

The Role of Deli Serdang Police Investigators in Handling the Occurrence of Laka Lantas

Rasidin Saragih¹, Rahul Ardian Fikri², Abdul Razak Nasution³

Law Study Program, Universitas Pembangunan Panca Budi

Email : rasid2016000431@gmail.com

Abstract

Traffic accidents remain a significant concern in Indonesia, particularly in Deli Serdang, where the number of cases continues to rise. This study examines the role of Deli Serdang Police investigators in handling traffic accident cases, focusing on their tasks, challenges, and efforts to ensure effective legal processes. The research highlights that investigators play a crucial role in conducting comprehensive investigations, gathering evidence, and determining legal accountability in each case. However, investigators face numerous obstacles, including limited resources, insufficient evidence, and environmental factors that complicate the investigative process. The study underscores the importance of collaboration between law enforcement and the community, as well as the need for enhanced investigator training and public education on traffic safety to mitigate accidents.

Keywords :

Traffic accidents, Deli Serdang Police, investigators, law enforcement, challenges

I. Introduction

Traffic accidents are accidents that are not planned and anticipated that occur on the highway, or errors caused by human activities on the highway, which result in injury or illness, loss of both people, goods and the environment (Carina, 2017).

The high number of traffic accidents in Indonesia has become a serious problem that requires special handling from the police. Every year, thousands of lives are lost due to road accidents, the majority of which are caused by human negligence in driving. Data from the National Police Traffic Corps recorded that throughout 2022 there were 103,645 cases of traffic accidents throughout Indonesia with 23,397 deaths.

The Deli Serdang Police as a law enforcement institution has a vital role in handling traffic accident cases in its jurisdiction. Police investigators are tasked with conducting investigations and investigations into each accident case to ensure that the legal process runs as it should. This task is based on Law Number 22 of 2009 concerning Road Traffic and Transportation which gives authority to investigators to conduct investigations into traffic accident cases.

Handling traffic accident cases requires professionalism and meticulousness from police investigators. This is because each accident case has different characteristics that require a proper investigative approach to uncover the causes and legal liability. Investigators are required to be able to collect evidence, process the crime scene carefully, and analyze the chronology of events in detail to determine the elements of error in the accident (Simanjuntak, 2018).

In practice, Deli Serdang Police investigators often face various obstacles in handling traffic accident cases. These obstacles can be in the form of a lack of witnesses, lack of evidence, and limited human resources that hinder the investigation process. In addition, weather factors, road conditions, and the time of the incident can also affect the process of collecting evidence at the scene of the incident.

In the jurisdiction of the Deli Serdang Police, the number of traffic accidents still shows an alarming trend. Data for 2023 shows an increase in accident cases by 15% compared to the previous year, with 45 people dying. The factors that cause accidents are dominated by disorderly driver behavior such as using mobile phones while driving, violating traffic signs, and driving in drowsy conditions.

The increase in the volume of vehicles that is not balanced with good traffic awareness is one of the factors that trigger the high number of accidents. Based on data from Samsat Deli Serdang, the number of motor vehicles in this region has experienced an average growth of 8% per year. This condition certainly requires the readiness of the police apparatus, especially the accident investigators, in handling every accident case that occurs.

Efforts to prevent and handle traffic accidents require synergy between the police and the community. The active role of the community in reporting the accident and the willingness to be witnesses greatly helped investigators in uncovering the case. In addition, education about traffic safety needs to continue to be encouraged to minimize the risk of accidents (Tampubolon, 2021).

Deli Serdang Police investigators are also required to continue to improve their competence in handling traffic accident cases. Forensic training, understanding of legal aspects, and mastery of investigative technology are crucial in supporting investigative tasks. This is in line with the complexity of accident cases that are increasingly diverse with the times.

Based on the above background, the author raised the title of this study, namely: "*The Role of Deli Serdang Police Investigators in Handling the Occurrence of Laka Lantas*"

a. Problem Formulation

The main problems in this study are:

1. What is the role of Deli Serdang Police investigators in handling traffic accident cases?
2. What are the obstacles for Deli Serdang Police investigators in handling traffic accident cases?

b. Research Objectives

The objectives of this research are:

1. To find out the role of Deli Serdang Police investigators in handling traffic accident cases.
2. To find out the obstacles of Deli Serdang Police investigators in handling traffic accident cases.

II. LITERATURE REVIEW

a. Traffic Accidents

Traffic accidents are any form of collision, slip or loss of control that occurs on a road section that results in injury or death to humans or damage to objects involving at least one motor vehicle. In this case, the accident was reported to the police. (Warpani, 2011).

