

CRIMINAL INVESTIGATION PROCESS FOR CARRYING SHARP WEAPONS WITHOUT PERMISSION (CASE STUDY OF BELAWAN PORT POLICE)

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Abstract

Based on the research results, it shows that the procedures and stages of the investigation process for the crime of carrying sharp weapons without a permit at the Belawan Harbor Police Station are that all stages of the investigation are carried out systematically, procedurally, and follow the applicable standard operating procedures (SOP). The process begins with receiving a report or complaint, initial verification, determining the suspect, and initial examination of the suspect and witnesses, then continued with the collection of physical evidence in the form of sharp weapons and related documents, including permits (if any). The strength and validity of the evidence obtained from the examination of witnesses and suspects in the investigation process at the Belawan Harbor Police Station are very important to ensure that the case can be processed fairly and transparently

Keywords: Process, Investigation, Crime, Sharp Weapon, Without Permit

1. Introduction

The act of carrying a sharp weapon without a permit is one of the criminal acts regulated in laws and regulations that aim to maintain public security and order. This criminal act not only endangers the safety of individuals, but can also cause security disturbances in the wider community. Therefore, the investigation process of these criminal acts is an important step in enforcing the law and providing justice for the community. The investigation process is the initial stage in the context of law enforcement which must be carried out professionally, objectively, and fairly in accordance with the provisions of the criminal procedure law. In practice, the investigation process often faces various obstacles, such as a lack of sufficient evidence, unclear identity of the perpetrator, and problems in collecting valid and strong evidence. One of the aspects that is often of concern is how investigators collect and account for evidence related to the crime of carrying sharp weapons without permission. The case study LP/A/04/X/Sek-Blw/2025 shows that the investigation process requires special attention in ensuring that all stages are carried out according to procedures, as well as that the evidence obtained can meet the formal and material requirements as the basis for prosecution. Problems that often arise are related to the validity of evidence, the validity of searches and seizures, and the enforcement of the perpetrators' human rights during the investigation process. This research is important to understand and analyze the process of investigating the crime of carrying a sharp weapon without a permit, as well as identifying obstacles and factors that affect the effectiveness of the process. Thus, it is hoped that the results of the research can contribute to improving the quality of investigations and law enforcement that is more fair and professional.

2. Methodology

The type of research used in this study is normative legal research, which is research conducted by examining the applicable laws and regulations or applied to a certain legal problem. Normative legal research is often referred to as doctrinal research, which is research

whose object of study is legal documents and literature materials. And the nature of this research is *library research*, which is research that is carried out by reviewing books and literature that are relevant to this research.

The research approach used in this study consists of 2 approaches, namely the *statute approach* and the *case approach*. The legislative approach is carried out by reviewing various regulations related to the investigation process of criminal acts of carrying sharp weapons without a permit, namely Law Number 1 of 2003 concerning the Criminal Code, Law Number 20 of 2025 concerning the Criminal Procedure Code, Emergency Law Number 12 of 1951 concerning Sharp Weapons and Firearms. Meanwhile, the case approach is carried out through research or direct interviews with competent resource persons at the Belawan Port Police.

The data sources used in this study are secondary data consisting of primary legal materials, secondary legal materials, and tertiary legal materials. Primary legal materials include relevant laws and regulations and court decisions. Secondary legal materials in the form of books, scientific journals, and research results related to the criminal investigation process of carrying sharp weapons without permission. The tertiary legal materials are in the form of legal dictionaries and legal encyclopedias. The data collection technique is carried out through *library research*.

Data analysis is carried out qualitatively by interpreting legal norms and legal facts contained in court decisions. The results of the analysis are presented systematically to provide a complete picture of the investigation process for the crime of carrying a sharp weapon without a permit.

3. Research and Discussion Results

The use of sharp weapons in various regions in Indonesia is very large and the level of use of sharp weapons varies greatly from traditional to assembled sharp weapons. With the existence of these sharp weapons, the public began to know the use of sharp weapons to the detrimental impact of sharp weapons. The use to date is based on the Emergency Law No. 12 of 1951 concerning the possession of firearms and explosives.

