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The Role and Responsibilities of Public Prosecutors at the Binjai District Attorney's Office in the Criminal Justice Process

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Abstract: The criminal justice process in Indonesia plays a crucial role in law enforcement, with the Public Prosecutor (JPU) acting as the key actor in prosecuting criminal offenders. This study aims to examine the functions and responsibilities of the JPU at the Binjai District Attorney's Office, as well as the challenges they face in the criminal justice process. Using a normative legal research approach, the analysis focuses on the role of the JPU from the investigation phase to the implementation of verdicts, along with challenges such as limited human resources, budget constraints, societal pressures, and legal complexities. The findings of this study indicate that although the JPU carries significant responsibility in ensuring justice, these challenges may hinder the effectiveness of their duties. This research recommends the development of technology-based training programs, enhanced inter-agency cooperation, and the implementation of management information systems to support the performance of the JPU. It is hoped that these measures will help the JPU at the Binjai District Attorney's Office perform their duties more effectively, thus fostering a fair and transparent judicial system.

Keywords: Public Prosecutor, Binjai District Attorney's Office, Criminal Justice, Challenges.

1. INTRODUCTION

The criminal justice process is a crucial component of the law enforcement system in Indonesia, involving various parties with interconnected functions and responsibilities. One of the key actors in this process is the Public Prosecutor (JPU), who plays a central role as the state representative in prosecuting criminal offenders. The prosecutor's role is vital in ensuring the continuity and fairness of the legal process, as they not only prosecute but also ensure that justice is served impartially and equitably. According to the Law of the Republic of Indonesia Number 16 of 2004 concerning the Attorney General's Office, it is stipulated that the Attorney General's Office is an institution involved in the judicial power, in accordance with the 1945 Constitution. The Attorney General's Office functions as a government institution exercising state power in prosecution and other legal authorities. Furthermore, a prosecutor is defined as a functional official authorized to act as a public prosecutor, enforce final court decisions, and perform other duties in accordance with legal regulations. This definition is outlined in Article 1, paragraph 1 of Law No. 16 of 2004. The duties and powers of the prosecutor are elaborated further in the same law, especially in Chapter III, which covers criminal, civil, administrative, and public order matters. In the criminal field, Article 30, paragraph (1) of Law No. 16 of 2004 concerning the Attorney General's Office specifies the duties and powers of the Prosecutor's Office as follows:

- a. To carry out prosecutions;
- b. To execute court decisions and final rulings;
- c. To supervise the execution of conditional criminal sentences, probation decisions, and parole decisions;



- d. To investigate certain criminal offenses in accordance with the law;
- e. To complete case files and conduct additional investigations before submitting them to the court, in coordination with investigators.

In the criminal justice system, the prosecutor plays a role not only during trial proceedings but also throughout the stages of investigation and execution of court decisions. In this context, the prosecutor's duty is to assess the results of police investigations, ensure sufficient evidence is available, prepare the indictment, and bring the case to court.

The Binjai District Attorney's Office, as a law enforcement agency at the regional level, is responsible for handling various criminal cases in its jurisdiction. Binjai, a city in North Sumatra Province, faces a range of criminal issues, such as drug-related crimes, theft, and violent offenses. Therefore, the Public Prosecutors at the Binjai District Attorney's Office must carry out their duties with integrity, ensuring that the prosecution of criminal offenders is done professionally and based on valid evidence (Attorney General's Office of the Republic of Indonesia, 2017).

The role and responsibilities of prosecutors at the Binjai District Attorney's Office are often confronted with various challenges. One of the biggest challenges is ensuring that all parties involved in the legal process receive their rights according to the principles of due process of law (Supardi, 2020). This includes the defendant's right to defense and the victim's right to justice. Safeguarding these aspects is essential for maintaining the legitimacy of the criminal justice system, so that the public can continue to trust the existing legal institutions.

This study aims to provide a comprehensive analysis of the functions and responsibilities of the Public Prosecutor at the Binjai District Attorney's Office in the criminal justice process. By examining the prosecutor's role in each stage of the criminal justice process, from investigation to the execution of judgments, and reviewing the challenges faced by prosecutors in performing their duties, the study will explore potential solutions to improve law enforcement in the region. It is expected that this study will offer a deeper understanding of the importance of the Public Prosecutor's role in maintaining the integrity of the legal process at the local level.