Law Number 22 of 2009 concerning Road Traffic and Transportation reveals that traffic accidents are accidents and accidental events. This involves the presence or absence of other road users in the vehicle, resulting in casualties and/or property damage.

The characteristics according to the number of vehicles involved are classified into:

- 1) A single accident, which is an accident that only involves one motor vehicle and does not involve the use of other roads. For example, hitting a tree. The state slipped, and rolled over due to a burst tire.



- 2) Multiple accidents, which are accidents involving more than one vehicle or vehicles on foot. (Directorate General of Land Transportation. 2006).

The classification of accidents based on the source of the cause is in the following groups:

- 1) Road Factor

Factors caused by road factors can be classified as follows:

- a) Traffic accidents caused by road pavement.
- b) Traffic accidents caused by road alignment.
- c) Traffic accidents caused by road maintenance.
- d) Traffic accidents caused by street lighting.
- e) Traffic accidents caused by traffic signs

- 2) Environmental Factors

Traffic accidents caused by environmental factors can be described as follows:

- a) Traffic accidents caused by natural factors.
- b) Traffic accidents caused by other factors (Dharma, 2013).

The types and forms of accidents can be divided into five types, namely:

- 1) Accidents Based on Accident Victims

According to article 93 of Government Regulation Number 43 of 1993 concerning Road Infrastructure and Traffic, as an implementing regulation of the Road Traffic and Transportation Law, the accident victims are classified as follows:

- a) Fatal Injury Accident/Death

The deceased or deceased victim is a victim who is confirmed to have died as a result of the LaLu crossing accident within a long time of 30 days after the accident.

- b) Serious Injury Accident

A seriously injured victim is a victim who, due to his injuries, suffers a permanent disability or must be treated for a period of more than 30 days since the accident. What is meant by disability remains if a limb is hilang or cannot be used at all and cannot be healed/recovered forever.

- c) Minor Injury Accident

A minor injury victim is a situation in which the victim has injuries that are not life-threatening and/or do not require further help/treatment at the hospital

- 2) Accidents Based on Incident Location

Accidents can occur anywhere along the road, whether on straight roads, bends, inclines and descents, on plains or in the mountains, in the city or outside the city.

- 3) Accidents Based on the Time of Accident

Accidents based on the time of the accident can be classified into two, namely: type and time.

- 4) Accidents Based on Accident Position

Accidents can occur in various collision positions, including:

- a) Collision on overtaking (*side swipe*).
- b) Front-to-side collision (*right angle*)
- c) Collision of the face with the rear end.
- d) Head-on collision
- e) Collision with pedestrian
- f) Collision run (*hit and run*)
- g) Out of control collision

- 5) Accidents Based on the Number of Vehicles Involved

Accidents can also be classified according to the number of vehicles involved, whether it is a single accident involving one vehicle, a double accident involving two vehicles, or a series of accidents involving more than two vehicles. (Dini, 2021)



b. Factors Causing Traffic Accidents

In general, traffic accidents can be caused by many factors. These factors can be categorized into three, namely:

1) Road User Factor

Road users are all people who directly use the facilities on the road. Humans are the most unstable factor affecting traffic conditions and cannot be accurately predicted.

2) Vehicle Factors

The second factor that affects traffic behavior is that vehicles on the road have various shapes. The size and capability of this is due to the fact that each vehicle is planned for a specific purpose.

3) Road Factor

The nature and condition of the road are an important cause of traffic accidents. The status of road maintenance affects the nature of the accident. Road experts and traffic experts plan roads in the right way and carry out adequate maintenance to achieve safety, planning based on road function, traffic volume and composition, plan speed, topography, results of human factor analysis, vehicle weight and size, social environment and funding.

The factors caused by the road can be classified as follows:

1) Road accidents caused by road pavement:

- a) Unqualified pavement width.
- b) The road surface is slippery and bumpy.
- c) The road surface is potholes.

2) Road accidents caused by road alignments:

- a) Corners that are too sharp.
- b) Steep climbs and descents.

3) Road accidents caused by road management:

- a) The road is damaged.
- b) Road repairs that caused gravel and dust to scatter.

4) Road accidents caused by street lighting:

- a) There are no street lighting lights at night.
- b) Damaged and unreplaced street lighting.

5) Road accidents caused by traffic signs:

- a) Signs are placed in inappropriate places.
- b) The existing traffic signs are lacking and damaged.
- c) Placement of signs that endanger road users (Wedasana 2011).

III. RESEARCH METHODS

Type of Research

The writing uses an empirical research method. Empirical research is legal research that is focused on a legal rule or regulation which is then connected to the reality in the field

Problem Approach

The problem approach used in this study is the approach of laws and regulations. The statute *approach* is used, because what will be studied is the legal rules related to this research. This approach is carried out by examining all relevant laws and regulations. This approach requires understanding the hierarchy and fundamentals of the rule of law.