With the existence of Emergency Law No. 12 of 1951 concerning the possession of firearms and explosives in Article 2 Paragraph (1), the level of use of sharp weapons is limited by not making, receiving, attempting to acquire, surrender or attempting to surrender, possess, carry, possess or possess in his possession, store, transport, hide, use a weapon of beating, stabbing weapon, or stabbing weapon in Indonesia, sentenced to a maximum prison sentence of ten years.

In the city of Medan, especially in the Belawan Port Police Area, the use of sharp weapons still often occurs, as evidenced by the many cases of crimes of carrying and possessing sharp weapons without permission which are abused by the community to carry out actions that can harm others to the point of stretching lives.

The police are expected to be able to overcome the level of use of sharp weapons crimes committed by the community itself. In order to create a peaceful community life free from crime and cause losses for every community in Indonesia, especially in the Belawan Port Police area. It is undeniable that the crime rate of a region every year increases with various factors. To overcome these crimes, the police are expected to be able to work hard in optimizing crime cases that occur in the community, especially to overcome the crime of carrying and possessing sharp weapons without a permit so that they do not feel threatened as a result of the crime of carrying and possessing sharp weapons without a permit.

If someone carries or uses a sharp weapon for no legitimate reason, for example to threaten, injure, or in a situation that endangers public safety, the police will take strict action. The perpetrator will be immediately secured for further examination, the sharp weapon will be confiscated as evidence, and the perpetrator can be legally processed with criminal threats in

accordance with Emergency Law Number 12 of 1951. The police do not tolerate the reason for carrying sharp weapons with the intention of protecting themselves or just in case this is considered abuse.

In accordance with the applicable legal provisions, perpetrators who are caught carrying sharp weapons without a permit will be subject to action in accordance with laws and regulations. The criminal process will be continued with further investigation processes carried out by investigators. In this process, investigators will take various steps, such as examining suspects, collecting evidence, and conducting in-depth investigations. The goal is that the law enforcement process runs in accordance with the provisions, and the perpetrators get appropriate sanctions and ensure that justice is met. In addition, this law enforcement also aims to provide a deterrent effect and prevent the recurrence of similar criminal acts in the community.

Related to one of the discussions of this research is about the procedures and stages of the investigation process for the crime of carrying sharp weapons without permission at the Belawan Port Police, so to get data and an overview of the investigation procedure, the researcher has conducted an interview with one of the investigators at the Belawan Port Police. The results of the interview are as follows.

Based on the results of the interview with Mr. Dimas Prabowo as an Investigator at the Belawan Port Police, he explained what are the procedural steps taken during the investigation process of the crime of carrying a sharp weapon without a permit at the Belawan Port Police, namely:

In the process of investigating the crime of carrying a sharp weapon without a permit at the Belawan Port Police, we follow procedural steps in accordance with the applicable legal provisions and standard operating procedures (SOP).

a. Receipt and Handling of Reports or Complaints

Investigators receive reports or complaints related to criminal acts and conduct preliminary verification to ensure the existence of criminal elements and the relevance of the case.

b. Determination of Suspects and Preliminary Examination

If the evidence is sufficient, investigators determine the suspect and conduct a preliminary examination of the suspect and witnesses related to the incident.

c. Evidence Collection and Documentation

Collecting evidence, including sharp weapons confiscated from suspects, as well as supporting documents such as permits (if any), examination records, and witness statements.

d. Examination of Witnesses and Suspects

Carry out the examination of witnesses and suspects in writing and orally, ensuring that the process runs according to procedures and the rights of suspects are protected.

e. Testing and Verification of Evidence

Conduct an analysis of the evidence obtained, including physical examination of sharp weapons and the validity of related documents.

f. Preparation of Case Files

Compile a complete case file with all evidence and information obtained during the investigation process.

g. Submission of Files and Submission of Suspects

After completion, the case file was submitted to the prosecutor's office for the prosecution process, and the suspect was detained according to the procedure.

h. We carry out this procedure objectively and professionally to ensure that the law enforcement process runs fairly and in accordance with the provisions of the applicable laws.

