

## THE ROLE AND DUTIES OF SECURITY GUARDS IN LAW ENFORCEMENT AT PT GARGA 73

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### Keywords

*Role, Duties, Security Guards, Law Enforcement*

### ABSTRACT

*The objectives of this study are (a) To find out how the role of SATPAM in law enforcement, order, and security in its duty environment. (b) To find out how authority within the scope of physical authority is limited. This research is based on field research conducted using an Empirical-Juridical approach which means research that produces description data by obtaining data directly from the subject as the first source in field research (Cholid Nabuko and Abu Ahmadi) regarding the role and duties of SATPAM in law enforcement at PT. Guard 73.*

### INTRODUCTION

Progress in a country will be measured from its security situation and condition as one of the main requirements, both developed countries, and developing countries are no exception for poor countries, the security factor is a very strong foundation as a benchmark to support other developments, even every policy of a country. the state will always be closely related to situations and conditions that are influenced by factors and the creation of security, such as development that will be carried out so that it can be realized immediately and implemented quickly.

Security is the key in every implementation of development that will be carried out, if security is conducive, then the implementation of the wheels of the economy and development will run and be carried out properly and on time as planned. The Indonesian government has provided a broad description to create security in the country, this is stated in the Preamble to the 1945 Constitution fourth paragraph, and in the Decree of the People's Consultative Assembly of the Republic of Indonesia No. IV / MPR / 1999 concerning the Outline of the State Direction 1999-2004 in a letter I number 2 concerning Defense and Security, as well as in the IV Amendment to the 1945 Constitution Chapter XII concerning State Defense and Security, Article 30 paragraph (1).

Education and training of security guards to improve the ability (skill) and intelligence (intelligence) of security guards officers will play a role in providing knowledge transfer following their fields as security personnel, the implementation of security guard education and training carried out by the government and private sector both aim to produce security guards who are reliable and have high dedication in anticipating and dealing with all kalimbas disturbances that occur, "Efforts to enhance the skills of unemployed workers by providing vocational courses and training in job training places also hit the difficulty of placing them after being educated and trained". (Imam Soepomo, 1995).

The existence of security guards is very important assistance and participation from the participation of community to participate in maintaining security to create a sense of security in their

environment. The forms of community participation are numerous and varied, some volunteer workers are given legal powers to carry out their functions as if they were government employees, while others connect crime prevention activities with less formal ways". And according to Frans Magnis Suseno Sj. and Kees Bertens, et al: "This consideration shows that man is responsible for himself, he is Aufgabe: a duty for himself, self-realization is a noble vocation and one of the basic moral obligations for man, the more he succeeds in that call, the more he feels happy". (Franz Magnis Suseno, Sj., Kees Bertens, et al., 1993).

The higher level of life needs and security in people's lives, as well as various pluralities in society in interacting and developing their abilities in all aspects of life. To cope with and meet the various needs of life, which is currently increasingly difficult and competitive in finding decent work and livelihood, the government must quickly and precisely, overcome this problem, by carrying out various effective and efficient measures to be able to allocate and provide employment land to the community, especially small communities who are in dire need of work, Even with a minimal livelihood, this is already a way for them to improve their welfare.

Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower, has outlined that "Job training and apprenticeship development is aimed at increasing the relevance, quality, and efficiency of job training and productivity". And the improvement is carried out through the development of productive culture, work ethic, technology, and efficiency of economic activities, towards the realization of national productivity".

Companies that employ security guards who have been provided with education and training certainly have a more effective and better work ethos and productivity and master good and reliable skills, have tenacity in working, and will certainly really protect the area or environment of the company with a sense of responsibility and have high discipline when performing their duties and functions to overcome all kalimbas disturbances.