Source of Legal Materials

Primary legal materials consisting of laws and government regulations, court decisions that have had permanent legal force and other related regulations such as the Criminal Code, Criminal Procedure Code, Law Number 22 of 2009 concerning Road Traffic and Transportation. Secondary



legal materials are materials that provide explanations about primary legal materials such as research, proceedings related to research. Tertiary legal materials, which are materials that provide instructions and explanations for primary and secondary legal materials such as dictionaries, encyclopedias (wikipedia) and tables related to the object of research

IV. DISCUSSION RESULTS

1. The Role of Deli Serdang Police Investigators in Handling Traffic Accident Cases

Deli Serdang Police investigators have a very important role in handling every traffic accident case that occurs in their jurisdiction. Based on Law Number 22 of 2009 concerning Road Traffic and Transportation, investigators have the authority to carry out a series of investigative actions in order to find and collect evidence to find suspects. In practice, the role of the investigator begins from the receipt of a report about the occurrence of a traffic accident. After receiving the report, investigators immediately headed to the Crime Scene (Crime Scene) to carry out a series of investigative actions. The first action taken is to secure the crime scene to prevent the loss of evidence that can help the investigation process. The security of the crime scene involves the installation of police lines and the regulation of traffic flow around the scene of the incident.

Investigators then carefully processed the crime scene, which included taking documentation in the form of photos and videos, measuring the scene of the incident, and recording the position of the vehicle and the victim. This process is very important to reconstruct the chronology of events and determine the factors that cause accidents. In conducting crime scene processing, investigators are assisted by the identification team to collect physical evidence such as vehicle debris, brake marks, or other objects related to the accident. After collecting physical evidence, investigators will collect information from witnesses who were at the scene of the incident. This process includes interviews with the victim (if he is still alive), the perpetrator, and eyewitnesses who saw the incident firsthand. Witness statements are very important to strengthen the physical evidence that has been collected and help uncover the cause of the accident. Investigators will also ask for expert testimony if needed to provide technical explanations related to certain aspects of the case.

In the investigation process, Deli Serdang Police investigators coordinated with various parties such as the hospital for handling victims and making *visum et repertum*, as well as the prosecutor's office for consultation on the application of the article that will be suspected. This coordination is important to ensure that the handling of cases runs comprehensively and in accordance with applicable legal procedures.

Investigators also play a role in conducting the case title to determine the article that will be charged to the suspect. In this case, the investigator explained the chronology of the incident, the evidence that had been collected, and the juridical analysis of the case. The outcome of the case will determine whether the case can be continued to the prosecution stage or resolved through *a restorative justice* approach.

In cases of traffic accidents that do not result in the death of the victim, the investigator can act as a mediator between the perpetrator and the victim to reach a peaceful agreement. This mediation process still pays attention to legal aspects and justice for all parties involved. Investigators will ensure that the agreement reached is not contrary to the law and is acceptable to all parties.

Data from the Deli Serdang Police shows that the handling of traffic accident cases carried out by investigators has shown positive results. The case resolution rate reached 85% of the total cases handled, with 60% resolved through the judicial process and 25% through *the restorative justice approach*. This success is inseparable from the professionalism and dedication of investigators in carrying out their duties.

Deli Serdang Police investigators are also actively evaluating and increasing capacity through various trainings and workshops. This is done to ensure that the ability of investigators to handle traffic accident cases continues to develop along with the complexity of the case at hand. This



capacity building includes technical aspects of investigation, legal understanding, and mediation skills (Hasibuan, 2023).

2. Obstacles of Deli Serdang Police Investigators in Handling Traffic Accident Cases

In carrying out the task of handling traffic accident cases, Deli Serdang Police investigators face various obstacles that affect the effectiveness of the investigation. One of the main obstacles is the lack of witnesses who are willing to provide information related to the accident. Often people who witness the incident are reluctant to get involved in the legal process because they are worried that it will waste time and interfere with their activities. Another obstacle that is often faced is the loss of evidence at the crime scene before investigators arrive at the scene. This happened because public awareness was still low about the importance of securing crime scenes. The public often immediately moves the vehicles involved in the accident to avoid congestion, resulting in the destruction of evidence needed for the investigation process.

The limitation of human resources is also a serious obstacle in handling traffic accident cases. The number of existing investigators is not proportional to the number of cases that must be handled, so the workload becomes very high. This condition can affect the quality of case handling and the length of time it takes to resolve a case. Weather factors and the time of the incident also often hampered the investigation process. Accidents that occurred at night or during heavy rain made it difficult for investigators to collect evidence at the crime scene. Poor lighting conditions and wet road surfaces can eliminate important traces such as brake marks or friction required for incident analysis.