According to the researcher's analysis, the investigator's answer showed that the entire investigation process was carried out based on a strict procedural framework, starting from the stage of receiving the report to the submission of files to the prosecutor's office. This reflects an understanding and commitment to standard operating procedures (SOPs) as the main foundation in law enforcement. The emphasis on preliminary verification and physical examination of sharp weapons shows that investigators are not just a formality, but are carrying out preventive measures and in-depth verification. However, this aspect needs to be followed by an evaluation of whether the SOPs followed are really able to anticipate dynamics in the field. This is because perfect procedures in theory do not always guarantee effectiveness in practice if they are not balanced with competence, supervision, and continuous evaluation.

Investigators mentioned the collection of evidence in the form of sharp weapons and supporting documents such as permits (if any). This shows an effort to meet the elements of complete and formally valid evidence. Physical testing of weapons and the validity of documents also shows a meticulous verification process. However, the depth of the analysis of this evidence needs to be questioned. Did investigators conduct laboratory tests on the sharp weapon? Is the permit document checked for authenticity through the authorities? Was digital evidence or supporting witnesses related to the existence and possession of the weapon obtained thoroughly? Complete evidence collection is very important so that the court process later has a strong basis and is not easy to sue.

The investigator emphasized that the examination was carried out in writing and orally and paid attention to the rights of the suspect, including witness protection. This is a fundamental aspect to ensure a fair and equitable process, in accordance with the principles of democracy and human rights. However, this aspect must also be seen from the implementation in the field. Whether investigators are able to maintain a balance between law enforcement interests and the protection of human rights, whether there are internal and external oversight mechanisms to ensure that the rights of suspects and witnesses are truly protected, especially in the context of possible pressure or intimidation. In addition, the existence of complaint mechanisms and witness protection must be systematically integrated so that the process is not only a formality, but is truly effective in practice.

An important point that is lacking from the investigator's answer is the recognition of the challenges that may be faced during the investigation process. For example, obstacles in obtaining additional evidence, whether there are difficulties in obtaining a valid permit, whether the suspect or witness is difficult to access or afraid to testify, whether there is a risk of intimidation, threats, or violence that affects the course of the process, what if the permit obtained turns out to be fake or forged, whether there are steps to ensure the authenticity of the document. Ignoring this aspect can create the impression that the investigation process is running smoothly, even though in the field there are often challenges that require special strategies.

Investigators said that the entire process was carried out objectively and professionally. This is important, but it must be supported by a strict internal and external oversight system, such as internal audits and periodic reviews to ensure the suitability of processes. Complete documentation and transparency in every stage of the investigation. Periodic reporting to superiors and legal supervisory institutions. Without effective oversight, the risk of irregularities, abuse, or errors in the process remains large.

In addition to following formal procedures, the success of the law enforcement process is highly dependent on the operational strategies taken on the ground. For example, securing the location and investigating whether there are certain security measures in place so that investigators and witnesses can work without interruption, whether investigators use technology such as CCTV, audio/video recordings, or other digital evidence to strengthen the process, whether there is effective cooperation to overcome social and security barriers. The

integration and effectiveness of this strategy determines the success of the investigation process in real terms, not only in terms of administration.

Comprehensively, the investigator's answer shows that the investigation process was carried out procedurally and professionally. However, to obtain a complete and accurate picture, an in-depth analysis needs to include an evaluation of the effectiveness of the implementation of SOPs in the field, testing the validity and authenticity of scientific and forensic evidence, recognition of the real challenges and obstacles faced, strengthening of surveillance and transparency systems, and operational strategies that are adaptive and responsive to dynamics in the field. Thus, the law enforcement process not only runs formally according to the rules, but is also able to answer real challenges effectively and fairly.