2. RESEARCH METHOD

According to Soerjono Soekanto, legal research is a structured and methodical activity to collect data or information related to law, in order to analyze various legal issues and find appropriate solutions. The purpose of this research is to understand and develop legal science (Soekanto, 2009). This study uses a normative methodology to examine the role and responsibilities of the Public Prosecutor (JPU) at the Binjai District Attorney's Office in the criminal justice process, as well as the challenges they face in performing these duties, using legal literature sources or secondary data. Normative legal research methods are an approach used to analyze and understand law based on the norms that apply within society. The main focus of this research is to understand how the JPU performs its duties at each stage of the criminal justice process and how their role impacts the efficiency and fairness of the judicial process.

3. RESULT AND DISCUSSION

3.1. *The Role of the Public Prosecutor in the Criminal Justice Process*

The Public Prosecutor (JPU) plays a crucial role in the criminal justice process. As a representative of the state, the prosecutor is responsible for prosecuting criminal offenders based on valid evidence. According to Law No. 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia, the Public Prosecutor has the responsibility to prepare the indictment, bring the case to court, and provide legal arguments to support their charges. Without the prosecutor's role, criminal

offenders cannot be held accountable under the law. The stages of the criminal justice process in which the prosecutor is involved include:

a. Investigation

At this stage, the prosecutor acts as a coordinator for investigators. They work with the police to direct the investigation process and ensure that the evidence gathered is sufficient to be brought to court (Government of the Republic of Indonesia, 1981).

b. Prosecution

Once the case file is declared complete (P-21), the prosecutor will prepare the indictment based on the results of the investigation. This indictment becomes the basis for the trial in court. The prosecutor is then responsible for presenting witnesses, experts, and evidence before the judge.

c. Trial

In court, the prosecutor actively presents the criminal charges and submits supporting evidence for the indictment. The prosecutor also has the duty to respond to the defendant's defense and the defense lawyer's arguments (Government of the Republic of Indonesia, 1981)

d. Execution of the Verdict

After the court issues a verdict and it becomes final (*inkracht*), the prosecutor is responsible for enforcing the decision, whether it involves imprisonment or other forms of punishment. The first stage that the prosecutor goes through is the investigation. Here, the prosecutor plays the role of coordinator working with the police. The prosecutor's task in this stage is to ensure that the investigators gather sufficient evidence and take actions in accordance with the law. The prosecutor also provides guidance to avoid violations of the suspect's rights during the investigation process.

Once the investigation is completed, the prosecutor prepares the indictment. This document serves as the foundation for initiating the trial in court. During the prosecution stage, the prosecutor must prepare all necessary evidence, including witnesses and experts, to prove the defendant's guilt. Thorough preparation is essential for the prosecutor to present a compelling case that can be accepted by the judge. As the trial begins, the prosecutor's role becomes more evident. The prosecutor must present clear and convincing arguments before the judge and introduce evidence and witnesses to support the indictment. This is where the prosecutor's communication skills and legal expertise are tested. Additionally, the prosecutor must be prepared to face the defense arguments of the defendant and their legal counsel.

After the judge issues the verdict, the prosecutor is responsible for enforcing the decision. If the sentence involves imprisonment, the prosecutor must ensure that the defendant serves their sentence according to the applicable regulations. This shows that the prosecutor is not only involved in the prosecution stage but also in the execution of the law.

3.2. *The Special Role of the Public Prosecutor at the Binjai District Attorney's Office*

The Binjai District Attorney's Office is one of Indonesia's law enforcement agencies with the duty and responsibility to prosecute criminal cases occurring within its jurisdiction. Prosecutors at the Binjai District Attorney's Office are involved in handling a range of criminal cases, from general crimes such as theft, robbery, and murder, to special crimes such as corruption and drug-related offenses.

One important aspect of the role of prosecutors at the Binjai District Attorney's Office is their involvement in resolving disputes outside of court. In certain situations, prosecutors facilitate negotiations between the parties involved in a dispute to reach an agreement without the need for lengthy litigation. This not only saves time and resources but also encourages more peaceful resolutions.

