

## POLICE AUTHORITY IN CHANGING THE STATUS OF THE WANTED LIST OF PEOPLE IN THE "VINA" CASE

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### Abstract

*This research is a quantitative study with an explanatory approach. The data used in this article are primary data that researchers obtained from an online questionnaire of 350 Mitra Bangunan employees spread throughout Indonesia. The questionnaire consists of 10 statements related to Job Embeddedness, Employee Performance, and Resonant Leadership. The data obtained were analyzed using the smart PLS 4.0 analysis tool. The result in this article show convincingly that the Job Embeddedness variable can have a positive relationship direction and a significant influence on Employee Performance because the P-Values are positive and below the significance level of 0.05, namely 0.011.. In the next row, the second hypothesis can also be accepted and proven. This is due to the same reason, namely the P-Values are positive and below the significance level of 0.05, namely 0.000. On this basis, the first and second hypotheses in this article can be accepted.*

**Keywords:** Job Embeddednes, Employee Performance, Resonant Leadership

## 1. INTRODUCTION

Authority is the right to do something or order others to do or not do something in order to achieve a certain goal. Authority is usually associated with power. The wise use of authority is a critical factor for organizational effectiveness. Authority is used to achieve the goals of the authorized party (Aulia 2017). Therefore, authority is usually associated with power. 1 Authority is formal power that comes from the Law, authority is the result of delegation or delegation of authority from superior to subordinate positions in the organization. With the authority, all regulations and norms will be obeyed by all people. Thus, authority will arise in connection with the authority held by the leader, this authority can be verbal or written which is based on applicable laws and agreed to by all parties.

Authority is formalized power, either over a certain group of people or power over a certain area of government as a whole, which comes from legislative power, or government power. While authority only concerns a certain area. The definition of authority according to HD Stout is "as a whole set of rules concerning the acquisition and use of government authority by public legal subjects (Ridwan HR 2013)". According to Bagir Manan, authority in legal language is not the same as power (macht). Power only describes the right to act or not to act. In law, authority simultaneously means rights and obligations (rechten en plichten) (Nurmayani 2009). In relation to regional autonomy, rights contain the meaning of the power to regulate oneself (zelfregelen) and manage oneself (zelfbesturen), while horizontal obligations mean the power to organize government properly. Vertical means the power to run government in an orderly state government bond as a whole (Made Aryandi Singa Gothama 2009).

Authority itself according to the Big Indonesian Dictionary (KBBI) is "the power to make decisions, order and delegate responsibility to others" (Damang 2017). In a free sense, authority is the right of an individual to carry out an action with certain limits that are recognized by other individuals in a particular group. Based on the source of authority, authority can be obtained through several ways or methods, in this case it can be divided into 3 (three) types of sources of authority consisting of 1. Attribution Source, namely original authority because it is obtained or comes directly from laws and regulations to state bodies/organs. granting authority to certain state bodies or institutions/officials either by the makers of the Constitution or the makers of Laws. For example: Attribution of the power of the President and the DPR to form Laws. 2. Delegation Source, namely the delegation of authority by a government body that obtains attributive authority to other government bodies. For example: Implementation of DPRD approval regarding the approval of Deputy Regional Head candidates. 3. Mandate Source, namely authority obtained by delegating authority from state organs to other state organs. The delegation of authority and responsibility is still held by the mandate giver. The mandate recipient only carries out the authority of the mandate giver, so he cannot act for and on his own behalf.

Based on the three sources of authority, attribution is a source that is commonly outlined through the division of power by the Constitution, different from delegation and mandate which is authority derived from the delegation of authority. The procedure for delegation of authority originates from one government official to another government organ in accordance with laws and regulations with responsibility transferred to the recipient of the delegation, while the procedure for delegation of authority mandate in the framework of a superior-subordinate relationship that is routine in nature with responsibility remaining with the mandate giver. Bagir Manan stated in State Administrative Law, "power describes the right to act or not to act. Authority means rights and obligations. Rights contain the freedom to act or not to act. Obligations contain the obligation to act or not to act in state administrative law, government authority derived from laws and regulations is obtained through methods, namely attribution, delegation and mandate" (Bagir Manan 2000).

In line with the above understanding, Ateng Syafrudin argues that there is a difference between the understanding of authority and authority. Authority (authority, *gezag*) is what is given by law and authority (competence, *bevoegheid*) only concerns a certain "onderdeel" (part) of the authority (Prajudi Atmosudirjo 2005). According to H.D. Stoud, authority is the entire regulation concerning the acquisition and use of government authority by public law subjects in public law. While in legal terms, authority is the ability given by laws and regulations to cause legal consequences.