Security guards when carrying out their duties in the company have the authority and act as limited law enforcement officers to assist the role of the National Police function, namely; Non-judicial repression (cracking, arresting, handcuffing, conducting initial interrogation), so that security guards have the authority to take action or arrest, search, handcuff, interrogation that is temporary and limited before being handed over to the Police if there is a crime or violation in the company both committed by workers and others, then the security guard officer can take actions that are considered appropriate so that the perpetrators can be fast handled, the authority exercised by the security guard officer is only an initial action so that the perpetrator does not run away or does not cause a greater impact on the company and avoid the occurrence of vigilante parties, then the perpetrators who have been caught are immediately handed over to the local Police who have the right and authority to investigate and investigate and detain perpetrators of crimes or violations that have been committed, The action of the security guard officer can be carried out if there is a criminal act that is caught, so that the authority of the security guard officer can make forced efforts to enforce the law in his work environment which is temporary, Article 1 number 19 and 111 paragraph (1) No. 8 of 1981 of the Code of Criminal Procedure, which is said to be caught.

The authority of security guards when carrying out their duties is generally the same as that carried out by the National Police, but at the principle level of the implementation of duties and functions carried out by security guard officers, there are differences in authority, the authority carried out by security guards is only allowed to carry out physical security and physical law enforcement at their workplace without having the authority to investigate and detain.

The form of limited authority given to security guards in the company is a rule that must be obeyed and understood and implemented with the correct procedures even though it only has the

scope of authority of the power of place and does not have the scope of power of attorney which includes public law authority.

According to the author, the authority owned and allowed to be carried out by security guards in the company only includes physical authority. The 1945 Constitution affirms that the unitary State of the Republic of Indonesia is a state of law (*rechtstaat*), and not a state based on mere power (*machtstaat*) (Noor Ms Bakry, 1985,).

In the development of public security and public peace, efforts are aimed at developing a self-initiative security and community involvement system with the core of the National Police as a tool of the Law Enforcement State, skilled, clean, and authoritative. In this case, prevention and deterrence efforts are prioritized, while fostering public awareness of public security and order continues to be improved. The will of the community to carry out Security in their environment is regulated by law which also shows authority.

Police on a limited basis and under the guidance and confirmation of the Police. Thus, community self-help in the field of security has the opportunity to be developed, to fulfill the needs in the field of security that support their daily activities and for the benefit of their smooth business (M. Wresniwiro, 2002). The phenomenon of the growth of self-initiative security potential in the 5 (five) years since the beginning of the reform era, since the leadership of Awaludin Djamin, when he served as Chief of the National Police has marked the development of community needs in the field of security because community members feel the threat of crime which is increasing in terms of quality. The growth of non-governmental potential in the field of security that occurs today, in the era of democratization reform, has opened up new job opportunities.

This kind of condition began to be felt by the world's Police agencies. Among other things, the issue of community participation has been made one of the main issues in the forum of the International Course of Higher Specialization For Police Forces, in Sicily, Italy, October 11-14, 1989. The issue of public participation in the Police has been discussed for quite a long time, and analyzed by experts in both the West and the East. American sociologist and police expert Alain Coffet, more than half a century ago, discussed it. In one of his writings entitled, "Police and The Community in Transition", firmly said, the Police force everywhere absolutely needs community participation in the form of not only securing and bringing order to their individuals and environment but also their awareness in obeying rules and laws more strictly (Anton Tabah, 1990).

From the description and explanation in the background above, the author proposes problems that will be examined in writing this research in the form of: 1) What is the role of SATPAM in law enforcement, order, and security in its duty environment? 2) What is the authority within the scope of physical authority that is limited in nature?

The objectives of this study are (a) To find out how the role of SATPAM in law enforcement, order, and security in its duty environment. (b) To find out how authority within the scope of physical authority is limited.

The benefits and uses of thesis writing are (1) Beneficial for SATPAM members in law enforcement, order, and security in their duty environment. (2) Beneficial for SATPAM members within the authority of physical duties that are limited in nature.

## **METHODS**

This research is based on field research conducted using an Empirical-Juridical approach which means research that produces description data by obtaining data directly from the subject as the first source in field research (Cholid Narbuko and Abu Ahmadi) regarding the role and duties of SATPAM in law enforcement at PT. Guard 73.