Based on the results of the research and discussion above, it can be concluded that the procedures and stages of the criminal investigation process for carrying sharp weapons without a permit at the Belawan Port Police are all stages of investigation carried out systematically, procedurally, and following the applicable standard operating procedures (SOP). The process begins with receiving reports or complaints, initial verification, determination of suspects, and initial examination of suspects and witnesses, then continues with the collection of physical evidence in the form of sharp weapons and related documents, including permits (if any). The entire process of examining witnesses and suspects is carried out in writing and orally by paying attention to the rights of the suspects, and the process of testing and verifying evidence is carried out carefully and in-depth. In addition, investigators carry out important steps such as searches, seizures, and complete documentation including photographic and recording recordings, to ensure the formal and scientific validity of the evidence. The determination of suspects is based on sufficient and complete evidence, as well as a systematic and transparent process of preparing case files. The transfer of files to the prosecutor's office is carried out through an official handover supported by complete administrative documents and the signing of the minutes of the event, in accordance with the applicable legal provisions.

Evidence is anything that can be used to strengthen and prove the truth of an event or events that are the basis in the criminal justice process. Evidence is an important element in the judicial system because it serves to determine whether a suspect is guilty or not based on the facts that have been collected and verified.

In the context of the crime of carrying a sharp weapon, evidence is the main basis in the investigation and prosecution process of the perpetrators of the crime. Valid and complete evidence, such as seized sharp weapons, related documents, witness statements, and laboratory test results, will strengthen the indictment and show the elements of the criminal act committed. Without strong evidence, the law enforcement process is difficult to conduct fairly and convincingly in court. Therefore, the collection and verification of accurate and valid evidence is very important so that the legal process runs according to the provisions and produces a fair verdict.

The strength and validity of the evidence obtained from the examination of witnesses and suspects in the investigation process at the Belawan Port Police is very important to ensure that the legal process runs fairly, legally, and can be accounted for in court. Evidence from the examination of witnesses and suspects has evidentiary power as regulated in the criminal procedure law. Reliable and qualified witness testimony can be a strong piece of evidence, especially if it is supported by other evidence such as physical evidence. Similarly, the suspect's statement must be honest, consistent, and not contradictory to other evidence in order to have sufficient force to support the investigation process.

Based on the results of the research and discussion above, it can be concluded that the strength and validity of the evidence obtained from the examination of witnesses and suspects in the investigation process at the Belawan Port Police is very important to ensure that cases can be processed fairly and transparently. It can be concluded that the strength and validity of

the evidence can be obtained through procedures in accordance with the provisions of the law. The strength and validity of the evidence obtained from the examination of witnesses and suspects is essential to ensure that cases can be processed fairly and transparently. In the examination process, investigators prepare themselves well to obtain accurate and complete information. They prepare relevant questions and necessary examination tools before conducting the examination. In addition, investigators must also have the ability to interrogate witnesses and suspects effectively, so that they can obtain honest and accurate information. The validity of the evidence is also very important in the investigation process. Investigators must ensure that the evidence obtained does not come from unreliable or unreliable sources.

4. Conclusion

The procedures and stages of the investigation process for carrying sharp weapons without a permit at the Belawan Port Police are all stages of investigation carried out systematically, procedurally, and following the applicable standard operating procedures (SOP). The process begins with receiving reports or complaints, initial verification, determination of suspects, and initial examination of suspects and witnesses, then continues with the collection of physical evidence in the form of sharp weapons and related documents, including permits (if any). The entire process of examining witnesses and suspects is carried out in writing and orally by paying attention to the rights of the suspects, and the process of testing and verifying evidence is carried out carefully and in-depth. In addition, investigators carry out important steps such as searches, seizures, and complete documentation including photographic and recording recordings, to ensure the formal and scientific validity of the evidence.

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