Prosecutors in Binjai also have a responsibility to participate in the implementation of legal policies at the local level. They are involved in research and evaluation regarding the effectiveness of law enforcement, as well as providing recommendations to local governments on policies that can be implemented to improve the legal situation in the area. In this way, prosecutors contribute to creating a better environment for the community.

Finally, prosecutors at the Binjai District Attorney's Office are active in conducting legal outreach programs to the public and universities in Binjai. They often hold activities to educate the public about legal rights and obligations, as well as how to report criminal activities. These activities aim to raise legal awareness within the community, ensuring they better understand their rights and duties. This responsibility includes developing programs that can help the public access relevant legal information. Through these outreach efforts, the Public Prosecutors at the Binjai District Attorney's Office hope to encourage the community to be more proactive in maintaining security and order in their surroundings. Through these measures, the special role of prosecutors in Binjai becomes increasingly significant in creating a more responsive and community-focused justice system.

According to Winarno (2020), the prosecutors at the Binjai District Attorney's Office have several key roles that cover various aspects of the justice and law enforcement system, including:

- 1) Prosecution of Cases: The primary duty of the prosecutor is to collect evidence, prepare charges, and represent the state in court proceedings to ensure that justice is served.
- 2) Investigation and Supervision: Although prosecutors do not conduct investigations directly, they provide instructions to investigators, such as the police, to ensure that investigations are carried out properly and do not violate the rights of the accused.
- 3) Legal Guidance and Consultation: Government institutions and the public often receive legal guidance from public prosecutors at the Binjai District Attorney's Office, including in cases that involve public interests.
- 4) Implementation of Restorative Justice Programs: Prosecutors are also involved in applying restorative justice principles, which focus on restoring relationships between parties involved in criminal cases, especially in minor cases.
- 5) Legal Education and Outreach: Prosecutors at the Binjai District Attorney's Office participate in legal outreach activities to increase public legal awareness and understanding of their rights and responsibilities.
- 6) Role in Civil and Administrative Law Cases: Prosecutors not only handle criminal cases but also deal with civil and administrative law matters, such as representing the state in legal disputes in court.
- 7) Dispute Resolution: Prosecutors play a role in resolving disputes outside of court, such as helping both parties negotiate.
- 8) Implementation of Legal Policies: Prosecutors are involved in the implementation of legal policies at both the national and local levels, including conducting research and evaluating the performance of law enforcement.

3.3. *The Role of the Public Prosecutor in the Execution of the Prosecution Function*

The Public Prosecutor at the Binjai District Prosecutor's Office in North Sumatra must uphold ethics and integrity while performing their duties. They are expected to act impartially and avoid conflicts of interest. This responsibility is crucial to ensure public trust in the judicial system and the belief that prosecutors act in the interest of justice and the law. Prosecutors must also be accountable for their decisions and actions, both to the public and to the institution.

Additionally, the protection of human rights is another significant responsibility of the Public Prosecutor. They must ensure that the rights of the accused are respected throughout the judicial process (Kurniawan, 2021). This includes the right to legal counsel, the right to be treated fairly, and

the right to a speedy and fair trial. This responsibility reflects the prosecutor's commitment to justice and human rights principles (Rahman, 2020).

The responsibilities of the Public Prosecutor (JPU) in the criminal justice process are a series of legal obligations that must be carried out by the prosecutor as part of the criminal justice system, in accordance with the prevailing laws and regulations. In the Indonesian legal system, the role of the Public Prosecutor (JPU) is regulated by various laws, particularly Law Number 16 of 2004 concerning the Indonesian Attorney General's Office and the Indonesian Criminal Procedure Code (KUHAP). The following are the key responsibilities of the JPU:

- 1) Receiving and Reviewing Case Files: This involves accepting and reviewing the case files from investigators to ensure that they are complete and ready to be submitted to the court.
- 2) Pre-Prosecution: Conducting pre-prosecution to address any shortcomings in the investigation and assisting investigators in resolving these issues.
- 3) Issuing Detention Extensions: Making decisions regarding the extension of detention, additional detention, or changes to detention status after the investigator's decision has been made.
- 4) Preparing Indictments: Drafting the indictment that explains the alleged criminal offense committed by the suspect (Government of the Republic of Indonesia, 1981).
- 5) Submitting Cases to Court: Forwarding the case to the competent court in accordance with the procedures outlined in the Criminal Procedure Code (KUHAP).
- 6) Issuing Trial Notifications: Responsible for notifying the defendant and witnesses to attend the trial (Government of the Republic of Indonesia, 1981).
- 7) Conducting Prosecution: Carrying out the prosecution in court to prove the defendant's guilt and ensure that justice is served.
- 8) Closing Cases for Legal Interests: Closing cases in the interest of the law and society, including appealing the case if necessary.
- 9) Executing Court Decisions: Carrying out final court decisions that have legal force and taking any other necessary actions in accordance with their role as a public prosecutor.

Additional responsibilities of the Public Prosecutor (JPU) include:

- 1) Ethics and Integrity: While performing their duties, the JPU must act ethically and with integrity. This includes avoiding conflicts of interest and ensuring fair conduct.
- 2) Protection of Human Rights: The JPU is also responsible for protecting the human rights of everyone involved in the judicial process, including the accused and the victims.
- 3) Accountability: The JPU must be accountable for their decisions and actions taken during the prosecution process, both to the public and to the institution.

The essence of the prosecutor's responsibility is to achieve justice and legal compliance. Justice refers to the prosecutor's obligation to uphold fairness and ensure that all parties are treated justly in the legal process. Legal compliance refers to the prosecutor's duty to follow and adhere to the applicable legal procedures in each stage of the judicial process. The JPU must also be prepared to justify their decisions and actions taken during the prosecution process. They must provide clear explanations to the public regarding the legal reasoning behind their decisions. This responsibility helps maintain transparency and accountability in the judicial system. By being accountable for their decisions, prosecutors demonstrate their commitment to justice and the law. Thus, the responsibility of the Public Prosecutor is highly complex and involves many aspects. From receiving case files to executing court decisions, each step taken by the prosecutor significantly impacts the judicial process and the pursuit of justice for society. This responsibility requires prosecutors to work with dedication and professionalism to achieve true justice within the legal system.

3.4. Challenges Faced by Public Prosecutors in Performing Their Duties at the Binjai District Prosecutor's Office

The challenges faced by Public Prosecutors (JPU) at the Binjai District Prosecutor's Office in the criminal justice process refer to various obstacles that hinder their ability to perform their duties effectively in the pursuit of justice. According to Nasution (2022), the primary duty of the Public Prosecutor is to present legal facts that support the prosecution of the defendant based on valid evidence. However, many internal and external factors influence their effectiveness and objectivity.

The Public Prosecutor (JPU) plays a vital role in the criminal justice system. One of the biggest challenges is the lack of resources, both in terms of human resources and funding. Prosecutors often have to handle numerous cases with limited resources, leading to a heavy workload and less-than-optimal case management. In addition, pressure from the public and the media can be a significant issue, especially in high-profile cases, where the prosecutor may struggle to maintain objectivity due to high public expectations.

According to Yulianto (2023), another common challenge is the complexity of the law. In cases such as corruption, drug-related offenses, and other organized crimes, prosecutors need a thorough understanding of the applicable laws and procedures. Prosecutors also need to keep up with changes in laws, regulations, and policies that may affect how they carry out their duties (Lestari, 2022). Furthermore, coordination between law enforcement agencies is often problematic, as prosecutors need to collaborate with the police and other authorities to facilitate the legal process. All of these challenges require strong management and communication skills to ensure that prosecutors can perform their duties effectively. At the Binjai District Prosecutor's Office, the challenges faced by prosecutors in the criminal justice process include several specific aspects, as follows:

1) Limited Human Resources

The Binjai District Prosecutor's Office often faces a shortage of prosecutors capable of handling multiple cases simultaneously. This results in a heavy workload and reduces the quality of case handling.

Solution: Improving the capacity of prosecutors through intensive training and career development will help enhance their ability to handle cases and improve the budget allocation for the Prosecutor's Office.

