

POLICING IN PREVENTING CORRUPTION: A CASE STUDY ON A CORRUPTION COMMITTED BY A VILLAGE HEAD IN SINJAI REGENCY IN 2020

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ABSTRACT

Corrupt practices are still rampant in Indonesia. Corruption has occurred in all aspects of community life. The establishment of the National Corruption Prevention and Eradication (KPK) is the government's commitment in the context of realizing a clean and authoritative state administration. Seeing such conditions, prevention is worthy of being the first strategy. It is highly expected that the prevention and eradication of corruption can run optimally in the context of a prevention strategy. It is also expected that the policing carried out by the Indonesian National Police will prioritize preventive measures in preventing corruption. Therefore, this paper examines how policing is carried out by the Sinjai Police Resort in preventing corruption in Sinjai district. The study employs the qualitative approach using a case study in handling corruption in the Sinjai district.

Keywords: corruption, policing, prevention

1. INTRODUCTION

The phenomenon of corruption seems to never end. Almost every day, both national and local news reports on corruption issues or problems. As a result of the increasing prevalence of corruption, the public consciously or unconsciously is the main victim, while the state has to bear enormous material and non-material losses. National

Corruption Prevention and Eradication (KPK) is the government's commitment to realizing a clean and authoritative state administration. This commitment will continue to be realized. In the reform era, KDP's efforts have intensified with the ratification of the United Nations Convention against Corruption in 2003 through Law Number 7 of 2006.

Seeing such conditions, prevention is appropriate to be positioned as the first step. Using prevention, it is hoped that sustainable steps will emerge that contribute to future improvements. This action is an answer to an approach that is more focused on a repressive approach (law enforcement) which is believed to have a deterrent effect on perpetrators of Corruption Crimes (*Tipikor*), but in reality, this repressive approach has not been able to systematically and massively reduce corrupt behaviour and practices.

Based on Law Number 2/2002 concerning the Indonesian National Police, also known as the National Police or Polri and also Law Number 30/2002 concerning the Commission for the Eradication of Corruption (KPK), Polri has the authority to handle criminal acts. In addition, the Criminal Procedure Code (KUHP) authorizes the National Police as the investigators to conduct investigations into all forms of crimes and violations. In carrying out these tasks, the National Police as the executor of some of the government's tasks in the field of security and public order is highly expected to prioritize preventive measures through the development of preventive principles and the general obligation of the Police, which are oriented towards establishing and maintaining security and public order. The National Police also has a

discretionary authority as a form of authority to act in the public interest based on self-assessment that can be accounted for according to law. Concerning the existence of the National Police as one of the institutions that are given the tasks, functions and authority to carry out investigations into cases of criminal acts of corruption in Indonesia, it naturally demands that Polri's investigators to further improve their performance and professionalism in conducting investigations so that the results achieved from carrying out investigations become an integral part of actions aimed at eradicating corruption in Indonesia.

The increasing number of cases of corruption in Indonesia demands the active role of investigators/assistant investigators of the National Police to seek to improve knowledge, abilities and skills in the field of investigation so that they can investigate all cases of corruption without favouritism and selective slashing as forms of participation of the National Police in eradicating corruption that has penetrated all lines of life in the nation and state. The success of Polri's investigators in conducting investigations in the context of eradicating corruption in Indonesia, in general, requires support from the availability of legal substance, the readiness of human resources, facilities and infrastructure as well as investigation facilities, coordination and cooperation with

various parties, especially among fellow citizens of law enforcement (Hartanti and Evi, 2009).

Corrupt behaviour is mostly carried out by public officials so this attracts public attention because public officials are known by the public (Prints and Darwis, 2002). A criminal act of corruption will not be separated from money related to the state. The money that belongs to the State is taken by the corruptors who use it individually or jointly, and then the money that should have belonged to the lost state must be returned to the state. Corruption is not only detrimental to state finances but also has the potential to damage the joints of social life and the economic rights of the people. In this study, the author examines the object of research, namely criminal acts committed by village officials, namely the village head in Sinjai district, South Sulawesi.

