

JURIDICAL ANALYSIS OF THE ROLES OF COURIERS AND PACKAGE RECIPIENTS IN NARCOTICS CRIMES THROUGH DELIVERY SERVICES (CASE STUDY AT NORTH SUMATRA REGIONAL POLICE)

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Abstract

This study examines the legal position of couriers and package recipients in narcotics crimes committed through delivery services and the investigation practice of the North Sumatra Regional Police. The research uses normative legal research with an empirical juridical approach based on statutory materials, criminal-law literature, official documents, and interviews with investigators. The findings show that a courier or recipient cannot be held criminally liable merely because that person physically carries or receives a package; investigators must prove knowledge, intent, control, and concrete involvement in the narcotics distribution process. The investigation proceeds through initial information, inquiry, coordination with delivery companies, securing and seizing packages, witness examination, examination of couriers and recipients, laboratory testing, analysis of communications, and case-file preparation. Criminal liability is determined from evidence of knowledge and active participation, while investigators must also develop the case toward the sender or controller of the network

Keywords: *Narcotics Crime; Courier; Package Recipient; Delivery Service; Criminal Liability*

1. Introduction

Delivery services provide speed and anonymity that can be exploited by narcotics networks to move prohibited substances without direct contact between principal offenders. This modus creates a legal problem because legitimate couriers and ordinary recipients may become physically connected with a package without knowing its contents. Criminal law therefore requires investigators to distinguish innocent logistical contact from knowing and intentional participation in narcotics crime (Sunarso, 2014; Supramono, 2016).

Law Number 35 of 2009 contains several forms of conduct relevant to narcotics sent through delivery services, including carrying, transporting, sending, receiving, possessing, storing, controlling, delivering, and acting as an intermediary. The correct provision depends on the role proven by the evidence rather than the occupational label “courier” or the fact that a person’s name appears as the recipient. This distinction is central to avoiding wrongful criminalization.

The source thesis places knowledge and intent at the center of the legal assessment. A courier who performs ordinary delivery duties without knowing that a package contains narcotics is factually different from a courier who receives special instructions, unusual payment, or communicates with members of a distribution network. Similarly, a package recipient may be innocent if the name or address is misused without knowledge.

Investigation must therefore reconstruct the relationship among the package, sender, courier, recipient, and any person controlling the transaction. Relevant evidence can include shipping labels, tracking numbers, identity documents, CCTV footage, communications, instructions, payment records, and witness accounts from delivery employees. The objective is to determine who knew about the narcotics and who exercised real control over the shipment.

The source interview with Aipda Johanes Rony S., S.H. on 21 May 2026 explains that investigators do not determine status solely from a person’s position as courier or recipient. They examine the relationship with the package, communications with sender or recipient, purpose of delivery, knowledge of the contents, and unusual circumstances surrounding the

shipment. This evidentiary approach recognizes that narcotics networks often use other people or false identities to distance the controller from the package.

Article 184 of the Criminal Procedure Code is also relevant because liability must be supported by lawful evidence. Witness testimony, expert evidence, documents, indications, and the suspect's statement can be combined with the seized package and laboratory results. The evidence should establish both the narcotics nature of the substance and the accused person's mental and factual relationship to it.

The investigation of delivery-service narcotics cases also requires development beyond the person who physically takes the package. The source thesis notes that principal offenders may use aliases, remote instructions, or another person to collect the parcel, making digital evidence and transaction analysis important for identifying the controller. Stopping at the courier or recipient can leave the actual distribution network intact.

This research addresses the legal regulation of courier and recipient roles, the investigation process at the North Sumatra Regional Police, and the criminal liability arising from the investigation results. The analysis follows the source thesis and emphasizes proof of knowledge, intent, control, and active participation. Its aim is to explain how law enforcement can remain effective without converting ordinary delivery activity into presumptive guilt.

2. Methodology

2.1. Research Methodology

The study uses normative legal research with an empirical juridical approach. The normative analysis examines Law Number 35 of 2009, criminal-law doctrine, criminal-procedure rules, and legal concepts of participation and liability, while the empirical component uses interviews with North Sumatra Regional Police narcotics investigators and official case materials. The combination permits comparison between the statutory framework and investigative practice.

