

Handling of Missing Persons Reports Suspected of Victims of Crimes and Problems in Uncovering the Truth of the Case by the Salaman Sector Police

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ABSTRACT

The development of society and globalization have made crimes such as kidnapping, murder, and rape more diverse. In Indonesia, missing persons reports are often the beginning of the revelation of criminal acts, but the handling by the police is still slow and not uniform. Some reports are only processed after 1x24 hours, even though time is crucial. At the Salaman Police Station, 32 cases of missing persons in 2021-2025 led to criminal acts, showing the need for improvement. Handling must be fast, precise, and uniform without administrative delay, in accordance with the provisions of the Criminal Procedure Code and police regulations that require immediate service and victim protection. Standard regulations are needed that regulate the operational standards for handling missing persons reports, especially if they contain suspected criminal acts. This research uses a normative juridical method with a legal approach and a conceptual approach. To strengthen the argument, an interview was conducted with the Head of the Criminal Investigation Unit of the Salaman Police in a structured manner. This research uses a normative-empirical type of research. The approaches used in this study are the laws and regulations approach, and the case approach. Normative-empirical research uses primary data and is supported by secondary data. The results of the study concluded that the action taken by the Salaman Sector Police of Magelang Regency when there is a report of a missing person suspected of being a victim of a crime is to follow up in accordance with the SOP for the Acceptance of Police Reports and the SOP for Public Visits in accordance with Article 7 letters c and d of the Regulation of the National Police of the Republic of Indonesia Number 7 of 2022 concerning the Professional Code of Ethics and the Commission of the Code of Ethics of the National Police of the Republic of Indonesia, and Article 1 number 4 of the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation. The Salaman Police directly followed up on missing person complaints without following the 1 x 24-hour waiting mechanism, and followed up on missing person complaints in the same way by following up on reports of suspected criminal acts. The reason is that missing person complaints can develop into reports of alleged criminal acts, as well as problems in uncovering the truth of the case of handling missing persons reports in the Salaman Sector Police, Magelang Regency is based on the theory of factors that affect law enforcement by Soerjono Soekanto, namely regarding community factors and cultural factors.

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1. INTRODUCTION

Suspected criminal acts often occur with the beginning of a missing person report. In fact, until now many reports of missing persons have been received by the police and have led to a criminal act. The increase in criminal cases stemming from reports and news of missing persons in recent years shows that the procedures for handling and providing legal services by police officers are still not optimal. This imideality has an impact on the lack of maximum follow-up to reports and the settlement of missing persons cases, thus opening up opportunities for criminal acts, considering that missing persons events often indicate the existence of suspected criminal acts.

Several cases that originated from a missing report, leading to a criminal act have often occurred, such as the case that occurred in 2017, there was a child abduction on behalf of Diva Azura boru Tampubolon who was still 1 year and 2 months old. Diva's departure was last known from the hands of a nanny named Vika, where Genisis and his wife (the victim's parents) would pick up Diva at 17.00. How surprised these two parents were when they did not find the child, along with the caregiver and her husband, in the house. So panicking were these two parents that they decided to report this case to the Siantar Martoba Police. However, the report was rejected because Diva's disappearance had not met the standard deadline for reporting missing persons. But apparently reporting takes longer than how a criminal act can be committed in an instant. Diva was found floating lifeless in a ditch, allegedly killed by her nanny.[1]

Another case, mutilation in Bekasi began with a missing person report on behalf of 34-year-old M. Ecky Listiyanto. During a search by the police at a rented house in South

Tambun, Bekasi, the mutilated body of a woman was found in two plastic containers. Ecky was then secured as a murder suspect and charged with article 338 of the Criminal Code. Previously, Ecky was reported missing by his wife after admitting to going to the bank. After a few days of no news and traces of Ecky's last cellphone were detected in Kalimalang, the family reported to the police. During the investigation of the rented house allegedly rented by Ecky, the police found evidence of Ecky's whereabouts as well as the discovery of the body of the mutilation victim.[2]

Recently, on Friday morning, January 5, 2024, the body of a woman named Andriyani, a resident of Kwaderan Village, Kajoran District, Magelang Regency, was found buried in the ditch of a cassava plantation in Karanganyar Hamlet, Krasak Village, Salaman District, Magelang. The victim has been reported missing since December 16, 2023, and a missing person report was made by his son on December 18, 2023. The results of the police investigation revealed that the perpetrator of the murder was the victim's husband, Surohmat, who admitted to killing his wife by snaring the victim's neck using a shawl on December 15, 2023, then buried her body in the ditch. The motive for the murder was allegedly due to emotions after a fight between the two.[3]

The three cases mentioned above indicate that missing person reports must be followed up quickly and appropriately. However, in practice, there are differences in procedures and handling mechanisms by one Police agency and another, regarding the 1 x 24 hour waiting mechanism for handling missing persons reports. The three cases as described above, show that the Police at the Siantar Martoba Police Station in Pematangsiantar City, North Sumatra implemented a 1 x 24-hour mechanism for

handling missing persons reports. Meanwhile, in police agencies in Salaman District, Magelang Regency in some cases do not apply 1 x 24 hours for handling missing person reports.

The difference in handling should be an obligation to stop. This means that one police agency is required to be uniform in implementing procedures and mechanisms for handling missing person reports, considering that missing person reports are very likely to occur suspected criminal acts. Do not let the problems experienced by the Police in uncovering the truth of the case that originated from the report of a missing person who is suspected of being a victim of a crime is precisely the procedure and mechanism for handling the missing person report itself. Moreover, do not let the level of public trust in the police agency decline again, so that the #percumalaporpolisi hashtag goes viral again as it happened in 2021. The hashtag and the content of the news and opinions conveyed are complaints about the slow role of the police in investigating various problems in Indonesia, both regarding alleged kidnapping crimes and so on, as well as the slowness in responding to missing persons reports.[4]

2. LITERATURE REVIEW

2.1 Report

Reports according to the Great Dictionary of the Indonesian Language (hereinafter abbreviated KBBI) are defined as everything that is reported, and news. A report is a form of submission of information or information in writing carried out by a person or certain party to provide an explanation of an event, activity, or condition. Reports are generally used to provide objective and detailed information, with the aim that the party receiving the report can understand the situation or event being reported and take appropriate steps or decisions. Reports can have many different types, depending on their context and purpose, such as financial statements, activity reports, police reports, or other official reports. (Language Development and Development Agency, 2025) [6]

With regard to a police report, it is defined as anything that is reported and submitted to the police regarding an incident, criminal act, or event that requires legal action or further investigation. A police report is a report made by a person or party who knows or is involved in an incident, especially those related to a criminal act or event that requires investigation or legal action from the police. This report can be submitted by victims, witnesses, or anyone who feels they have relevant information about an incident that is considered and/or suspected of violating the law.