This type of approach is specifically more qualitative descriptive (Saifudin Azwar, 2001), this qualitative descriptive method is intended to obtain a good, clear picture, and can provide as

thorough data as possible about the object under study in this case to describe the review of the role and duties of SATPAM in law enforcement at PT. Guard 73.

Data sources are one of the most vital things in research. Errors in using and understanding and choosing data sources, the data to be obtained will also miss what is expected. Therefore, researchers must understand the source of the data they use appropriately. Data sources in qualitative research are words and actions; The rest is additional data such as documents and others. Therefore, data collection in the qualitative approach is grouped into primary (primary) data and secondary (additional) data. (Lexy J. Moleong, 1992).

Data collection is the process of procuring primary data for research purposes. Determining the method used for data collection becomes important to do. In the collection of qualitative data, methods that can be used:

The interview is trying to get information/opinion directly from a respondent or informant (Kenjoro Nengrat, 1993, ) In interviews usually researchers will have informant conversations, by asking several questions face-to-face (Andi Prastowo, 2012) This conversation will be carried out many times with informants at the research location. This method is used by researchers to obtain data that is not obtained in the observation method and to reveal the psychological side of informants.

Another data collection technique that will be used by researchers is documentation, where researchers will collect data obtained from existing documents or stored records, be it in the form of transcript notes, books, newspapers, and so on (Margono S, 2007). Documentation is carried out to obtain data on the structure and documents on the activities and activities of SATPAM in their roles and duties for law enforcement at PT. Guard 73.

Data analysis is a series of activities to review, group, systematize, interpret, and verify data that has been obtained from the results of data collection in the field (Ahmad Tanzeh, 2009,) The data analysis that the author does first of all is to collect data, namely data from interviews and documentation, collected data consisting of field notes and researcher comments, will be analyzed and conclusions made.

The data collection aims to find themes that are finally raised into substantive theories. And the data analysis process is carried out since data collection is done intensively, namely after leaving the field (Lexy J. Modeling, 2004).

In the process of analyzing data, researchers take three steps to analyze, namely before in the field, during in the field, and after in the field. Before in the field, researchers collect data that refers to the analysis of preliminary study results that have been determined in a temporary research focus and will develop after the researcher enters and during the field. When it comes to the field, researchers collect data from interviews and documentation then classified, reduced, edited, and finally the data can be presented. The next step, after the field data that has been presented is then the researcher analysis by interpreting the content of the data obtained in the field related to the problem and focus of the research. The data emphasize the relationship between theories, concepts, and empirical indicators of problems that arise as a result of research in the field. So that researchers can conclude from the results of their research after going through data analysis.

The location chosen in this study is PT. GARDA 73 manages security management by providing SATPAM security personnel spread across various vital objects, government, hotels, and plantations. Researchers chose the location of the study at PT. GARDA 73 because it also trains and provides knowledge and development of security management that is coordinated systematically and competes in the field of security.

## RESULTS AND DISCUSSION

1. The role of SATPAM in the enforcement of law, order and security in its duty environment is; Security guards on duty in the workplace can be categorized as having two authorities;

- a) Pre-emptive (fostering, directing); With this authority that has been given, order is created in the company.
- b) Preventively (prevent, counteract);
- c) In order to carry out maximum law enforcement, security officers need to retrain, Training is an important organizational investment in human resources.

2. Authority within the scope of physical authority that is limited in nature is; Security guards when carrying out their duties in the company have the authority and act as limited law enforcement officers to assist the role of the National Police function, namely; Non-Yustisiil Repressive (cracking, arresting, handcuffing, conducting initial introgation), so that security guards have the authority to take action or arrest, search, handcuff, introgate which are temporary and limited before being handed over to the Police if there is a crime or violation in the company both committed by workers and others.

## CONCLUSION

Based on the results of the study, it can be concluded that the role of SATPAM in the enforcement of law, order and security in its duty environment is; Security guards on duty in the workplace can be categorized as having two authorities; Pre-emptive (fostering, directing); With this authority that has been given, order is created in the company, Preventively (prevent, counteract), In order to carry out maximum law enforcement, security officers need to retrain, Training is an important organizational investment in human resources.