Data were collected through library research and field research. The library component covers primary, secondary, and tertiary legal materials, while the field component includes interviews concerning narcotics cases using delivery services. The source thesis analyzes the data qualitatively to identify how investigators distinguish legitimate couriers from network couriers and innocent recipients from persons knowingly receiving narcotics.

The analysis is organized around three research questions and focuses on the evidentiary relationship among the package, parties, communications, shipping process, and seized narcotics. The study does not infer criminal liability merely from physical possession at one moment. Instead, it requires facts that demonstrate knowledge, intent, control, or conscious cooperation.

2.2. Theoretical Foundations

Criminal responsibility requires a criminal act and fault that can be attributed to a person capable of responsibility. In delivery-service narcotics cases, the central subjective issue is whether the courier or recipient knew the package contained narcotics and intentionally participated in the prohibited conduct. Mere physical contact is insufficient without a blameworthy mental relationship (Huda, 2014; Hiariej, 2016).

Participation doctrine is relevant where several persons consciously cooperate in sending, carrying, receiving, or controlling a narcotics package. The role of each person can differ, but liability requires proof of a contribution and a conscious connection to the criminal plan. This allows the law to reach network participants without treating unrelated service employees as perpetrators.

Material truth in criminal investigation requires the police to identify not only the object of the offense but also the true role of each person. An investigator who stops at the person

holding the package risks confusing physical custody with criminal control. The source thesis therefore prioritizes the relationship between conduct, knowledge, communications, and network structure.

2.3. Legal Arrangements and Key Concepts

Law Number 35 of 2009 provides the substantive basis for conduct involving narcotics transport, sending, receiving, control, delivery, and intermediary activity. Article 114 is particularly relevant where evidence shows offering, selling, buying, receiving, acting as an intermediary, exchanging, or delivering narcotics. Other provisions may apply where the proven conduct is possession, control, or transportation rather than transaction.

The term “courier” has no automatic criminal meaning because it may refer either to an ordinary employee of a delivery company or to a person deliberately used by a narcotics network. Investigators must therefore identify indicators of knowledge, such as special payment, unusual instructions, communication with network actors, false identities, or conduct inconsistent with ordinary delivery work. These indicators must still be evaluated with lawful evidence.

The same distinction applies to package recipients. A name, address, or physical receipt does not alone prove knowledge of the contents, especially where networks use false or borrowed identities. Relevant facts include communication with the sender, knowledge of the tracking number, expectation of arrival, instructions about collection, payment, and conduct after receiving the parcel.

2.4. Parameters of Juridical Analysis

The first parameter is proof that the package contains narcotics through seizure and laboratory examination. The second is the person’s knowledge of the contents, the third is factual control or participation in the shipment, and the fourth is the relationship with the sender or controller. These parameters separate the narcotics object from the personal responsibility of each participant.

A second parameter concerns the ordinary role of the delivery service. Evidence must show whether the courier acted within routine employment duties or departed from those duties in a way that demonstrates conscious involvement. This contextual assessment is essential because professional delivery activity should not be criminalized simply because offenders conceal narcotics in a parcel.

A third parameter is case development toward the controlling actor. Communications, financial transfers, tracking history, identity data, and repeated shipping patterns can reveal whether the physical recipient is the true owner or merely a proxy. The quality of the investigation therefore depends on following the evidence beyond the first person encountered.

3. Research Results

3.1. Legal Regulation of Courier and Recipient Roles

The research found that the Narcotics Law can reach couriers and package recipients when their conduct satisfies the relevant statutory elements and is accompanied by knowledge and intent. A courier may be liable when evidence shows conscious transportation, sending, delivery, or intermediary activity, while a recipient may be liable when knowingly receiving, possessing, controlling, or participating in a transaction involving narcotics. The occupational label itself does not determine guilt.

The source interview confirms that investigators analyze the person’s relationship with the shipment rather than simply the physical act of holding the package. Communications, unusual compensation, delivery instructions, sender identity, recipient behavior, and knowledge

of the contents are examined as indicators. This approach is consistent with the requirement to prove fault and active participation.

The legal framework also operates through criminal procedure. Laboratory examination proves the nature of the substance, while witness, documentary, digital, and suspect evidence is used to establish the role and mental element of the individual. The result is a two-level proof structure: the package must be narcotics, and the accused person must be legally connected with it through proven conduct and fault.