A report is a notification submitted by a person due to his rights or obligations under the law to the authorized official about the occurrence of a criminal offence, contained in Article 1 point 21 of the Criminal Code. So a report is a notification from someone, both other people who witnessed and people who experienced about a criminal act to the authorities so that it can be followed up immediately. [16]

In line with the description mentioned above, Article 15 paragraph (1) letter a of Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia (hereinafter abbreviated as the Police Law) states that: 'In order to carry out the duties as referred to in Articles 13 and 14 the National Police of the Republic of Indonesia is generally authorized to receive reports and/or complaints'. The reports submitted to the police are not all criminal acts, it could be that the report submitted to the police is a report that is still an alleged criminal act. Regarding this, it is legitimate considering that Article 15 paragraph (1) letter f of the Police Law states that: 'In order to carry out the duties as referred to in Articles 13 and 14 the National Police of the Republic of Indonesia is generally authorized to carry out special examinations as part of police actions in the context of prevention'. This means that all reports that are received and/or received by the police must be followed up

2.2 Missing Persons

The term 'missing person' is a phrase that is quite commonly used, especially in situations such as natural disasters,

transportation accidents, missing while on duty, or due to criminal acts. However, a person's statement as missing does not automatically mean that the person has passed away. In the context of this study, the missing person could be a victim of an alleged criminal act. However, in Indonesian criminal law, the term 'missing person' is explicitly unknown. Even so, there are several provisions in laws and regulations that outline certain categories related to a person's status as a missing person, which are as follows:

- a. Article 44 paragraph (4) and Article 45 paragraph (3) of Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration which regulates one of the relevant conditions is the phrase 'unclear the whereabouts of a person due to loss'. It is explained that if there is a situation where the whereabouts of a person are not known because they are missing or suspected of being dead but their body is not found, then registration by the Civil Registration Officer can only be done after a determination from the court. This provision also covers Indonesian citizens who are declared missing abroad. However, the law does not expressly provide a definition of who is meant by a person who is declared missing. Even in the sense of a population event, the term 'lost' is not mentioned. Population events themselves are defined as events experienced by residents that are required to be reported because they have an impact on the issuance or change of population documents such as Family Cards, ID cards, and other certificates, which include events such as change of domicile, change of address, and change of residence status from temporary to permanent; and
- b. Law Number 12 of 2006 concerning Citizenship, also known as the phrase 'declared lost' even in the context of

loss of citizenship. So, in this case, it is not the person who is declared missing, but the nationality.

In the literature, definitions of missing persons in legal contexts are still very limited. For the purposes of this study, the limitations regarding the term 'missing person' are specifically explained, namely as a person who disappears, is not found, or is no longer visible and whose whereabouts are unknown. In civil law, the term used is not 'missing person', but 'person who is suspected of having died'. So, in general, a missing person can be understood as an individual whose whereabouts are unknown, unheard, and suspected of experiencing a certain event.

2.3 Criminal

In the context of this research, the term 'criminal act' refers to a concept derived from Dutch criminal law, namely *Strafbaar feit*. This term consists of three-word elements, namely *straf*, *baar*, and *feit*. The word *straf* contains the meaning of criminal or punishment, *baar* means can or can, while *feit* is interpreted as an act, event, violation, or deed. Moeljatno stated that a criminal act is an act that is prohibited by the provisions of the law, where the prohibition is accompanied by the threat of certain criminal penalties for anyone who violates it.[8][9]

The term criminal act (*delik*) comes from a term in Dutch criminal law, namely *strafbaar feit*. Although this term is listed in the Dutch *Wetboek van Strafrecht* (WvS), as well as in the Dutch East Indies WvS (Nv.SNI), no official explanation of the meaning of the *strafbaar feit* has been found. Therefore, legal experts are trying to formulate the meaning and scope of the term. However, until now there has been no scientific agreement on the definition of *strafbaar feit*. In the Indonesian Criminal Code, the term *strafbaar feit* is translated as 'criminal act', but without a specific explanation of the meaning of the term.[10]

According to Pompe, theoretically *strafbaar feit* is a form of violation of legal norms that disturbs order in the legal order (*rechtsorde*), which is committed by a person either with elements of intentionality or negligence. The act is seen as an act that

contains guilt (schuld) from the perpetrator, so the imposition of a criminal case against him is considered essential to ensure the continuity of law and order and protection of the public interest. According to the formulation put forward by Simons regarding the definition of criminal acts ([11] strafrechtfeit), there is a close relationship with the principle of legality in Indonesian criminal law. This principle, which in Latin terms is known as *nullum delictum nulla poena sine praevia lege poenali*, means that an act cannot be considered a criminal act and cannot be subject to criminal sanctions if it has not been expressly regulated in advance in laws and regulations.[12]

Theoretically, criminal acts can be distinguished based on their quality into two categories, namely crimes and offenses. Crime, or *rechtdelicten*, refers to acts that are contrary to the principles of justice, even though these acts are not always regulated in law. Although it is not listed in the law as a delicacy, this act is still considered contrary to justice by the community. Meanwhile, violations are actions that are only considered a criminal act by the community after the law formulates them as delicacies. This act is considered a criminal act because of the threat of criminal sanctions listed in the law.[13]

2.4 Victims of Crime

According to Muladi, a victim is an individual or group who has suffered losses, either physically, mentally, emotionally, economically, or significantly disturbed to their basic rights, due to actions or deeds that violate criminal law in a country, including abuse of power. Article 1 paragraph (3) of Law Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 concerning the Protection of Witnesses and Victims explains that 'a victim is a person who suffers physically, mentally, and/or economically as a result of a criminal act'.[14]

3. METHODS

3.1 Types of Research

In this study, the researcher will conduct direct observations in the field. This type of empirical research is used to analyze the handling of missing persons reported

cases who are suspected of being victims of criminal acts and to identify factors that hinder the disclosure of the truth in the handling of missing persons cases in the Salaman Sector Police, Magelang Regency.

3.2 Research Approach

The case approach in this study is used because this study refers to cases that occurred in the jurisdiction of the Salaman Police, Magelang Regency. The case began with a complaint of a missing person from the biological child against his biological mother, but it turned out that the biological mother in question was a victim of the crime of murder with the perpetrator being the husband of the victim. This shows that missing person complaints can end up as criminal acts if the handling of missing person complaints is not fast and efficient. This case is not in the form of a general court decision, but this is also possible in this case approach, because not all research that uses a case approach has to be a case in the form of a court decision.

