and order issues that are carried out jointly with the community through partnership forums (deliberation), and does not make the community merely an informant, but with the police being the main actors, making every decision regarding issues arising in relation to order and security Public. This study aims to describe and analyze the implementation of penal mediation which is carried out based on discretion by community policing at the Kulonprogo Sector Galur Sector Police; Describe and analyze the supporting and inhibiting factors of the implementation of penal mediation by community policing in the Kulonprogo Sector Galur Sector Police; and Formulating an ideal pattern of penal mediation that is carried out based on discretion by future community police.

This research method is included in the type of juridical-empirical legal research (socio-legal research) which is descriptive-analytical. Data collection techniques used were literature study, interviews (interview), and a list of questions. This research uses descriptive qualitative analysis, the data obtained are analyzed qualitatively and presented descriptively. The qualitative method is a method of research that produces descriptive-analysis data.

The results of the study are that the implementation of penal mediation carried out based on discretion by the Kulonprogo District Police, Galur Sector through community policing institutions is by involving many parties other than the perpetrators and victims, also involving stakeholders such as community leaders and religious leaders who are members of FKPM. Factors supporting the implementation of criminal mediation by the Galur Sector Police are: First, the substance of Law Number 2 of 2002 concerning the Indonesian National Police which gives freedom to the police at the time of carrying out all duties, obligations and authorities in law enforcement; Second, investigating officers. The inhibiting factors for the implementation of mediation are: facilities and infrastructure; Second, community support; Third, cultural factors that grow in the community; Fourth, the structure factor of the police institution.

Keywords: Penal Mediation, Discretion, Community Policing, Kulonprogo Sector Police Structure