The source interview with Aipda Johanes Rony S., S.H. on 21 May 2026 shows that investigators distinguish a person's occupational label from the person's proven relationship with the narcotics shipment. They examine the connection with the sender, the purpose of delivery, communications, tracking information, special instructions, and knowledge of the contents before deciding whether an ordinary delivery employee or package recipient can be treated as a criminal actor. This method is essential because Law Number 35 of 2009 can reach conduct such as carrying, sending, transporting, receiving, storing, controlling, or facilitating narcotics, but only when the relevant elements and fault are established.

The recipient's position is examined with the same caution because a name, address, or physical receipt of a parcel does not automatically establish knowledge. Investigators consider whether the recipient knew the tracking number, communicated with the sender, gave collection instructions, used another person's identity, or behaved in a way that indicates prior awareness of the parcel's contents. These indicators must be assessed together because a narcotics network may also use a borrowed address or an uninformed person in an effort to separate the controlling offender from the shipment.

3.2. Investigation Process at North Sumatra Regional Police

The investigation commonly begins with information about a suspicious shipment and verification of the sender, recipient, address, tracking number, and delivery route. Investigators may coordinate with the delivery company to preserve the parcel, identify employees involved, and monitor the delivery process. These steps are designed to secure evidence while avoiding premature conclusions about the parties.

After the package is secured, investigators conduct seizure, laboratory examination, witness interviews, and examination of the courier and recipient. Digital communications and identity information are analyzed to determine whether the persons involved knew the contents and whether another actor controlled the shipment. The source thesis stresses careful differentiation because a network may deliberately use an innocent person to collect the package.

The process continues through case development and file preparation. Investigators trace the sender or controller through communication data, shipping history, financial information, witness testimony, and other available evidence, while ensuring the procedural rights of suspects. The staged process reflects the need to prove both the narcotics offense and the specific role of each party.

The investigation begins by identifying the package, sender, recipient, address, route, and delivery-service data before officers decide how to secure the shipment and the persons connected with it. Once a substance suspected to be narcotics is found, the package, wrapping, shipping receipt, communication devices, and related identification data can become important objects for seizure and later proof, while laboratory examination is required to establish the nature of the substance. This staged process allows investigators to preserve the logistical history of the parcel rather than focusing only on the moment when it reaches the final recipient.

Witnesses from the delivery service, security personnel, nearby members of the public, or officers present during the handover can help explain how the shipment moved and who exercised control at particular stages. Their statements are most useful when compared with

tracking records, digital communications, payment evidence, and the conduct of the courier and recipient, because a single witness may know only one part of the delivery chain. The source thesis therefore treats evidentiary correspondence as the means of separating routine logistical activity from deliberate participation in a narcotics transaction.

3.3. Criminal Liability Based on Investigation Results

Criminal liability is imposed only where the investigation proves a blameworthy relationship with the narcotics. For couriers, investigators look for evidence of knowledge, special instructions, compensation, communications, or conscious cooperation, while for recipients they examine knowledge of the package, relation to the sender, expectation of arrival, and actual control. The same physical act can therefore have different legal consequences depending on the mental and factual context.

The source thesis also applies participation principles where courier, recipient, sender, or other actors consciously work together. Cooperation must be real and supported by evidence rather than inferred solely from simultaneous involvement in the shipment. This requirement is important because delivery networks naturally involve multiple people who may have no criminal purpose.

Investigators further distinguish the person who physically receives the parcel from the person who controls the shipment. A recipient may be instructed to collect an item for someone else and may or may not know its contents, so the investigation must identify the directing actor. The source study therefore recommends development toward the network controller rather than stopping at the final logistical link.

The source material also stresses that the investigation should continue beyond the person who physically holds the parcel whenever evidence points to a sender, ordering party, financier, or controller. Communication histories, transfers of money, repeated shipping patterns, false identities, and instructions concerning collection may reveal a wider network in which the courier or recipient performs only one operational role. Developing these links is important both for effective narcotics enforcement and for fairness, because it prevents the visible low-level actor from being treated as the sole offender when another person actually directs the shipment.

Aipda Adrian Alwin, S.H. explained that the criminal provision applied to a courier or recipient may differ according to the proven conduct and role. A person who knowingly carries or sends narcotics may fall within a different statutory construction from a person who knowingly receives, possesses, controls, or acts as an intermediary, even though both can participate in the same chain of distribution. The investigator must therefore fit the facts to the elements of the relevant provision rather than applying the same article to every person simply because they appear in one delivery transaction.