3.3 Data Collection Techniques

In this study, primary data was obtained through interviews with research subjects. The interview was conducted in a structured and non-binding manner, i.e. using a list of questions that had been prepared in advance, but the questions could be elaborated further depending on the conditions at the time of the interview, thus allowing the researcher to dig into information more flexibly and in depth. Meanwhile, secondary data was collected through literature studies, which were carried out by examining various literature sources such as relevant law books and laws and regulations.

3.4 Data Analysis Techniques

Data analysis in this study will be presented in a qualitative descriptive form, which is a form of analysis of data that cannot be expressed in the form of numbers. According to Sugiyono, the qualitative descriptive approach is a method that explains data as it is through elaboration with qualitative sentences. Primary data obtained through interviews with research subjects will be combined with secondary data that has been studied, then compiled in a structured

manner to provide a complete understanding of legal principles, legal norms, expert opinions, and relevant regulatory provisions, which are then analyzed logically and qualitatively.[15]

4. RESULTS AND DISCUSSION

4.1 Police Action of the Salaman Sector Police in Magelang Regency When There Are Reports of Missing Persons Suspected of Victims of Crime

Article 1 number 1 of Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia (hereinafter abbreviated as the Police Law) states that 'The Police is all matters related to the functions and institutions of the police in accordance with laws and regulations'. Then, Article 2 of the Police Law states that 'The function of the police is one of the functions of the state government in the field of maintaining public security and order, law enforcement, protection, protection, and service to the community'. If you look closely at the definition and function of the police, the police institution can be classified as an institution that provides public services in the fields of maintaining public security and order, law enforcement, protection, protection, and services to citizens. As law enforcement officials, the police also have the authority to provide public services because one of their main duties is to serve the community.¹ Considering that the police have a public service function to the community in the field of law, in its services there are standard operational procedures used in its service functions.²

In general, police services to the community begin with the receipt of reports or complaints submitted by residents. The police themselves distinguish between

reports and public complaints. A report is a notification given by a person to an authorized official due to his rights or obligations under the law, regarding a criminal event that has, is happening, or is suspected to occur, as stipulated in Article 1 number 21 of the Criminal Code. Thus, a report is information from a person, both a witness and a victim regarding a criminal act that is submitted to law enforcement officials for immediate follow-up. Meanwhile, a complaint according to Article 1 point 25 of the Criminal Code states that 'a complaint is an official notification accompanied by a request by the interested party to the official who is authorized to take action according to the law of a person who has committed a criminal act of complaint that is detrimental to him'.(Andi Sofyan, 2017)

The police distinguish between reports and complaints. The missing person event means entering the realm of complaint, and it is possible that there will be a report if the handling of missing person complaints indicates an alleged criminal act.³ The police distinguish that alleged criminal acts generally start from public reports, while missing persons cases usually start through complaints. This difference is based on who is delivering the information. In a report, everyone without exception can report an event. Meanwhile, complaints can only be filed by parties who have rights, such as those who have a direct relationship with missing persons, such as family (parents, spouses, children, and so on). Therefore, missing persons cases are generally complained about by close relatives. In contrast to alleged criminal acts, whose reports can be made by anyone without considering whether the complainant has a relationship with the incident.⁴

¹ Interview Results with Mr. IPDA Priyo Budi Prasetyo, as Head of the Criminal Investigation Unit of the Salaman Sector Police, Magelang Regency on June 22, 2025 at 11.30 WIB at the Salaman Sector Police Office, Magelang Regency, Central Java

² Interview Results with Mr. IPDA Priyo Budi Prasetyo, as Head of the Criminal Investigation Unit of the Salaman Sector Police, Magelang Regency on June 22,

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⁴ Interview Results with Mr. IPDA Priyo Budi Prasetyo, as Head of the Criminal Investigation Unit of the

However, the difference between a report and a complaint is not a matter of principle. These differences are more administrative in the scope of police duties. If the public submits reports or complaints about suspected criminal acts or missing persons, the police already have SOPs to receive and handle them. This SOP was made so that all ranks of the police have a uniform way of working in processing reports and public complaints. Both reports of alleged crimes and complaints of missing persons will basically be handled according to the applicable general procedures.⁵

The standard operating procedures in this context are the SOP for the Receipt of Police Reports (LP) and the SOP for Community Visits. In their implementation, the two SOPs are also closely related to the provisions of Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia, the Criminal Procedure Code (KUHAP), and the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning the Investigation of Criminal Acts.⁶ The implementation of SOPs is important because every report or complaint received by the police must go through the stages of investigation and investigation first. The flow of SOPs in the process of handling reports and complaints related to alleged criminal acts and missing persons cases is as follows:⁷

- 1) Complainants or complainants are accepted through the SPKT Call Center or by coming directly to the Integrated Police Service Center (SPKT). Furthermore, the officer will ask the identity of the complainant or complainant and the purpose of his arrival;

- 2) Complaints or reports are received and studied about the reported or complained case by requesting information from related parties, as well as collecting related information through the complainant or complainant;
- 3) Officers at SPKT will follow up by first making a complaint acceptance letter or report letter. If the case is a missing person, then a complaint acceptance letter is issued. Meanwhile, if there is an alleged criminal act, what is issued is a letter of receipt of the report. In the context of this study, missing persons complaints will be received with a complaint acceptance letter;
- 4) The complaint was followed up with an investigation; and
- 5) If the results of the investigation into the missing person complaint indicate signs of an alleged criminal act. So, departing from the results of the investigation, it will make a recommendation to the complainant to make a police report. However, sometimes the police after finding signs of suspected criminal acts in following up on missing persons complaints. The police will make a Model A report (a term used in the police environment, if the investigator himself is the reporter). This is in accordance with the nature of a police report, which can be reported by anyone as long as they see, hear, or even experience an alleged criminal act.

