

Implementation of Investigation into School Uniform Corruption Crime

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Abstract

Introduction: The perpetrators of corruption crimes are difficult to detect and organized by one person, the Payakumbuh District Attorney's Office, which handles the case, being one of the institutions assigned to handle this case. An ideal and balanced solution is needed to address this crime, which may be considered a national problem.

Purposes of the Research: Examining the implementation, factors and obstacles that occur in the crime of corruption of elementary and junior high school uniforms within the Education Office (Disdik) of Fifty Cities Regency at the Payakumbuh District Attorney's Office.

Methods of the Research: This research utilizes an empirical juridical research strategy, which is an approach to studying law with a focus on the direct application of legal rules that apply to various legal events that occur in society.

Findings of the Research: The implementation of investigations into corruption cases at the Payakumbuh District Attorney's Office, prosecutors face several obstacles, to overcome these obstacles strategic efforts are needed, with these efforts, especially at the Payakumbuh District Attorney's Office, can take place faster, transparently, and in accordance with the principles of justice, as well as regrow public trust in law enforcement, with the aim of enforcing the law, restoring state finances, and providing a deterrent effect for perpetrators corruption.

Keywords: Investigators; Criminal; Corruption.

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INTRODUCTION

Law enforcement must be a priority to realize the ideals of a state of law. When faced with social, economic, and political problems, the law seems frozen. This problem has eaten away at the social institutions, from the ruling elite to the lower society. Improvements in law enforcement must be the main focus in the midst of the chaos of the nation¹. Regulations that have a legal basis are included in the law enforcement process, because law enforcement itself is a way to ensure that the law is followed. Part of this law enforcement process is an effort to ensure that the law is complied with. According to the provisions in the law, if a person violates or deviates from the law, he will be subject to sanctions. Thus, law enforcement using criminal law tools is also an effort to overcome criminal acts, especially corruption.²

Corruption has emerged in all sectors of government, including the legislative, executive, and judiciary. Another term for this corruption is bureaucratic corruption, which refers to the behavior of those who regularly undermine state institutions. The spread of corruption in various parts of the government has disrupted the functioning of the government and

¹ Laurensius Arliman. "Mewujudkan Penegakan Hukum Yang Baik Untuk Mewujudkan Indonesia Sebagai Negara Hukum". *Jurnal Hukum Doctrinal* 2, no. 2 (2020), p. 510.

² Imman Yusuf Sitinjak. "Peran Kejaksaan dan Penuntut Umum Dalam Penegakan hukum". *Jurnal Ilmiah Maksitek* 3, no. 3 (2018), p. 98.

caused financial losses and negative impacts on the country's economy. Based on the losses that occur, acts of corruption can be categorized as violations of norms or crimes that hinder or even damage the government's work in enforcing the law.³ Massive systemic corruption also erodes people's economic and social rights. That is why corrupt practices are now considered significant crimes, not just ordinary crimes.⁴ In general, corruption is the abuse of power by officials or employees for personal gain, family, friends, or certain groups.⁵ For example, there is a corruption case related to school uniforms for elementary and junior high school levels in the District of Education Regency Fifty Cities which is handled by the Payakumbuh District Attorney's Office.

The authorities conducting the investigation include the Indonesian National Police, the KPK (Corruption Eradication Commission), and another that focuses on investigating corruption cases, namely the Prosecutor's Office of the Republic of Indonesia. Based on Article 30 paragraph (1) letter d of Law Number 16 of 2004 concerning the Prosecutor's Office, "prosecutors in the criminal field have the duty and right to investigate certain types of crimes in accordance with the law, especially in cases of corruption". The general explanation and Article 30 of the Law explain that the purpose of the criminal acts mentioned in Article 30 is to emphasize several rules that give authority to the Prosecutor's Office in conducting investigations. An example is Law Number 31 of 1999 concerning Corruption Crimes which has been amended through Law Number 20 of 2001. Article 26 explains that this Law and other related criminal procedure regulations regulate the implementation of investigations, prosecutions, and court processes related to alleged corruption. This article is directly related to the responsibility and authority of the public prosecutor in the investigation of corruption.⁶ Based on the background that has been described, the purpose of this research is intended to be studied. 1) Implementation of the investigation of corruption crimes at elementary and junior high school uniforms in the Disdik of Fifty Cities Regency at the Payakumbuh District Attorney's Office? 2) What are the factors that are obstacles in the process of carrying out the investigation of the corruption of school uniforms at the elementary and junior high school levels in the Disdik of Lima Sepuluh Kota Regency at the Payakumbuh District Attorney's Office?