The authority referred to in this study is the Police Authority in changing the suspect status in the Vina case. This study aims to analyze the topic from literature studies both from laws and regulations, scientific journals, books, and others that are commonly used in every study.

## **2. RESEARCH METHODS**

From the explanation above, it can be concluded that this article aims to analyze the authority of the police in replacing the suspect status in the Vina case (Imam Gunawan 2014). This research is a qualitative research with a normative legal approach, namely an approach that relies on laws and regulations as the main source to reveal the researcher's concerns (Lexy J. Moleong 2014). The data used to reveal these concerns consist of a number of credible sources, namely laws and regulations, books, scientific articles, and other sources commonly used in each study (Sugiyono 2019). The data is analyzed using

systematic and grammatical legal interpretation techniques, namely tracing each law and interpreting the laws and regulations word by word (Manzilati 2017).

### **3. RESULT AND DISCUSSION**

#### **Authority**

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### **Police Authority In Changing The Status Of The Wanted List Of People In The "Vina" Case**

Kepolisian Daerah atau Polda Jawa Barat menghapus dua nama lain dalam Daftar Pencarian Orang (DPO) pada kasus pembunuhan Vina dan Eky di Cirebon yang terjadi pada 2016 silam. Direktur Kriminal Umum Polda Jawa Barat Kombes Surawan mengatakan total tersangka dalam kasus Vina hanyalah 9 orang, bukan 11 orang seperti kabar yang beredar selama 8 tahun terakhir. Sebelumnya, sejak 2016, polisi telah menetapkan dan menghukum delapan orang yang diduga menjadi tersangka dalam kasus pembunuhan sepasang kekasih tersebut. Kemudian, pihak berwajib mengungkapkan masih ada tiga orang tersangka yang menjadi buronan atau masuk DPO. Ketiganya adalah Andi (23), Dani (20), dan Pegi alias Perong (22). Namun, setelah Pegi ditangkap pada Selasa, 21 Mei 2024, Polda Jawa Barat mengubah pernyataannya soal jumlah tersangka dalam kasus Vina. "(Ternyata) DPO hanya satu yang awalnya terdapat 3 DPO.

Menurut Surawan, informasi mengenai tiga DPO kasus Vina yang selama ini beredar di masyarakat adalah berdasarkan keterangan dari para tersangka. Tetapi, menurut dia keterangan para tersangka itu selalu berubah-ubah dalam pemeriksaannya. "Selama ini kami meyakinkan ada lima keterangan berbeda dari tersangka, ada yg menerangkan tiga, ada lagi tiga juga tapi nama berbeda, ada yang menerangkan lima, ada yang menerangkan satu", Oleh karena itu, setelah penyidikan lebih dalam dan penangkapan Pegi alias Perong, Surawan meyakini bahwa nama-nama yang disebutkan para tersangka sebelumnya adalah asal sebut.

Berbeda dengan pendapat Suratman, Koordinator Wilayah (Korwil) Perhimpunan Advokat Indonesia (Peradi) Jawa Tengah, Badrus Zaman, mengatakan penghapusan daftar pencarian orang atau DPO dalam kasus pembunuhan Vina di Cirebon, Jawa Barat, tidak wajar. Menurut Badrus, polisi yang meminta keterangan itu harus diklarifikasi, mengapa dulu pernyataan mengenai DPO itu dimasukkan dalam BAP. Namun, sekarang dua DPO itu malah tiba-tiba dihapuskan. "BAP itu harus dipertanggungjawabkan dalam menulis itu, menurut saya, penyidik yang mem-BAP itu harus diklarifikasi, mengapa dulu kok dimasukkan, itu harus jelas, kemudian kok tinggal satu (DPO) aja, terus gimana caranya mempertanggungjawabkannya".

Berdasarkan paparan tersebut, kewenangan menetapkan Daftar Pencarian Orang merupakan kewenangan Kepolisian yang bersumber dari peraturan perundang-undangan atau biasa disebut dengan sumber atribusi.

#### 4. CONCLUSION

The results of the third table above, it can be concluded convincingly that the Job Embeddedness variable can have a positive relationship direction and a significant influence on Employee Performance because the P-Values are positive and below the significance level of 0.05, namely 0.011. These results are in line with previous studies, namely (Manihuruk and Soehari 2020); (Zakaria, R., & Isthofaina 2017); (Windarto 2021); (Munsir, Irwandy, and Syamsuddin 2020); (Subkhi and Danupranata 2016) & (W 2020) which have the same direction and influence. In the next row, the second hypothesis can also be accepted and proven. This is due to the same reason, namely the P-Values are positive and below the significance level of 0.05, namely 0.000. On this basis, the first and second hypotheses in this article can be accepted.

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