Therefore, in this study, the author is interested in examining how policing is in the prevention of corruption by taking a case study of handling the corruption case committed by the Lamattiriawang Village Head for the 2017/2018 fiscal year in Sinjai district. Meanwhile, the purpose of this study is to determine the characteristics of the village head who has committed corruption, to find out the factors that contribute to the criminal acts of corruption committed by the village head, to find out the patterns of policing to prevent corruption by the Sinjai

Police, all of which lead to policing in the prevention of corruption crimes to achieve village fund management following the applicable regulations in Sinjai district.

2. LITERATURE REVIEW

2.1 Corruption

Lord Acton (2001) states that “power tends to corrupt, and absolute power corrupts absolutely” in Diana Halim Kuncoro's book (2004: 68). This can be interpreted that someone who has power tends to corrupt and unlimited power causes corruption to be carried out without limits.

Robert Klitgaard also states in his theory that corruption is illegal behaviour and develops when employees have power and monopoly over their clients or subordinates (Klitgaard et al., 2002). So, the term corruption is a crime called white collar crime, which is a crime committed by perpetrators who have honourable positions because they have important positions both in the field of government and in the economy.

Satjipto Rahadjo in his theory said that corruption carried out using the means of power occurs because of a weak social control or control of the

social environment (Raharjo, 2005). In this case, social control is defined as a process carried out so that it can influence other people to act following community expectations. The process referred to in this context is the involvement of state power like the organization through the institutions it establishes. Meanwhile, Darwan Prinst in his theory says that corruption means evil or rotten. Therefore, a criminal act of corruption means an offence due to bad, rotten, evil, corrupt or bribery actions (Prinst, 2004). Corruption is a recognized development issue to be addressed and the evidence for doing so is also often seen as evidence of the state's commitment to development progress.

2.2 Police Science

According to Awaloedin Djamin (2011), police science is police administration. It is a field of science that studies social problems and problems of the police in the context of carrying out the duties of the police to realize social order. If it is associated with the problems that will be raised by researchers regarding policing in the prevention of criminal acts of corruption with a case study on handling corruption cases by the

village head in Sinjai Regency, it is to achieve social order. To achieve this social order, of course, there are ways to handle it. Therefore, there is a need for synergy in dealing with problems that are the domain of the police.

2.3 Policing Concept

Policing can be explained as a way of carrying out police operational tasks that include the management level or the implementing level. Policing is the embodiment of the image, values, and socio-cultural aspects that are expected, both from the police side or the community, as a product and various interactions that are supported by needs, interests, and authority (Dwilaksana, 2016). Community policing is a policing style that brings the police closer to the communities they serve (Supreme, 2015).

2.4 Routine Activities Theory

The theory of routine activities in the view of Lawrence Cohen and Marcus Felson arises because there are four basic elements, namely time, place, object and individual that encourage someone to commit a crime. They place these various elements into three categories that have various

kinds of development or shrinkage that the person is likely to become a victim (of property or life) of direct contact between hunters or criminals.

In his book *Criminology Theories: Introduction and Evaluation*, Ronald Akers explains that the routine activities theory, proposed by Cohen and Felson, explains the occurrence of a crime which is influenced by several factors, namely a place, time, object, and person. These four factors are very dominant in influencing and resulting in the emergence of crime in society. To become a criminal, it is not enough just to see the time, and when to commit a crime. A place is a target that is visited or made a target after a criminal has designed the right time. After time and place, there must be the desired object, namely property and people.

The previous research used by the author in this study is Godfried Hasiholan's thesis, faculty of Postgraduate Studies, Police Science Studies Program, University of Indonesia, Jakarta, June 2011, entitled "*Optimizing the Role of Investigators of Directorate III of Corruption Crime & WCC Bareskrim Polri in Combating Corruption.*" The thesis describes the strategies

used by Polri to improve investigative capabilities and the need to formulate a policy to improve the quality of investigators from Dit III Pidkor & WCC Bareskrim Polri. Another previous research published by Scientific Journal, written by Suhendar from Faculty of Law, Pamulang University Volume 1 Issue 1, August 2018, entitled "*Investigation of Corruption and State Financial Losses in the Optics of Criminal Law.*" The journal explains that legal investigations in eradicating criminal acts of corruption and state financial losses remain the authority of police investigators as well as prosecutors using technical investigation and prosecution procedures as regulated in the formal criminal law of the Criminal Procedure Code and Law Number 31/1999 jo. Law 20/2001.