4. Discussion

4.1. Analysis of the Legal Regulation

The statutory framework is sufficiently broad to address narcotics sent through delivery services, but its breadth makes evidentiary discipline more important. Verbs such as receive, send, transport, possess, and act as an intermediary describe conduct, yet criminal liability still requires a mental element and a proven relation to the prohibited substance. The law should therefore be applied by role and evidence, not by occupational status.

The distinction between an ordinary courier and a network courier is a practical expression of the principle of fault. A delivery employee may knowingly transport a sealed package as part of normal work without knowing its illegal contents, whereas a network courier

may consciously facilitate the shipment. Treating these situations differently is necessary to preserve fairness while maintaining effective narcotics enforcement.

The same principle prevents an address or recipient name from becoming automatic proof. Networks can use false identities, borrowed addresses, or uninformed collectors, so investigators need additional evidence showing knowledge and conscious acceptance. This requirement makes the evidentiary inquiry more demanding but also more accurate.

Knowledge remains the decisive bridge between ordinary delivery activity and criminal participation. An unusually high payment, instructions to avoid normal procedures, use of false identity, repeated contact with a sender, or detailed knowledge of tracking and collection arrangements may support an inference of awareness, but each indicator must still be tested against innocent explanations and other evidence. The source thesis accordingly rejects the idea that the physical act of carrying a sealed package is enough to establish a courier's criminal responsibility when the person may be performing routine work without knowledge of the contents.

The same principle applies where the package recipient denies knowing what was sent. Investigators should examine who ordered the shipment, who paid, who supplied the address and telephone number, who communicated the tracking number, and what happened after the package was collected, because those facts can reveal whether the recipient is a purchaser, storage point, intermediary, or an uninformed person whose identity was used by others. This individualized reconstruction protects the principle of fault and avoids converting suspicious circumstances into an automatic presumption of guilt.

4.2. Analysis of the Investigation Process

The staged investigation described in the source thesis is appropriate because it preserves the opportunity to identify higher-level actors. Controlled or monitored delivery, coordination with service providers, preservation of tracking information, and analysis of communications can reveal the structure behind the parcel. Immediate arrest without development may secure the drugs but lose the chance to identify the controller.

Digital evidence has particular value in distinguishing innocent and knowing participation. Communications about tracking numbers, collection instructions, payment, meeting points, or concealment can show a mental connection with the shipment that physical receipt alone cannot prove. Investigators should preserve and interpret such data alongside witness and documentary evidence.

Procedural rights remain important throughout the process. The seriousness of narcotics crime does not justify assuming that every courier or recipient is part of the network, and examinations should allow the person to explain routine employment duties or the circumstances of receiving the package. Due process strengthens rather than obstructs a reliable investigation.

Criminal responsibility is strongest when the investigation proves knowledge, factual control, and a contribution to the distribution process through independent but mutually supporting evidence. Digital messages, shipping records, financial transactions, witness statements, seized devices, and the suspect's explanation can collectively show whether a courier accepted a special task or whether a recipient intentionally arranged to receive narcotics. The source thesis therefore treats responsibility as case-specific and rejects a uniform conclusion based only on the person's position in the logistics chain.

Participation doctrine is relevant when several persons consciously cooperate, but the existence of multiple names in shipping records does not by itself prove shared intent. The investigator must identify the common plan or coordinated contribution that connects sender, courier, recipient, or controller, while distinguishing a knowing participant from an employee or third party who was merely used as a logistical instrument. This evidentiary discipline is

particularly important in narcotics cases because the severe penalties make an inaccurate inference about knowledge or participation capable of producing substantial injustice.

4.3. Analysis of Criminal Liability

Criminal liability is strongest when knowledge, control, and contribution are proven together. A courier who knows the contents and deliberately follows special instructions may have a direct role, while a recipient who knowingly waits for the narcotics and controls the package may also be responsible. The precise statutory provision should reflect the conduct actually established.

Participation doctrine must not be used merely because several persons appear in the logistics chain. Conscious cooperation is the distinguishing feature between criminal participation and ordinary commercial interaction. The source thesis correctly requires evidence of a shared or coordinated role before extending liability across the network.