METHODS OF THE RESEARCH

The natural strategy of this research is juridical-empirical used. This type of legal research considers the application or provision of normative law in relation to legal events in society as a whole. Primary data sources, or data collected directly from the original source, make up the largest part of the data and legal documents consulted. The legal documents cited in this study include: the Criminal Code, the Criminal Code, the Constitutional Court decision (Number 25/PUU-XIV/2016), the Attorney General's regulation (Number 14 of 2012), and the Law (Number 31 of 1999) that amends the Law (Number 20 of 2001) on the eradication of corruption.

RESULTS AND DISCUSSION

The Lima Pukuh Kota Regency Education Office at the end of 2023 will carry out a school uniform procurement program for elementary and junior high school students. This

³ Nani Widiya Sari. "Kewenangan Kejaksaan Dalam Peegakan Hukum Tindak Pidana Korupsi di Hubungkan dengan Undang-Undang Nomor 16 Tahun 2004 Tentang Kejaksaan Republik Indonesia". *Jurnal Surya Kencana* 4, no. 2 (2017), p. 175.

⁴ Sukmareni, *Hukum Pidana Korupsi dan Pencucian Uang*. (Depok: Raja Grafindo, 2023), p.12.

⁵ Evi Hartanti. *Tindak Pidana Korupsi*. (Jakarta: Sinar Grafika, 2007), p. 1.

⁶ Sukmareni. "Implikasi Pengaturan Kewenangan Penyidik Terhadap Upaya Percepatan Pemberantasan Tindak Pidana Korupsi :Studi Tentang Model Ideal Penyidik Tindak Pidana Korupsi Di Indonesia". Pascasarjana: FHUA. Padang 2018, p. 424.

program is financed by the Regional Expenditure Budget of Limapuluh Kota Regency, as a form of support for increasing education costs and reducing the economic burden on the community. After that, at the beginning of January 2024, after the distribution of school uniforms was carried out, when school uniforms did not meet the specifications, people began to doubt the quality and openness of the program's implementation, reports of alleged irregularities were submitted by the community and local activists to the Payakumbuh District Attorney's Office. The report is recorded in the Report Receipt Minutes (BAPL) as the initial basis for handling cases. then an investigation warrant was issued from the Payakumbuh District Attorney's Office, and the investigation was delayed by February 23, 2024, marked by the handover of money from the partner (CV Mustika) through his power of attorney to hand over IDR 49.3 million to the Payakumbuh District Attorney's Office, but with the handover of this money did not stop the investigation process, and on March 7, 2024, a preliminary investigation was carried out by conducting searches by investigators at the Payakumbuh District Attorney's Office on several office room of the Disdikbud of Fifty Cities Regency, Investigators also confiscated a number of documents and the rest of the procurement clothes as evidence. Furthermore, this case was raised to the investigation level on August 7, 2024 the Payakumbuh District Attorney's Office officially designated 3 suspects in this case, namely YP (Director of CV Mustika), MR (Acting Director of CV Mustika), and YA (Director of CV Satu Pilar), this determination was accompanied by the detention of two in Payakumbuh prison and the other (YA) who was pregnant as a city prisoner, Not only that, on December 9, 2024, the Payakumbuh District Attorney's Office revealed that a new suspect was officially detained with the initials AW Head of Basic Education of the Fifty Cities Regency Education and Culture Division, where in this case he served as the Technical Implementation Officer of Activities (PPTK).

After four people were appointed as suspects in a corruption case related to the purchase of school uniforms for elementary and junior high schools at the Fifty Cities Regency Education Office, in February 2025 the case is considered complete and ready to be brought to court. Then, the transfer of the case and the prosecution process took place in April 2025, where the defendants were sentenced at the Padang Corruption Court. They are subject to Article 2 paragraph (1) related to state finance and Article 3 regarding abuse of authority, based on Law Number 20 of 2001 which is an amendment to Law Number 31 of 1999 concerning Corruption Crimes. "The defendants MR and YA received a prison sentence of 3 years and a fine of Rp 50 million, with a subsidy of 3 months of confinement. The prosecutor demanded a sentence of 6 years in prison and a fine of Rp 200 million, with a subsidy of 6 months. Meanwhile, YP received a prison sentence of 1 year and 6 months and a fine of IDR 50 million, a subsidy of 2 months. The prosecutor's demand for YP is 5 years in prison and a fine of IDR 200 million, a subsidy of 6 months. Finally, the defendant AW was sentenced to 2 years and 6 months in prison and a fine of IDR 50 million, a subsidy of 2 months. The prosecutor demanded AW a 5-year prison sentence and a fine of IDR 200 million, a subsidy of 6 months".