Administratively, the SOP that has been applied in general at the Salaman Police in receiving reports or complaints related to suspected criminal acts or missing persons is as described above. Furthermore, to follow up on reports or complaints of alleged criminal acts and missing persons cases, the police will

Salaman Sector Police, Magelang Regency on June 22, 2025 at 11.30 WIB at the Salaman Sector Police Office, Magelang Regency, Central Java

⁵ Interview Results with Mr. IPDA Priyo Budi Prasetyo, as Head of the Criminal Investigation Unit of the Salaman Sector Police, Magelang Regency on June 22, 2025 at 11.30 WIB at the Salaman Sector Police Office, Magelang Regency, Central Java

⁶ Interview Results with Mr. IPDA Priyo Budi Prasetyo, as Head of the Criminal Investigation Unit of the

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⁷ Interview Results with Mr. IPDA Priyo Budi Prasetyo, as Head of the Criminal Investigation Unit of the Salaman Sector Police, Magelang Regency on June 22, 2025 at 11.30 WIB at the Salaman Sector Police Office, Magelang Regency, Central Java

be guided by the provisions of the Criminal Code and the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation. This is because the police cannot immediately conclude whether an event is really a criminal act or just a case of missing persons. Therefore, both reports and complaints must be processed equally without distinction from each other.⁸

The existence of the Criminal Code and the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation are the basis for legal certainty for the police in conducting investigations into the possibility of alleged criminal acts. In line with the opinion of Cst. Kansil, normative legal certainty is achieved when a regulation is drafted and ratified clearly because it contains definite and logical provisions. The following will be described separately, regarding the handling of missing persons complaints and the follow-up of missing person complaints suspected of being victims of criminal acts:[17]

4.1.1 Handling of Missing Persons Complaints

Article 1 point 25 of the Criminal Code states that 'a complaint is an official notification accompanied by a request by the interested party to an authorized official to take legal action against a person who has committed a criminal act of complaint that is detrimental to him'. Thus, a complaint is a notification submitted by an interested party or a victim who is aggrieved by a criminal act to the authorities for immediate follow-up. In the case of a criminal complaint, the prosecution process can only be carried out if there is a complaint or request from the victim, the party who feels aggrieved, or the party who has the legal right to file a

complaint. Therefore, not all types of criminal acts can be reported in general to the competent authorities, because the handling of criminal acts can only be started on the basis of complaints or requests from victims or interested persons. [18]

The duties of the police are one of the functions of the state government in the field of maintaining public security and order, enforcing the law, providing protection, protection, and services to the community. Therefore, the police are a place for the public to submit reports and complaints related to various events, most of which are related to alleged criminal acts.⁹ One form of complaint that is often received is related to missing persons. The term 'person declared missing' itself is commonly known, usually appearing when an event occurs such as a natural disaster, an airplane or ship accident, a loss while carrying out duties, or due to a criminal act. However, the statement that someone is missing does not automatically mean that the person has died. In the context of this study, missing persons who are likely to be victims of suspected criminal acts.¹⁰

The explanation of missing persons in the legal realm has a very limited scope. However, a lost person can be interpreted as an individual who is no longer in his original place, disappears, is invisible, and is not heard from due to an event that befalls him. In daily practice in the community, usually the family reports relatives or family members who are suspected of disappearing to the police. Based on the definition of missing persons and complaints within the police environment that has been described earlier, the police classify missing persons reports as a form of complaint. This is because a missing person complaint is an official notification accompanied by a request from interested parties to the authorities to take legal action

⁸ Interview Results with Mr. IPDA Priyo Budi Prasetyo, as Head of the Criminal Investigation Unit of the Salaman Sector Police, Magelang Regency on June 22, 2025 at 11.30 WIB at the Salaman Sector Police Office, Magelang Regency, Central Java

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against someone who is suspected of committing a criminal act of complaining that is detrimental to the complainant.¹¹ Thus, a complaint is a notification from an individual who is related to or is a victim of a criminal act that has occurred, which is submitted to the authorities for immediate follow-up.

The police distinguish that missing person cases generally start from public complaints. This difference is based on who has the right to file a complaint, i.e. only certain people have rights, such as close relatives. Therefore, missing person complaints are usually filed by parties who have a kinship relationship with the missing person, such as parents, spouses, or children. Meanwhile, in an alleged criminal act, anyone can report without considering whether the complainant has a certain relationship with the event he reported. This can be seen from the fact that most missing person complaints are made by the family, and when a complaint is filed with the police, the complainant will be asked for information about his relationship with the missing person.¹²

However, the difference between reports and complaints is not a matter of principle, because it is only administrative for the police. If there are reports or complaints from the public regarding alleged criminal acts of kidnapping or missing persons cases, the police have standard operating procedures (SOPs) to receive and handle the report or complaint. This SOP was made so that all ranks of the police have uniformity in the process of receiving and handling reports and complaints from the public. Both reports of alleged crimes and missing persons complaints will be processed with the same procedures as reports and complaints in general.

When complaints about missing persons are received, in the process of receiving them, the police use the SOP for Receiving Police Reports (LP) and SOP for Community Visits as previously explained.

The two SOPs are only administrative. In practice, police reports regarding alleged criminal acts and missing persons complaints will be followed up in the same way, because missing persons cases can develop into criminal allegations, while allegations of criminal acts are not necessarily proven because their status is still limited to 'allegations'.

Furthermore, in following up on reports or complaints related to alleged criminal acts or missing persons, the police will be guided by the provisions of the Criminal Code and the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation. This is because the police have not been able to confirm whether the reported incident is really a suspected criminal act or just a case of missing persons. Therefore, both reports of alleged criminal acts and missing persons complaints must be followed up equally without any distinction in handling. Entering the stage of handling missing persons complaints, after the report is received by SPKT and a letter of receipt of the complaint is made by the police officer, the complaint is immediately processed further. The Salaman Police itself, there is no provision for 1 x 24 hours in handling reports or complaints related to missing persons.

This is understandable because in any police regulation there is no rule regarding a time limit of 1 x 24 hours to handle missing persons complaints. After the complaint receipt letter is given to the complainant, the complaint will be immediately followed up without having to wait for a period of 1 x 24 hours. The handling of missing persons reports is immediately processed through the investigation and investigation stages by police officers, referring to the provisions of the Criminal Code and the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation.

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If there is indeed no written provision related to a period of 1 x 24 hours in the process of handling missing persons cases, then the steps of the Salaman Police to immediately follow up on every public complaint received are appropriate. This action was carried out to create a sense of justice for the community. As Aristotle put it, justice means giving to each person what he has a right to (*fiat justitia pereat mundus*). Article 1 number 4 of the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation states that: 'an investigation is a series of actions carried out by investigators to search for and find an event that is suspected of being a criminal act, with the aim of determining whether the investigation can be carried out in accordance with the provisions of laws and regulations'. [19]

Furthermore, Article 1 number 5 of the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation states that: 'an investigation is a series of steps taken by investigators, based on the procedures in the law, to find and collect evidence that can explain the criminal act that occurred and find out who the perpetrator is'. The Salaman Police immediately followed up on missing persons complaints without applying the 1 x 24-hour time provision, because these provisions were not regulated in writing. This step is in line with Article 102 paragraph (1) of the Criminal Code which stipulates that investigator who know or receive reports or complaints about events that should be suspected of criminal acts are obliged to immediately carry out the necessary investigative actions. Furthermore, the Salaman Police will also compile the minutes and distribute them to investigators in their jurisdiction, in accordance with Article 102 paragraph (3) of the Criminal Code which requires the investigator to make a report of the action and report it to the local investigator.