Case development toward the sender and controller is also necessary for proportional enforcement. Couriers and recipients can be low-level or manipulated actors, while the person who arranges the shipment may remain remote from the physical evidence. Tracing communications, transactions, and shipping history can therefore prevent enforcement from ending with the easiest person to arrest.

The source thesis concludes that investigation through delivery services should be evidence-centered and continue toward the actor who controls the transaction. Establishing the narcotic nature of the object is only the first step; investigators must then determine who knew, who controlled, who sent, who received, who financed, and who expected to benefit from the shipment. A complete account of those relationships supports proportional responsibility and improves the possibility of identifying the larger network rather than ending the case with the easiest person to arrest.

The staged method used by the North Sumatra Regional Police also demonstrates the importance of coordination with delivery companies while preserving lawful investigative procedure. Tracking data and operational cooperation can help officers monitor a parcel and identify its intended recipient, but seizure, examination, digital evidence handling, and suspect questioning must still follow the requirements of criminal procedure so that the resulting evidence can be tested later. Effective narcotics enforcement and due process therefore operate as complementary requirements because a strong case depends on both accurate intelligence development and legally reliable proof.

The source thesis further indicates that controlled or monitored delivery techniques can be valuable because they preserve an opportunity to identify the intended recipient and potentially the person directing the transaction, rather than ending the investigation immediately when a suspicious package is first discovered. Any such operation must be coordinated, documented, and limited by lawful investigative authority, with clear records of when the parcel was secured, who retained control, what was observed during delivery, and how subsequent arrests or seizures were carried out. Careful documentation is especially important because the evidentiary value of the operation lies in showing the participants' conduct and knowledge without creating ambiguity about whether police actions themselves altered the chain of possession.

The delivery-service context also creates a recurring need to protect innocent commercial actors who cooperate with law enforcement. Employees may handle thousands of sealed parcels without knowing their contents, so requiring ordinary couriers or counter staff to prove their innocence would invert the principle that the state must establish the elements of the offense and the accused person's fault. The source thesis's emphasis on communications, unusual instructions, abnormal payment, identity manipulation, and other indicators therefore serves

both enforcement and fairness by directing suspicion toward conduct that meaningfully departs from routine logistics instead of treating the entire delivery chain as presumptively criminal.

The use of identity data is another recurring issue in delivery-based narcotics cases because a package label may accurately identify the intended offender, may use an accomplice's details, or may use the identity of an uninvolved person without permission. Investigators should therefore compare the printed name and address with telephone numbers, account ownership, communication history, payment data, collection instructions, and the person's actual conduct when the parcel arrives, since only that broader evidentiary picture can show whether the named recipient knowingly participated or was merely selected as a convenient cover. This method is consistent with the source thesis's insistence that responsibility must be personal and evidence-based, especially where criminal networks deliberately create distance between the true controller and the formal information recorded by the delivery company.

The same caution applies when investigators interpret a courier's receipt of additional payment or unusual delivery instructions. An abnormal fee, request to bypass standard scanning, direction to meet at a different location, or instruction to contact a private number can become important indicators of knowledge when they occur together with communications or repeated suspicious shipments, but none of those facts should be treated as conclusive without examining the employment context and the courier's explanation. The source thesis therefore supports a cumulative approach in which suspicious logistical deviations are used to build an inference only after they are matched with other evidence showing conscious cooperation in the narcotics transaction.

5. Conclusion

The legal role of couriers and package recipients in narcotics crimes is determined by the conduct and fault proven under Law Number 35 of 2009, not by occupational labels or physical receipt alone. Liability requires evidence of knowledge, intent, control, and concrete participation in sending, carrying, receiving, possessing, delivering, or acting as an intermediary in narcotics circulation. This distinction protects legitimate delivery activity from unjustified criminalization.

The investigation process at the North Sumatra Regional Police proceeds through initial information, inquiry, coordination with delivery services, securing and seizing the package, witness examination, examination of couriers and recipients, laboratory testing, digital-evidence analysis, and case-file preparation. These stages are used to reconstruct the relationship among sender, package, courier, recipient, and controller. The quality of the case depends on preserving both physical and digital evidence.

Criminal liability is imposed when the evidence proves conscious involvement, while the investigation should continue toward the sender or network controller. A courier or recipient who is merely used without knowledge should not be treated in the same way as a person who knowingly facilitates the shipment. The principal implication is that role differentiation and evidence of the mental element are indispensable to fair and effective narcotics enforcement.

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