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## REFERENCES

- Abdulkadir Muhammad, 2010, *Hukum Perusahaan Indonesia*, Citra Aditya Bakti, hlm 336
- Achmad Ali, *Menguak Tabir Hukum (Suatu Kajian Filosofis dan Sosiologis)*, Penerbit Toko Gunung Agung, Jakarta, 2002, hlm 82-83
- Ahmad Tanzeh, 2009, *Pengantar Metode Penelitian*, Teras, Yogyakarta, 69
- Amanat Kapolri, *Majalah (AMSI)*, Edisi 02 Maret 2003, hlm 7
- Andi Prastowo, 2012, *Metode Penelitian Kualitatif*, Ar-Ruzz Media, Yogyakarta, hlm 213
- Anton Tabah, 1990, *Majalah TSM (Teknologi dan Strategi Militer)*, No 41 Tahun IV, Sinar Cakra Sakti, hlm 78
- Bungin burhan, 2001, *Metodologi Penelitian Sosial: format-format kuantitatif dan kualitatif*, Airlangga, Surabaya, hlm 129
- Busyra Azheri, 2011, *Corporate Social Responsibility dari Voluntary menjadi Mandotary*, Raja Grafindo Perss, Jakarta, hlm 54
- Cholid Narbuko dan Abu Ahmadi, 2003, *Metode Penelitian*, PT. Bumi Aksara, Jakarta, hlm 1