Investigators and investigators will go to the scene of the incident (crime scene processing) to conduct a more detailed

examination. The review of missing person reports or complaints is carried out at the last place where the missing person is, including an examination of the person with whom he or she was last interacted. This procedure is in accordance with Article 111 paragraph (3) of the Criminal Procedure Code which stipulates those investigators and investigator who receive reports are required to immediately go to the scene and can prohibit anyone from leaving the location before the examination is completed. In addition, the complainant or the reporting witness will be asked for information about the last location or last communication with the missing person, his daily activities, friends or close relatives other than the reporter, as well as the identity and characteristics of the missing person.

When making a report, the reporter will be given an explanation that the form of the report can change according to the development of the investigation results. These changes are technical and need to be communicated further to the whistleblower. Specifically for reports related to alleged criminal acts and missing persons complaints, the report will be outlined in the Model A or Model B Police Report. This provision is supported by Article 3 paragraph (5) of the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation which states that:

"The police report as referred to in paragraph (4) letter b, consists of:

- a. Model A police report, which is a police report made by members of the National Police who experienced, knew or directly found the event that occurred; and
- b. Model B police report, which is a police report made by members of the National Police on reports received from the public."

However, if referring to the provisions of Article 6 paragraph (4) of the Regulation of the Chief of the National Police of the Republic of Indonesia Number 12 of 2009 concerning Supervision and Control of the Handling of Criminal Cases within the National Police of the Republic of Indonesia,

the police report consists of 3 (three) models, one of which is Model C. Model C is prepared by investigators who during the investigation find criminal acts or suspects that have not been covered in the police report being handled. This police report model is made with the consideration that reports or complaints related to suspected criminal acts or missing persons must first go through the investigation and investigation process.

An appropriate police report model that is in accordance with legal facts can only be determined after the investigation and investigation process is completed. This is important and indeed designed that way, because police reports are the basis for the implementation of investigations and investigations. After investigators and investigators visited the crime scene (crime scene) and conducted an examination, the investigation continued based on the reports or complaints received. Investigation activities include processing crime scenes, observations, interviews with reporting witnesses and witnesses at the location, and if necessary, stalking or disguise is also carried out. In the case of missing persons, efforts will be made to track, research, and analyze relevant documents. All of these steps are in accordance with the provisions of Article 6 paragraph (1) of the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation.

The object of investigation can include specific individuals, objects or goods, locations, events, or activities. Investigations based on police reports that have been received will be planned in advance systematically. After that, the investigator is obliged to compile a written report on the results of the investigation and submit it to the investigator. The report should at least contain information about the time and place, the steps of the investigation, findings during the investigation, obstacles faced, and opinions and recommendations. This provision is in accordance with Article 8 of the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation.

Based on the written report that is the result of the investigation process, it is mandatory to conduct a case to assess whether the reported incident is an alleged criminal act or not. If the results of the case show that the report is more towards a missing person complaint, then the process will continue at the investigation stage as long as the investigation has not found sufficient evidence to confirm the status of the event as an alleged criminal act or not. This is because the problem of missing persons has many possibilities, whether the person deliberately disappeared, became a victim of a criminal act, or was disappeared by another party as a criminal act.

If in the investigation facts are obtained through witness statements, tracking the whereabouts of the person reported missing, tracing, and other steps, which show that the person disappeared intentionally, for example because he wanted to stay away from debt or leave his family environment, then it becomes a basis for consideration. In the process of investigation, various factors that make a person deliberately disappear can usually be revealed. Therefore, the investigation stage has an important role in determining the direction of handling cases within the police. Because a missing person in the sense of deliberately getting out of the way without a criminal factor behind it, is not a criminal act, the investigation is stopped as stipulated in Article 9 paragraph (2) letter b of the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation.

Regarding the handling of missing persons, the Salaman Police will disseminate information about the characteristics of people reported missing through print media and social media. The investigation process has an important role in determining the steps to handle cases within the police department. In handling missing persons complaints, the police are obliged to conduct an investigation first, which requires the interpretation or interpretation of the investigator on the report or complaint received. This interpretation is needed to distinguish whether the case

includes a report of an alleged criminal act or just a missing person complaint. In fact, this kind of interpretation has been considered from the beginning because police reports are made in several models, namely Model A, Model B, and Model C.

So far, reports of missing persons who entered the Salaman Police in the process of investigation have been found before the investigation stage, so the investigation was stopped. However, there are also cases of missing persons complaints that during the investigation process the victim was found in a deceased condition so that the handling was continued to the investigation stage. One example is the incident on December 18, 2023, when the body of a woman named Andriyani, a resident of Kwaderan Village, Kajoran District, Magelang Regency, was found buried in the waterway of a cassava plantation in Karanganyar Hamlet, Krasak Village, Salaman District, Magelang. The victim was reported missing by her son on December 18, 2023, after previously unknown her whereabouts since December 16, 2023. The results of the police investigation showed that the perpetrator was the victim's husband, Surohmat, who admitted to ending his wife's life by ensnaring her neck with a shawl on December 15, 2023, then burying her at the location. The alleged motive for the murder was triggered by an argument that occurred between the two.

4.1.2 Follow-up on Missing Persons Complaints Suspected of Being Victims of Crime

Starting from the disappearance of a mother since December 16, 2023, there is a missing person complaint made by the biological child and the complaint has been received by the Salaman Police as stated in the Missing Person Certificate registered with Number: OH/05/XII/2023/SPKT/Salaman Sector dated December 18, 2023. The receipt of complaints pays attention to the SOP for the Receipt of Police Reports (LP) and the SOP for Community Visits. Then, the police refer to the provisions in the Criminal Code and the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation.

Missing person complaints are immediately followed up, at the Salaman Police Station there is no 1 x 24 hour rule in handling. This is proven, because not long after December 18, 2023, the results of the investigation actually found the fact that the missing person in question was found dead because he was found buried in the waterway of a cassava plantation in Karanganyar Hamlet, Krasak Village, Salaman District, Magelang on December 20, 2023 in the early morning. At that very time, investigators and investigators made a police report based on the findings of indications that an alleged criminal act had occurred.