3. METHODS

The paradigm of this research is a phenomenology that is influenced by the values or the environment (not value-free) using a qualitative data processing model to describe in depth the phenomenon under study. This research uses a case study research method that aims to find scientific truth in a way that is evenly distributed from the frequency of

occurrence or evenly from individual diversity. Furthermore, the main sources of information are the words and actions of the people being observed or interviewed. Optimal research used data collection techniques by examining documents and interviews. The data analysis in this study is to identify several research problems by providing a letter code to the identification results, then simplify the research problem to make focus by being given a number code and then making an operational matrix table of research guidelines which includes interviews and document examination.

4. RESULTS & DISCUSSIONS

4.1 Characteristics of village heads committing corruption in Sinjai district

From the research conducted, the author can identify the characteristics of village heads who commit corruption as follows:

- a. The village head uses village funds for the personal interests of the village head or is concerned with personal interests.
- b. There are several working plans and activities that have not been implemented. In addition to stalled physical development, the village's non-physical

obligations have also been neglected.

- c. The village head does not implement financial regulations. The money is kept by himself and finally physical and non-physical development such as activities are not funded.
- d. The absorption of village funds is left behind due to problems related to unpaid taxes.
- e. The Village Head as the main person in charge of village finances it is difficult to give advice, input and opinions.
- f. The village head often commits misappropriation of office and abuse of office. This can be seen when the village head carries out the duties of the village treasurer and secretary, where the village head keeps the village budget and signs the administration that is not part of it.

Based on the results of the research, the author can propose several reasons why the Lamattiriawang village head commits the crime. The actions taken by the village head are based on the existence of his unlimited power so that in carrying out their duties, the village head abused his authority and

position, which was not under his duties and functions as a village head. From the results of the study, it is also found that village financial storage and financial accountability are carried out by the village head himself, even though it was not his responsibility. This is in line with what Lord Acton states that the act of corruption is carried out because there is unlimited power. This natural village head uses the authority that is in him to take over the duties of other village officials. This is contrary to village financial management regulations where village officials have their respective duties and functions.

Besides that, Robert Klitgaard also states that acts of corruption can occur because of a monopoly on subordinates. This is seen when the village head of Lamattiriawang intervenes in the duties of the village apparatus and also the Village Consultative Body (BPDes). The intervention of village officials can be seen when the process of disbursing finances for village activities, the village head monopolizes the disbursement process without involving the secretary and village treasurer.

Satjipto Rahardjo states that corruption occurs because of weak social control. From the results of the research conducted the involvement of the community, village consultations, NGOs and journalists is very minimal. This can happen because of the intervention of the village head against these social groups. The intervention can be done with promise as well as deliver village budget work. As for the media and journalists, the village head always entertains them. The existence of these ties and closeness resulted in weak social control over the implementation of the work in the Lamattiriawang village.

Based on the opinions of the three experts above, it can be concluded that the act is a criminal act where the act is evil and against the law. This is also confirmed by Darwan Prinst who says that corruption is an evil act or a rotten act.

4.2 Factors causing village fund corruption

4.2.1 Government Organizations in the Village

In Lamattiriawang village, which is experiencing problems with village

fund corruption, it can be seen how the role of the village head and village officials is. An active role should be carried out by the Village Consultative Body (BPDes) whose members come from the hamlet head and community leaders. However, the implementation of the tasks of BPDes and village officials does not run well. BPDes should be able to remind and give opinions to the village heads related to village policies and programs. But in reality, it is not like that. BPDes and village apparatus do not carry out their duties under applicable regulations and many village apparatus duties are taken over by village heads. For example, the village head takes village funds without the permission of the existing village apparatus, where the process of taking village funds should go through the system and village apparatus. A concrete example carried out by the

village head of Lamattiriawang is managing village finances without the intervention of the staff below him. The village head also saves and distributes the budget that should be the duties and responsibilities of the village apparatus.