2) Limited Budget

The budget allocated for the operations of the Binjai District Prosecutor's Office is sometimes insufficient to support all prosecution and investigation activities. This limitation can hinder the effectiveness of prosecutors in performing their duties.

Solution: Increasing the allocated budget for operational activities could help improve the infrastructure and facilities needed.

3) Rising Crime Rate

With the increase in crime rates in the area, prosecutors must be prepared to handle various types of cases, including serious offenses such as drug trafficking and corruption. This adds complexity to their work (Mulyana, 2023b).

Solution: Public education on the importance of reporting crimes and cooperation in legal processes can create awareness and encourage active participation from the community, thus helping reduce crime rates and supporting better law enforcement efforts. Additionally, the Prosecutor's Office should strengthen cooperation with the police and other law enforcement agencies to improve the effectiveness of investigations and evidence collection. The implementation of modern technology in the prosecution process, such as case management systems and data analysis, could also help monitor and handle cases more efficiently.

- 4) Pressure from the Public and Media
Certain cases may attract media and public attention, causing prosecutors to feel pressured to deliver quick and satisfactory results. This pressure may affect their objectivity in performing their duties.
Solution: Conducting transparent public communication to explain legal processes and maintaining independence in decision-making can help alleviate this pressure.
- 5) Coordination Between Agencies
Coordination between the Binjai District Prosecutor's Office and the police, as well as other agencies, is sometimes not smooth, hindering the process of evidence collection, investigation, and prosecution (Prasetyo, 2019).
- 6) Regulatory Change
Rapid changes in laws or government policies can affect the way prosecutors work, especially if they do not receive training or up-to-date information regarding these changes (Mulyana, 2023).
Solution: Providing continuous training for prosecutors to understand and adapt to legal changes.
- 7) Lack of Education and Training
Limitations in education and training for new prosecutors may reduce their ability to handle complex cases (Santoso, 2021).
Solution: Organizing regular training programs and collaborating with law schools to improve prosecutors' competencies in handling complex cases.
- 8) Difficulty in Collecting Evidence
In many cases, the evidence needed to prove the defendant's guilt is unavailable (Hidayat, 2021). This may be due to a lack of cooperation from witnesses, insufficient forensic technology, or other issues that hinder the gathering of valid evidence.
Solution: Enhancing cooperation with other institutions, such as the police and forensic agencies, as well as utilizing modern technology for evidence collection and analysis.

These challenges require a multifaceted approach to ensure that Public Prosecutors can perform their duties effectively. By addressing these obstacles, the Binjai District Prosecutor's Office can improve its ability to provide justice and uphold the rule of law.

4. CONCLUSION

In the context of criminal justice, the Public Prosecutor (JPU) at the Binjai District Prosecutor's Office plays a critical role and responsibility, which includes prosecuting cases, supervising investigations, and providing legal guidance to the public and government agencies. The JPU also plays a role in applying restorative justice principles and conducting legal outreach, aiming to improve the public's understanding of the law. However, challenges faced by the JPU, such as rising crime rates, difficulties in evidence collection, and limited resources, can hinder their effectiveness in performing their duties. Therefore, it is important to create innovative solutions to support the JPU's role in upholding justice.

To improve the performance of the JPU at the Binjai District Prosecutor's Office, it is recommended to develop technology-based training programs, including e-learning and case simulation, so that prosecutors can be better prepared to handle the complexities of prosecution. Additionally, strengthening cooperation with other law enforcement agencies, including the police and educational institutions, will be very beneficial in improving resource capacity and speeding up evidence collection. The implementation of a digital-based management information system should also be considered to enhance the efficiency of data and evidence processing. Finally, regular discussion forums with the community should be held to build trust and increase public participation

in the legal process, creating a more transparent and accountable environment for law enforcement in the Binjai area.

Solutions to address these challenges include enhancing training and career development for prosecutors, increasing operational budgets, and strengthening cooperation between law enforcement agencies. The implementation of modern technology in the prosecution process is also expected to improve the efficiency and effectiveness of the JPU in carrying out their duties. With these steps, it is hoped that the JPU at the Binjai District Prosecutor's Office will be able to perform their tasks and responsibilities more effectively, contributing to the creation of a fair and transparent judicial system.

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