This is because, in police reports related to alleged criminal acts, it generally starts from information provided by a person, both witnesses who see it directly and victims who experience it, with the aim that the police immediately follow up on the incident. The basis for the police consideration is to determine an alleged criminal act as a report based on who submitted the information. If the reporting is anyone or everyone who knows about the event, it is considered a report. In other words, in the case of an alleged criminal act, anyone can make a report without having to consider whether the complainant has certain rights to the event.

As a result, there was a switch from a complaint to a police report based on the results of the initial investigation. The investigation continued, the perpetrator confined to the victim's husband, Surohmat, who admitted to ending his wife's life by snaring her neck with a shawl on December 15, 2023, then buried her at the location. The alleged motive for the murder was triggered by an argument that occurred between the two. The process continues to the investigation stage, and to the examination process, determination of suspects, preparation of case files, and handover of the file to the Public Prosecutor.

4.2 Problems in Uncovering the Truth of the Case of Handling Missing Persons Reports at the Salaman Sector Police, Magelang Regency

4.2.1 Number of Incoming and Completed Reports in Cases of

Alleged Criminal Acts Originating from Missing Persons Complaints

The legal literature in Indonesia does not recognize missing persons as a criminal act. However, in practice, cases of criminal acts are often found that begin with a missing person complaint. Departing from this, the Indonesian National Police when it finds complaints about missing persons will be processed in the same way as the handling of criminal reports in general. Including the Salaman Police, when receiving a missing person complaint, it will be processed the same as receiving a criminal report without waiting for a 1 x 24 hour mechanism.¹³

The reason for the Salaman Police to handle missing persons complaints is the same as the handling of criminal reports in general, not only relying on 1 (one) reason as described above, but also adhering to the

nature of the police function, which is one of the functions of the state government in the field of maintaining public security and order, law enforcement, protection, protection, and service to the community as stipulated in Article 2 of the Indonesian Police Law. The phrases 'protection' and 'service to the community' are the basis that following up on complaints related to missing persons, even if it is not a criminal act, is still one of the authorities of the police. This applies specifically to missing person complaints.

The reasons mentioned above are supported by the fact that at least in the period between 2021 and 2025 there were around 22 (twenty-two) cases that then led to criminal acts. This number increased to 32 (thirty-two) reports that ended in suspected criminal acts. Here are the details of the table:

Table 1. Recap of Missing Persons Complaint Data into Crime Reports

No.	Case	Missing Persons Complaint Date	Date of Alleged Crime Report	Year									
				2021		2022		2023		2024		2025	
				CT	CC	CC	CT	CC	CT	CC	CT	CC	CT
1	Missing Persons - Persecution	02-03-2021	13-06-2021	12	12								
2	The Lost Man - Adultery	06-03-2021	14-03-2021										
3	Missing Persons - Kidnapping	17-03-2021	02-05-2021										
4	Missing Persons - Kidnapping	18-03-2021	02-05-2021										
5	Missing Persons - Persecution	24-05-2021	30-05-2021										
6	Missing Persons - Persecution	06-06-2021	10-07-2021										
7	Missing Persons - Kidnapping	11-06-2021	13-06-2021										
8	Missing Persons - Persecution	17-07-2021	05-09-2021										

¹³ Interview Results with Mr. IPDA Priyo Budi Prasetyo, as Head of the Criminal Investigation Unit of the Salaman Sector Police, Magelang Regency on June 22,

2025 at 11.30 WIB at the Salaman Sector Police Office, Magelang Regency, Central Java

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27	The Lost Man - Adultery	10-09-2024	29-09-2024				
28	Missing Persons - Kidnapping	30-09-2024	09-11-2024				
29	Missing Persons - Persecution	12-01-2025	06-02-2025			4	4
30	Missing Persons - Kidnapping	05-02-2025	12-02-2025				
31	Missing Persons - Kidnapping	27-02-2025	04-04-2025				
32	Missing Persons - Kidnapping	08-03-2025	30-05-2025				

Source: Interview Results

Table 1 above shows that the Salaman Police in 2021 received missing persons complaints which developed into reports of alleged criminal acts amounting to 12 (twelve) *Crime Total* (CT), with full settlement or 12 (twelve) *Crime Clearance* (CC). In 2022, the Salaman Police received missing persons complaints which developed into reports of alleged criminal acts amounting to 6 (six) *Crime Total* (CT), with complete settlement or 6 (six) *Crime Clearance* (CC). In 2023, the Salaman Police received missing person complaints which developed into reports of alleged criminal acts amounting to 6 (six) *Crime Total* (CT), with complete settlement or 6 (six) *Crime Clearance* (CC). In 2024, the Salaman Police received missing persons complaints which developed into reports of alleged crimes amounting to 4 (four) *Crime Total* (CT), with complete settlement or 4 (four) *Crime Clearance* (CC). In 2025 at least until the implementation of this research interview, the Salaman Police received missing persons complaints which developed into reports of alleged crimes in the amount of 4 (four) *Crime Total* (CT), with complete settlement or 6 (four) *Crime Clearance* (CC).

Then, if you look at the date on which the missing person's complaint was received by the Salaman Police, after being followed up directly without using the 1x24-hour waiting mechanism by referring to the results of the investigation finding evidence and/or

findings that refer to the alleged criminal act, so that it turns into a report of an alleged criminal act, the estimated time varies greatly, some are fast and some are very slow. An example refers to table 4.1 mentioned above, point number 23 (twenty-three) regarding a case that began with the receipt of a missing person complaint by the Salaman Police on 18-12-2023 (eighteen December in the year two thousand and twenty-three). The case developed based on the results of the investigation found the fact that there had been an alleged criminal act because the missing person was found dead. So, on 05-01-2024 (January five in the year two thousand and twenty-four) it turned into a report of alleged murder. Of course, this is fairly slow if calculated from the date the complaint is received with a difference of 18 (eighteen) days to conduct the investigation process.

This shows that the actions of the Salaman Police have not been optimal in following up on complaints of missing persons who are suspected of being victims of criminal acts. Although, if you refer to table 4.1 mentioned above, point number 13 (thirteen) regarding the case that began with the receipt of a missing person complaint by the Salaman Police on 10-01-2022 (January ten of the year two thousand and twenty-two), and immediately investigated and investigated so that it was not until within 24 (twenty-four) hours, developed into a report

of alleged criminal acts of kidnapping on 11-01-2022 (January eleven, year two thousand and twenty-two) based on the results findings and evidence during the investigation process.