In the research conducted, the budget management in the village organization has a lot of intervention from the village head on the BPDes and village apparatus. The intervention is dominated by position factors (superior and subordinates). In this case, the village apparatus is also in a dilemma where the village head as the main person in charge of village finances it difficult to intervene, the village apparatus (treasurer) when signing the village program administration must comply with the wishes of the village head, with inappropriate rules and procedures, then

this will be a problem. If it is not signed, the budget will not be disbursed, and the impact will be on the community.

Budget management carried out by the village head has many roles from the village head and treasurer. This is because the disbursement of these funds requires the approval and signature of the parties concerned. However, after the money is disbursed, the village head and treasurer immediately detail the planned budget items and handed over the disbursed funds to the team implementing the program. So in this condition, it can be seen that there is a lack of legislative role in the BPDs in providing input on the management of the village budget which is executed by the village head.

4.2.2 Village Head Leadership Style

The leadership style of a village head can support the running

of the organization he leads by creating good relationships with community members. The village head is said to be successful when he can become a creator and mover for his subordinates by creating a work atmosphere that can spur growth and be able to develop its members and achieve the goals that have been set. Therefore, the leadership style of the village head is closely related to the goals to be achieved by a village government. Thus, the village head should be able to direct, motivate, and mobilize his members to realize the goals of the village government.

From the results of the research, the village head of Lamattiriawang can be categorized into autocratic leadership, where in his leadership the village head in the decision-making process and the use of the budget are regulated personally and directly. Such

conditions can make village officials unable to carry out their duties under applicable regulations, and cannot directly control all policies in the village. The fact found in the field is that the village head is freely able to control all actions in the village, even though according to the rules of the treasurer who is in charge of taking and allocating the budget and the duties and responsibilities of the treasurer's authority cannot be taken over by the village head because this will eventually lead to abuse of authority.

4.2.3 Economic Factor

From the research conducted, the economic factor is one of the factors that motivate the village head to commit corruption. The fact found in the field is that this motivation arises because of the minimal salary and income of the village head which is obtained every month but many expenses must be covered.

These expenses consist of expenses to serve guests who come to the village as well as other needs that have not been budgeted for in the previous year.

Inevitably, the village head must find a solution to cover expenses that are not included in the village budget plan so that the village head tries to set aside the previously planned budget items. Another economic factor is driven by the influence of other village heads. This influence is due to budget cuts made by other village heads who have not been touched by law enforcement officers and feel safe and normal, both by the police and the prosecutor's office. This encourages the village head of Lamattiriawang to cut the village budget for his interests.

In addition, there is a personal interest that makes the village head Lamattiriawang cut the village budget

intending to enrich himself or for his benefit. This self-enriching self-interest can be realized by buying a private car, buying a house, buying land, and also sending their children to school.

4.2.4 Political Factor

The position of village head is a political position where the village head is appointed and elected by the village community.

Therefore, in the village head election process, political support is needed. This political support can be provided by village communities who voted for themselves or people who do not vote.

When the village head election will be carried out, each village head candidate will move his success team to get as many votes as possible. In moving the success team, resources are automatically needed, be it humans, infrastructure, and also material. To support human resources and

infrastructure the dominant material will be supported by the material.

Therefore, during elections, the village head of Lamattiriawang can issue materials for political expenses or carry out campaigns. The campaign costs can come from the village head himself or from other people who are sponsors. When the village head of Lamattiriawang is elected, the village head covers the previously issued political boarding house. Because the cost of this political boarding house is very high and besides that, the salary and allowances of the village head cannot cover the political boarding house, finally the village head of Lamattiriawang has realized the use of the budget of 70% to 80% of the budget issued by the Centre. The remaining budget will be used later to cover political boarding and political promises to sponsors or their supporters.

In carrying out his administration, the village head of Lamattiriawang also visited the hamlets to accommodate the aspirations of the residents. In the activity of collecting aspirations from the village residents, the village head also requires funds for operational purposes. The operational costs exceed the set budget. So to cover the excess expenditure, the village head uses the village budget.