Technical obstacles in the form of limited supporting facilities and infrastructure also affect the performance of investigators. The limited availability of documentation tools, the lack of modern measurement equipment, and the limited number of operational vehicles are obstacles in conducting optimal crime scene processing. This has an impact on the quality of evidence that can be collected by investigators. Another obstacle faced is the difficulty of coordinating with related parties such as hospitals and prosecutors' offices. The process of making *visum et repertum* often takes a long time, while consultation with the prosecutor's office is sometimes hampered due to the tight schedule of the prosecutor. This can slow down the case resolution process.

Investigators also face obstacles in the mediation process between the perpetrator and the victim. There are often differences in expectations that are difficult to bridge, especially in terms of the amount of compensation. Some cases even failed to reach a peace agreement due to the high demands from the victim that could not be fulfilled by the perpetrators. Administrative obstacles such as complicated bureaucratic procedures and the number of files that must be completed also affect the speed of case handling. The long administrative process often makes the case resolution take longer than it should.

The lack of public understanding of traffic accident handling procedures is also an obstacle in itself. Often the public does not know the steps to be taken when an accident occurs, such as the importance of not moving evidence and immediately reporting the incident to the police. Finally, investigators also face obstacles in terms of limited operational budgets. This limited funding affects the ability of investigators to conduct investigations to the fullest, especially for cases that require special handling or involve remote locations.

V. COVER

Based on the results of the discussion, it can be concluded that the role of Deli Serdang Police investigators in handling traffic accident cases starts from the initial handling at the crime scene, the collection of evidence and witness statements, coordination with related agencies, to the case settlement process both through legal channels and mediation. However, in its implementation, investigators face various obstacles such as the lack of witnesses, loss of evidence, limited human



resources and infrastructure, weather and time constraints, and obstacles in coordination with related parties that affect the effectiveness of handling traffic accident cases.

To increase the effectiveness of handling traffic accident cases, it is recommended to the Deli Serdang Police to increase investigator personnel, improve supporting infrastructure facilities such as documentation tools and operational vehicles, hold regular training for investigators, strengthen coordination with related agencies, and socialize to the public about traffic accident handling procedures and the importance of the community's role in helping the process investigation.

BIBLIOGRAPHY

- Carina. *Analysis of Traffic Accidents on Toll Roads*. University of Indonesia, Jakarta, 2017.
- Dharma, Agus. *Traffic Safety Management*. Gramedia Pustaka, Jakarta, 2013.
- Dini, Putri. *Factors that cause traffic accidents*. Raja Grafindo Persada, Jakarta, 2021.
- Fikri, R. R. A. (2021). The Implementation of Restorative Justice for the Criminal Action of Accident against Child Based On Regulation of the State Police of the Republic Of Indonesia Number 8 Year 2021. *LEGAL BRIEF*, 11(1), 306-313.
- Hasibuan, Ridwan. *The Role of Investigators in Handling Traffic Accidents*. *Law Journal*, Vol. 5 No. 2, 2020.
- Hasibuan, Ridwan. *Evaluation of the performance of the Laka Lang investigator*. *Police Journal*, Vol. 8 No. 1, 2023.
- Lubis, Ahmad. *Obstacles in Traffic Accident Investigation*. *Journal of Law and Police*, Vol. 4 No. 3, 2021.
- Manurung, Budi. *The Effectiveness of Handling Laka Lantas Cases*. *Police Journal*, Vol. 6 No. 2, 2023.
- Purba, Dohar. *Mediation in the Settlement of the Laka Lantas Case*. *Law Journal*, Vol. 7 No. 1, 2022.
- Simanjuntak, Ronald. *Traffic Accident Handling Procedures*. *Police Journal*, Vol. 3 No. 2, 2018.
- Simanjuntak, Ronald. *Analysis of the Settlement of the Laka Lantas Case*. *Law Journal*, Vol. 7 No. 4, 2022.
- Sinaga, Martin. *Implementation of Handling Laka Lantas*. *Police Journal*, Vol. 6 No. 1, 2023.
- Situmorang, James. *Handling Traffic Accident Cases*. *Journal of Law and Police*, Vol. 4 No. 2, 2019.
- Tampubolon, Robert. *Synergy of the Police and the Community in Handling Traffic Accidents*. *Police Journal*, Vol. 5 No. 3, 2021.
- Warpani, Suwardjoko. *Traffic and Road Transportation Management*. ITB Press, Bandung, 2011.
- Wedasana, Ari. *Analysis of Accident-prone Areas and Database Preparation*. Gramedia, Jakarta, 2011.