Based on the description mentioned above, it can be seen that the actions of the Salaman Police in following up on complaints of missing persons who are suspected of being victims of criminal acts have not been optimal, because there are still variations in the time both fast and slow in handling a complaint of a missing person who is suspected of being a victim of a criminal act. In fact, missing people can be the cause of all suspected criminal acts that can even threaten the physical and mental health of the missing person. The actions of the Salaman Police in following up on complaints of missing persons who are suspected of being victims of criminal acts have not been optimal, of course, a big question mark regarding whether the existing rules within the Indonesian National Police regarding the mechanisms and procedures for receiving complaints or reports, and conducting investigations and investigations that currently exist reflect the certainty and usefulness of the law.

In fact, laws and regulations are one of the main instruments in the implementation of government and community life. One of the fundamental reasons why regulations are made is to provide legal *certainty* and utility of *law*. Legal certainty means that the law must be clear, unambiguous, and predictable. Gustav Radbruch, a famous philosopher of law, stated in [20] *the Radbruchsche Formel* that legal certainty is one of the main values of law besides justice and utility. Radbruch emphasized that laws should not be so capricious as to create uncertainty in their application and enforcement. Without legal certainty, people will lose trust in the legal system, and social stability will be disrupted. (Hasibuan, and Wibowo, 2025)

Meanwhile, the benefits of the law are closely related to the legal purpose of realizing order and public welfare. Jeremy Bentham, a utilitarian philosopher emphasized that the law should be directed to

the achievement of *the greatest happiness of the greatest number*. That is, the regulations made are not only for formalities or power, but must bring concrete benefits to common life. (Kurniawan, 2021)

Good laws and regulations must be able to balance the two. If it only attaches importance to legal certainty without considering the benefits, the law can become rigid and not adaptive to the dynamics of society. On the other hand, if it only emphasizes benefits without certainty, then the law will be arbitrary and cause injustice. Therefore, the harmonization of the value of certainty and usefulness is an absolute prerequisite in the process of forming laws. In addition, the actions of the Salaman Police in following up on complaints of missing persons who are suspected of being victims of criminal acts are not optimal, it is worth further examining what factors are obstacles in uncovering the truth of the missing person case mentioned above. The quick and slow handling of complaints of missing persons who are suspected of being victims of criminal acts does not indicate that the Salaman Police is not serious in handling existing reports or complaints.

4.2.2 Problems as Inhibiting Factors in Uncovering the Truth of Missing Persons Cases

Departing from the report or complaint data as described in table 4.1 above. It can be seen that the actions of the Salaman Police have not been optimal in following up on complaints of missing persons who are suspected of being victims of criminal acts, because there are still variations in the time both fast and slow in handling a complaint of a missing person who is suspected of being a victim of a criminal act. In fact, missing people can be the cause of all suspected criminal acts that can even threaten the physical and mental health of the missing person.

The actions of the Salaman Police in following up on complaints of missing persons who are suspected of being victims of criminal acts have not been optimal, of course, a big question mark regarding whether the existing rules within the Indonesian National Police regarding the mechanisms and

procedures for receiving complaints or reports, and conducting investigations and investigations that currently exist reflect the certainty and usefulness of the law. In addition, the actions of the Salaman Police in following up on complaints of missing persons who are suspected of being victims of criminal acts are not optimal, it is worth further examining what factors are obstacles in uncovering the truth of the missing person case mentioned above. The quick and slow handling of complaints of missing persons who are suspected of being victims of criminal acts does not indicate that the Salaman Police is not serious in handling existing reports or complaints.

Talking about inhibiting factors, it is undeniable that in the investigation and investigation process, several inhibiting factors were found. Even if it is not significant enough, the so-called anchoring factor will still hinder the process of handling cases. The factors that hinder the handling of missing persons complaints at the investigation stage are generally related to the information provided by witnesses. This obstacle is subjective because it is directly related to the statements of witnesses. In some cases, witness testimony is often inconsistent with other evidence collected in the investigation process.¹⁴

In fact, it is not uncommon for witness statements submitted to the police to be not in accordance with the real situation experienced, felt, or seen by the witnesses themselves. In addition, if the missing person case occurs because the person concerned deliberately disappears, then the investigation will face additional obstacles that can extend the handling time. This is because the individual who disappears tends to move around (*mobile*) to avoid searching.¹⁵

In order to overcome these obstacles, the police relied on the skills of the investigators involved in the investigation process. The investigators did not only focus on the testimony of witnesses, but also compared them with other evidence and facts found during the investigation.¹⁶ This is possible because investigators are equipped with investigative and investigation management competencies in accordance with the provisions of the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation. In addition, investigators have legal understanding, experience, and special police expertise that are very helpful in handling the investigation and investigation process.

Regarding obstacles in the form of individuals who deliberately disappear, investigators will continue to develop the investigation process through more in-depth steps, one of which is tracking using the *Scientific Crime Investigation* approach. *Scientific Crime Investigation* is an investigative method that in its evidence utilizes science and technology, including forensic functions such as forensic identification, forensic laboratory, forensic psychology, forensic medicine, and other forensic expertise. This unit is tasked with collecting, comparing, and analyzing physical evidence found at the crime scene or obtained from victims and suspects. Analysis of these different types of evidence can connect suspects to criminal acts, associate certain objects with their source, or reveal conditions around the scene of the incident. (Warman, et al., 2021)¹⁷

If you look at the various obstacles in the process of handling missing persons complaints as described earlier, it is related to Soerjono Soekanto's theory of factors that

¹⁴ Interview Results with Mr. IPDA Priyo Budi Prasetyo, as Head of the Criminal Investigation Unit of the Salaman Sector Police, Magelang Regency on June 22, 2025 at 11.30 WIB at the Salaman Sector Police Office, Magelang Regency, Central Java

¹⁵ Interview Results with Mr. IPDA Priyo Budi Prasetyo, as Head of the Criminal Investigation Unit of the Salaman Sector Police, Magelang Regency on June 22, 2025 at 11.30 WIB at the Salaman Sector Police Office, Magelang Regency, Central Java

¹⁶ Interview Results with Mr. IPDA Priyo Budi Prasetyo, as Head of the Criminal Investigation Unit of the Salaman Sector Police, Magelang Regency on June 22, 2025 at 11.30 WIB at the Salaman Sector Police Office, Magelang Regency, Central Java

¹⁷ Interview Results with Mr. IPDA Priyo Budi Prasetyo, as Head of the Criminal Investigation Unit of the Salaman Sector Police, Magelang Regency on June 22, 2025 at 11.30 WIB at the Salaman Sector Police Office, Magelang Regency, Central Java

affect law enforcement. This connection is clear because the handling of missing persons complaints is part of law enforcement efforts itself, moreover, the complaint has the potential to develop into a report of alleged criminal acts whose handling is under the authority of law enforcement officials. Soerjono Soekanto stated that:[24]

"The factors that affect law enforcement are:

- a. The legal factors themselves (including the law);
- b. Law Enforcement Factors;
- c. Factors of facilities and facilities that support law enforcement;
- d. Community factors, namely the community in which the law is applied; and
- e. Cultural factors, namely as the result of works, creations, and karsa that are based on human karsa in life relationships."