The election of a village head for the next period is something that most of the village heads want. Therefore, the village head of Lamattiriawang hopes that in the next period he will be elected as the village head again. Therefore, to arrange a political strategy so that he can get as many votes as possible in the next election, the village head of Lamattiriawang collects fees for the election. These costs will be used for political boarding and election campaigns in

the following period. Usually, the village head Lamattiriawang can cut the budget by realizing 70% of the village budget, of which the rest was partly used for political boarding in the next village head election.

4.2.5 Village Community

The factors of the village community can be one that can lead to the occurrence of corruption committed by the village head of Lamattiriawang.

Community factors can be divided into:

- a. Lack of roles from the community in work programs carried out by the village using the village fund. The lack of role of the village community can be caused by a lack of care and do not want to know about the development in the village. These conditions result in a lack of control over the village government carried out by the community. This

provides an opportunity for the village head of Lamattiriawang to commit corruption or to carry out work in the village in a non-transparent manner.

- b. The existence of fulfilment of promises that must be fulfilled by the village head to the villagers who have won the village head of Lamattiriawang the voters. The fulfilment of these promises is realized by providing work in the form of projects to people who are considered instrumental in winning the election. Such conditions have developed a transaction carried out by the village head of Lamattiriawang with the community who will carry out village work with mutual benefits for both parties.

The village head of Lamattiriawang benefits from a fee for the work given to his residents. Meanwhile, the residents who carry out the work benefit from reducing the specifications of the building they are doing so this will reduce the quality of the work given by the village head of Lamattiriawang to its residents.

- c. The lack of efficiency of the media and NGOs in providing external supervision of village development programs carried out by the village head of Lamattiriawang because many journalists and NGOs meet with the village head of Lamattiriawang after receiving services and entertainment. Such conditions make the duties and functions of the media and

NGOs not run well.

Looking at the actions taken by the Lamattiriawang village head, namely by committing acts of abuse of position and authority this can result in state losses. The fraudulent action is carried out by carrying out work that is not under its main duties and functions. In addition, the activities or work carried out in the village are not under previous plans or are not realized properly. Therefore, this action can be concluded as a social problem which is the domain of handling the main functions of the National Police. This is the realm and role of the National Police, as stated by Professor Awaluddin Djamin, Police Science is studying social issues as well as policy issues. Therefore, the National Police must take action against social issues. The actions taken by the National Police are through the prevention of corruption. This means that preventing acts of corruption is a way of handling carried out by the National Police to create social order.

To prevent corruption in villages that occur in Sinjai Regency, the National Police can take precaution efforts by referring to the theory of routine activities as stated by

Kohen and Felson who say that there are four basic elements to prevent the occurrence of criminal acts, namely: time, place, object, and individual that encourages committing a crime. Therefore, to prevent the crimes stated above, the Sinjai Police Resort can take precautions by deciding not to let the four elements meet each other. If one of these elements can be prevented, then corruption can be avoided. Therefore, in each of these elements, it is necessary to have the presence of policing actions carried out by the Sinjai Police as well as the participation of the community and stakeholders.

The most effective action that can be used by the National Police is to make use of the Bhabinkamtibmas (sergeant police assigned to supervise a village regarding security and public order). The presence of a Bhabinkamtibmas every time to accompany the village head's activities will be able to eliminate the opportunity or time, objects, and individuals who will commit corruption. Besides that, the most important thing to endorse a Bhabinkamtibmas to participate in assisting village activities is to have high integrity so that members are

sensitive to every action in the village.

Thus, what was conveyed by Cohen and Felson about crime prevention on the elements of time, four, objects, and individuals who encourage committing crimes can be applied to the factors causing the corruption of village funds, namely the targets of village government organizations, village head leadership, economic factors, political factors, rural communities. The action of breaking the chain of meeting between time, place, object and individual to these factors will be able to prevent the occurrence of corruption in Lamattiriawang village as well as in other villages in Sinjai Regency. Activities to break the chain can be carried out by prioritizing Bhabinkamtibmas to provide pre-emptive and preventive actions.

4.3 The pattern of policing of corruption prevention at Sinjai Police

By paying attention to the characteristics of the village and the village head who commit corruption, and the factors that contributed to the occurrence of corruption in Lamattiriawang village, Sinjai Regency, then to prevent corruption, the Sinjai Police, especially the

Criminal Investigation Unit, carried out a policing pattern in preventing corruption.