Table1. Cases handled by the Payakumbuh District Attorney's Office from 2022 to 2024

Types of Corruption Crimes	2022	2023	2024	Phase
Procurement of goods and services	1	0	2	Prosecution

Source: Primary Data is processed

A. Implementation of Investigation into Corruption Crimes of School Uniforms at the Elementary and Junior High School Levels within the Fifty Cities District Education Office at the Payakumbuh District Attorney's Office

Based on the results of the researcher's interview with the investigating prosecutor at the Payakumbuh District Attorney's Office regarding a corruption case related to school uniforms for elementary and junior high schools in the District of Fifty Cities, the process was carried out through several stages in accordance with existing legal regulations. This process starts from receiving community reports to recording them in the Report Receipt Minutes (BAPL). These steps are in line with the provisions of the Criminal Code which regulates the way to receive reports and complaints about criminal acts. This shows that the prosecutor respected the principle of legality from the beginning of the process. The initial stage of the investigation is the time when the prosecutor collects information and documents regarding procurement. This is based on Article 26 of Law Number 31 of 1999 jo. Law Number 20 of 2001, which gives the right to prosecutors to investigate corruption cases. The existence of an investigation warrant from the Head of the District Attorney's Office also adds to the legal force of this stage before proceeding to the investigation. The Payakumbuh District Attorney's Office carried out witness examinations, document collection, and audits by the BPKP. All of these things show that the investigator is serious in meeting the formal and material requirements in proving the case, in accordance with Article 184 of the Criminal Code which regulates valid evidence. The determination of a person as a suspect is carried out after the prosecutor has at least two valid evidence, in accordance with Article 184 of the Criminal Code. This shows that the prosecutor did not assign suspects in a hurry without a clear legal basis. In addition, the pre-prosecution mechanism through P-19 and P-21 also shows that the prosecutor underwent the procedure correctly in accordance with the rules of criminal procedure law, so that there are no shortcomings in the case file before being submitted to the court. The implementation of the investigation carried out by the Payakumbuh District Attorney's Office has referred to the procedures that have been in force, with laws both in terms of authority, procedures, and completeness of evidence. However, it is not optimal, because there are still several obstacles, from the perspective of researchers, there are still challenges such as the length of the investigation process due to the return of the file (P-19) which can cause negative perceptions from the public. Therefore, in the future, there needs to be an effort to improve accuracy from the beginning of the preparation of files so that the process is more efficient without reducing the quality of law enforcement.

B. Factors that Become Obstacles in the Investigation Process of Corruption of School Uniforms at the Elementary and Junior High School Levels in the Environment of the Fifty Cities Regency Education Office at the Payakumbuh District Attorney's Office

Although the prosecutor's duties as investigators of corruption cases have been neatly regulated in various legal regulations, still in its application in the field it often does not always run smoothly, in practice at the Payakumbuh District Attorney's Office, the investigation process often faces various obstacles that affect the effectiveness of law enforcement. The factors that are the obstacles are in the form of 1) Limited Human Resources (HR), The number of special investigating prosecutors for corruption crimes at the Payakumbuh District Attorney's Office is still relatively limited, so the workload is not proportional to the number of cases that must be handled. 2) Limited Facilities and Infrastructure, Not all district attorney's offices have adequate forensic laboratory facilities or digital technology to trace the frequent flow of corruption funds complex. This slows

down the process of collecting electronic evidence and financial documents. 3) Internal Coordination That Is Not Optimal, In some cases, coordination between the intelligence, investigation, and prosecution fields has not been running optimally, thus causing administrative and technical obstacles. 4) Difficulty in Obtaining Evidence, Perpetrators of corruption crimes often try to eliminate or manipulate procurement documents, so it takes investigators a long time to find valid evidence. 5) Witnesses Who Are Reluctant to Give Testimony, Many witnesses, especially those who are still in contact with the suspect, are reluctant to give testimony because of pressure or fear, both psychologically and socially.

CONCLUSION

Implementation of the investigation of corruption crimes at elementary and junior high school levels in the Disdik Regency. Fifty Cities at the Payakumbuh District Attorney's Office The process began with a public report, then an investigation was carried out. After sufficient preliminary evidence was found, the case was raised to the investigation stage. In the investigation process, the prosecutor faced several obstacles. These obstacles can be in the form of a limited number of investigating prosecutors, lack of facilities and infrastructure, and coordination between fields that are not optimal. difficulties in obtaining evidence, witnesses who are reluctant to provide information, slow BPKP investigative audit process, to overcome these obstacles, strategic efforts are needed in the form of increasing and increasing the capacity of human resources of investigating prosecutors, fulfilling digital and forensic facilities, improving internal coordination, and accelerating audits Through intensive cooperation with BPKP, as well as the improvement of regulations and the use of electronic evidence and expert testimony.

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Conflict of Interest Statement: The author(s) declares that research was conducted in the absence of any commercial or financial relationship that could be construed as a potential conflict of interest,

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