- CST Kansil, 1989, *Pengantar Ilmu Hukum dan Tata Hukum Indonesia*, Jakarta: Balai Pustaka. Hlm. 102.
- Dellyana, Shant. 1988, *Konsep Penegakan Hukum*, Liberty, Yogyakarta, hlm 32
- Dominikus Rato, *Filsafat Hukum Mencari: Memahami dan Memahami Hukum*, Laksbang Pressindo, Yogyakarta, 2010, hlm 59
- Dosminikus Rato, *Filasafat Hukum Mencari dan Memahami Hukum*, PT Presindo, Yogyakarta, 2010, hlm 59
- Franz Magnis Suseno, Sj., Kees Bertens, dkk., 1993, *Etika Sosial*, Cetakan Ke-III, Gramedia Pustaka Utama, Jakarta, hlm 44
- Gustav Radbruch dalam Dwika, "*Keadilan dari Dimensi Sistem Hukum*", <http://hukum.kompasiana.com>. (02/04/2011), diak ses pada 24 Januari 2020
- Hans Kelsen (a) , 2007, sebagaimana diterjemahkan oleh Somardi, *General Theory Of law and State*, Teori Umum Hukum dan Negara, Dasar-Dasar Ilmu Hukum Normatif Sebagai Ilmu Hukum Deskriptif Empirik, BEE Media Indonesia, Jakarta, hlm 81
- Harun M. Husen, 1990, *Kejahatan dan Penegakan Hukum Di Indonesia*, Rineka Cipta, Jakarta, hlm 58
- HR. Ridwan, 2006, *Hukum Administrasi Negara*, Raja Grafindo Persada, Jakarta, hlm. 337.
- IGK. Sastrawan, *Majalah (AMSI), Op.Cit*, hlm 54
- Ilham Gunawan, 1992, *Penegakan Hukum dan Penegak Hukum*, Angkasa, Bandung, hlm 64
- Imam Soepomo, 1995, *Pengantar Hukum Perburuhan*, Cetakan Ke-XI, Jambatan, Jakarta hlm 182
- Imron Arifin, 1996, *Penelitian Kualitatif Dalam Ilmu-ilmu Sosial dan Keagamaan*, Kalmia Husada Press, Malang, 49-50
- Kenjoro Nengrat, 1993, *Metode Wawancara Dalam Metode-metode Penelitian Masyarakat*, Gramedia Pustaka utama, Jakarta, hlm 129
- Kinayati, Djojosuroto & M.L.A Sumaryati, 2004, *Prinsip-prinsip Penelitian Bahasa dan Sastra*, Yayasan Nuansa Cendekia, Bandung, hlm.
- L.Moleong, 2002, *Metode Penelitian Kualitatif*, PT Remaja Rosdakarya, Bandung, hlm 34-35
- M. Wresniwiro, 2002, *Membangun Budaya Pengamanan Swakarsa*, Yayasan Mitra Bintibmas, Jakarta, hlm 12
- Margono S, 2007, *Metodologi Penelitian Pendidikan Komponen MKDK*, PT. Rineka Cipta, Jakarta, 187
- Moeljatno, 1993, *Asas-asas Hukum Pidana*, Putra Harsa, Surabaya, hlm 23
- Muammar Himawan, 2004, *Pokok-Pokok Organisasi Modern*, Bina Ilmu, Jakarta, hlm 38
- Noor Ms Bakry, 1985, *Pancasila Yuridis Kenegaraan*, Liberty, Yogyakarta, hlm 91
- Peter Mahmud Marzuki, *Pengantar Ilmu Hukum*, Kencana, Jakarta, 2008, hlm 58
- Philipus M. Hadjon, 1987, *Perlindungan Hukum bagi Rakyat di Indonesia*, Surabaya: Bina Ilmu. Hlm. 25.
- Raisul Mutaqien, *Teori Hukum Murni*, Nuansa & Nusa Media, Bandung, 2006, hlm. 140.
- Riduan Syahrani, *Rangkuman Intisari Ilmu Hukum*, Citra Aditya, Bandung, 1999, hlm. 23
- Riduwan, 2005, *Skala Pengukuran variable-variabel Penelitian*, Alfabeta, Bandung, hlm 24
- Ronny Hanintjo Soemitro, 1984, *Beberapa Masalah dalam Studi Hukum dan Masyarakat*, Cetakan Ke1, Remaja Karya, Bandung, hlm 4
- Saifudin Azwar, 2001, *Metode Penelitian*, Pustaka Pelajar Offset, Yogyakarta, hlm 8
- Sardar Ziauddin, 1996, *Penelitian Kuantitatif dan Kualitatif*, Bandung, hlm 43
- Margono S, 2007, *Metodologi Penelitian Pendidikan Komponen MKDK*, PT. Rineka Cipta, Jakarta, 187
- Moeljatno, 1993, *Asas-asas Hukum Pidana*, Putra Harsa, Surabaya, hlm 23
- Muammar Himawan, 2004, *Pokok-Pokok Organisasi Modern*, Bina Ilmu, Jakarta, hlm 38
- Noor Ms Bakry, 1985, *Pancasila Yuridis Kenegaraan*, Liberty, Yogyakarta, hlm 91
- Peter Mahmud Marzuki, *Pengantar Ilmu Hukum*, Kencana, Jakarta, 2008, hlm 58

- Philipus M. Hadjon, 1987, *Perlindungan Hukum bagi Rakyat di Indonesia*, Surabaya: Bina Ilmu. Hlm. 25.
- Raisul Mutaqien, *Teori Hukum Murni*, Nuansa & Nusa Media, Bandung, 2006, hlm. 140.
- Riduan Syahrani, *Rangkuman Intisari Ilmu Hukum*, Citra Aditya, Bandung, 1999, hlm. 23
- Riduwan, 2005, *Skala Pengukuran variable-variabel Penelitian*, Alfabeta, Bandung, hlm 24
- Ronny Hanintijo Soemitro, 1984, *Beberapa Masalah dalam Studi Hukum dan Masyarakat*, Cetakan Ke1, Remaja Karya, Bandung, hlm 4
- Saifudin Azwar, 2001, *Metode Penelitian*, Pustaka Pelajar Offset, Yogyakarta, hlm 8
- Sardar Ziauddin, 1996, *Penelitian Kuantitatif dan Kualitatif*, Bandung, hlm 43