When associated with cases that have been handled by the Salaman Police, the factors that affect law enforcement in handling complaints of missing persons suspected of being victims of criminal acts can be known as follows:

- a. The legal factors themselves, regarding the Criminal Code, Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia, Regulation of the National Police of the Republic of Indonesia Number 7 of 2022 concerning the Professional Code of Ethics and the Code of Ethics Commission of the National Police of the Republic of Indonesia, and Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation which is used in following up on complaints of missing persons suspected of being victims of criminal acts, until now it is still quite effective. This can be seen from the variation in time, both fast and slow in handling a missing person complaint who is suspected of being a victim of a crime as described

in table 4.1 above. There are cases that are quickly revealed, and there are cases that are slowly revealed. In fact, the legal instruments in the form of regulations are used the same. This means that the legal factors themselves which are reflected in the laws and regulations in this case do not provide significant obstacles;

- b. The law enforcement factor, referred to in this case, is of course a member of the Salaman Police Force. Of course, it is related to how human resources (the police member) understand the existing regulations, and the findings in the investigation on the handling of missing person complaint cases who are suspected of being victims of criminal acts. This affects how quickly and slowly a case can be revealed. The variation in time, both fast and slow, in handling a missing person complaint who is suspected of being a victim of a crime as described in table 4.1 above. There are cases that are quickly revealed, and there are cases that are slowly revealed. In fact, the case was handled and followed up by the same police member, namely members of the Salaman Police who are members of the DISKRIMUM unit. This means that the law enforcement factor in this case is not a significant obstacle.
- c. The factors of facilities and facilities that support law enforcement, are related to educated and skilled human resources, good organization, adequate equipment, sufficient finances, and so on. Facilities or facilities have a very important role in law enforcement. In relation to the handling of complaints of missing persons suspected of being victims of criminal acts by the Salaman Police, the facilities and infrastructure are quite adequate. Evidently, the handling of missing persons complaints does not use a 1 x 24-hour waiting mechanism. However, it was immediately followed up. This is

- because, at the Salaman Police Station, 1 (one) village 1 (one) Police in the BHABINKAMTIBMAS program is enforced. This means that the factor of facilities and facilities is not the main obstacle for the Salaman Police;
- d. The community factor, namely the community where the law is applied, is a significant obstacle factor faced by the Salaman Police in handling complaints of missing persons who are suspected of being victims of criminal acts is the difficulty in obtaining information from the public related to the case. The public in general is a witness whose information is needed in the investigation process. In missing persons cases, witness testimony is often a limiting factor due to its subjective nature. In some situations, the information provided by witnesses is inconsistent or contradictory to other evidence that investigators have successfully gathered. In fact, it is not uncommon for the information provided not to reflect the actual situation experienced, witnessed, or felt by witnesses. In addition, if the missing person turns out to be missing intentionally, the investigation process becomes more complicated and takes longer. This is because the individual tends to move around (*mobile*) to avoid searching, making it difficult for the police to track them down. In essence, the community is the party that does not participate. In relation to the case analyzed, the community around the victim, namely Andriyani, a resident of Kwaderan Village, Kajoran District, Magelang Regency did not participate and tended to avoid. This is relevant to the statement of the source, who stated that in the case the police lacked witnesses, because only biological children could be asked for their statements. The surrounding community tends to answer that they do not know anything about Andriyani. In fact, the police only tried to ask questions related to Andriyani's daily life; and
- e. Cultural factors, namely as the result of works, creations, and karsa that are based on human karsa in life relationships. Regarding the effectiveness of the law, which can only be achieved optimally if the law itself is respected and implemented consistently, supported by the moral integrity of law enforcement officials and the support of the community. However, the current reality shows that the culture of society tends to be sensitive to police institutions. It is not uncommon for the police to be perceived as slow in handling cases, even a popular stigma known as the phrase '*no viral no justice*'. In fact, in practice, the police really need the active participation of the community to follow up on every report, especially related to missing persons cases that are suspected of being related to criminal acts. The attitude of the public who already have a negative view of the police institution is a challenge in itself. This bad perception is not entirely true because not all members of the police force have reprehensible behavior. The Salaman Police itself considers that the negative assumptions of the public that generalize all officers as unprofessional parties are a serious obstacle. This condition has an impact on the process of investigating missing person reports, because the public has become less concerned about the efforts of the police. In fact, some residents choose not to be involved as witnesses because they are afraid of intimidation or are wary of the arrogance of the officers. In fact, the Salaman Police did not intend to be intimidating or show arrogance in the implementation of their duties.

Based on the description above, the problem as an inhibiting factor in uncovering the truth of missing persons cases based on the theory of factors that affect law enforcement by Soerjono Soekanto is about community factors and cultural factors.

5. CONCLUSION

Based on all the descriptions in the discussion mentioned above, 2 (two) conclusions can be drawn as follows:

- 1) The action taken by the Salaman Sector Police of Magelang Regency when there is a report of a missing person suspected of being a victim of a crime is to follow up in accordance with the SOP for the Receipt of Police Reports and the SOP for Community Visits as reflected in Article 7 letters c and d of the Regulation of the National Police of the Republic of Indonesia Number 7 of 2022 concerning the Professional Code of Ethics and the

Commission of the Code of Ethics of the National Police of the Republic of Indonesia, and Article 1 number 4 of the Regulation of the Chief of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation. The Salaman Police directly followed up on missing person complaints without knowing the 1 x 24-hour waiting mechanism, and followed up on missing person complaints in the same way by following up on reports of suspected criminal acts. The reason is that missing person complaints can develop into reports of alleged criminal acts; and

The problem in uncovering the truth of the case of handling missing persons reports at the Salaman Sector Police, Magelang Regency is based on the theory of factors that affect law enforcement by Soerjono Soekanto, namely regarding community factors and cultural factors.

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