The policing model used is Collaborative Policing in Prevention of Corruption in Village Funds, where this model is a systematic, integrated, and sustainable collaboration in a community that is realized by managing and supervising village funds so that they can be used for the welfare of the community following the law, values, and norms. applicable through the implementation of participation, transparency, and accountability.

The collaboration referred to above is a group of people and/or interested parties in the management and supervision of village funds, namely the village government, the Police, the Village Community Empowerment Service, the Regency Inspectorate, and others. This is done to synergize the potential and resources of the community in fostering, preventing, and taking action against perpetrators of village fund corruption in their respective roles to improve the quality, process and results of using village funds in financing development programs and activities and community empowerment.

The implementation of collaborative policing is

carried out by holding the principles of synergy between the Sinjai Police Resort, the Sinjai Regency Inspectorate, and the Village Community Empowerment Service. The collaborative actions are carried out together, namely by conducting socialization, supervision, and assistance together to all villages in Sinjai Regency. Besides that, this collaboration assists according to their respective functions to all villages in Sinjai Regency in turn, so that it can eliminate the potential for criminal acts either consciously or unconsciously or to eliminate and minimize state losses and the occurrence of mal-administration in the use of the village budget.

Collaborative policing is also engaged in paying special attention to villages that do not achieve the target both in quality and quantity in budget realization, which was carried out after an audit by the Sinjai Regency Inspectorate.

This joint activity is carried out and stands on a clear basis in assisting, namely the regulations contained in the MoU between the Prosecutor's Office, the Police, and the Inspectorate as well as the SKB (A letter decided together) of four ministers

which were issued in the form of an MoU at the Sinjai Regency level.

Therefore, in handling alleged corruption cases, the Sinjay Police Resort is not only doing law enforcement, but the steps taken are to take preventive policing actions, namely by carrying out joint activities and assisting villages in assisting. Villages that commit administrative violations can be corrected and allowed to restore state losses incurred under the law. This is done by taking into account the broad implications and benefits of law enforcement in creating public security and order to achieve prosperity for the Sinjai community. So that by prioritizing preventive efforts, the Sinjai Police Station is no longer a scary and scary institution, but it will give a touch to the Sinjai community that the Sinjai Police Resort is more humanistic and closer to the community.

Crysnanda

Dwilaksana emphasizes that the police's duties include the management level or the implementing level. Meanwhile, policing is defined as the embodiment of the image, values, and socio-cultural aspects that are expected, both from the police side or the community,

as a product and various interactions that are supported by needs, interests, and authorities. Consequently, community policing is a policing style that brings the police closer to the people they serve. In preventing the misuse of village funds, the community in the community can be involved in a collaborative forum. This is useful for increasing supervision from external government parties. Community communities that can be involved in this collaboration include the media community, NGOs (Non-Governmental Organizations), Community Alliances, and also other communities that can pay attention to creating security and overseeing the management of village funds.

full of intervention against his subordinates so that this results in the deviation of duties and positions.

- b. Factors that contributed to the corruption committed by the village head of Lamattiriawang are influenced by the village government system, the leadership of the village head, economic factors, political factors, and village community factors who do not care.
- c. To prevent the occurrence of criminal acts of corruption, the policing pattern carried out in preventing corruption is carried out utilizing community policing, where the police empower the community to participate in preventing corruption in the village. In addition, collaborative policing is carried out to establish a synergy between the government and the police, which is supported by the community to prevent corruption in the management of village funds in Sinjai Regency.

5. CONCLUSIONS & IMPLICATIONS

5.1 Conclusions

- a. The characteristics and actions of the Lamattiriawang village head are that carrying out his duties as village head is contrary to applicable rules and laws, where the implementation of tasks is carried out by monopolizing the task, being authoritarian and

5.2 Implications

Based on the conclusions above, the author

recommends the Sinjay Police Resort to:

- a. actively involve its Bhabinkamtibmas in managing and controlling the use of village funds;
- b. improve supporting factors and eliminate factors dan increase the opportunity to commit corruption; and
- c. actively employ community policing which empowers the community to participate in preventing corruption in the village.

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