

ABSTRAK

Pengelolaan barang bukti oleh Kepolisian telah diatur dalam Perkap Nomor 8 Tahun 2014 Tentang Perubahan atas Peraturan Kepala Kepolisian Republik Indonesia Nomor 10 Tahun 2010 Tentang Tata Cara Pengelolaan Barang Bukti di Lingkungan Kepolisian Republik Indonesia. Namun dalam berlakunya peraturan tersebut tidak terlepas dari permasalahan-permasalahan mengenai prosedur pinjam pakai yang muncul pada saat pelaksanaannya. Oleh karena itu penulis melakukan penelitian di wilayah Kepolisian Resor Banyumas terkait hal tersebut. Metode penelitian yang digunakan adalah yuridis sosiologis, dengan menggunakan sumber data primer berupa wawancara dan observasi secara langsung di lokasi penelitian, serta sumber data sekunder berupa buku-buku, peraturan perundang-undangan, putusan pengadilan, tulisan-tulisan ilmiah hukum, bahan-bahan dari internet, makalah seminar ilmiah, jurnal-jurnal yang terkait dengan penulisan penelitian ini. Dari hasil penelitian diperoleh bahwa berdasarkan wawancara dengan Kanit Laka, Satlantas Polres Banyumas, Ipda Kuat Widodo, pelaksanaan prosedur pinjam pakai barang bukti di Polres Banyumas belum sepenuhnya sesuai dengan ketentuan pasal 23 Perkap Nomor 8 Tahun 2014. Selain itu hambatan yang muncul dalam pelaksanaan tersebut antara lain adanya pertentangan aturan terhadap KUHAP, kurang memadainya sdm penegak hukum dan sarana prasarana, serta ketidaktahuan masyarakat mengenai aturan mengenai prosedur pinjam pakai barang bukti.

Kata Kunci: Barang Bukti, Prosedur Pinjam Pakai

ABSTRACT

Management of evidence by the police has been set in the Indonesian Republic Police Chief Regulation No. 8 of 2014 about the amendment to the Indonesian Republic Police Chief Regulation No. 10 of 2010 Concerning Procedures of Evidence Management of the Indonesian Republic Police. However, the entry into force of these regulations can not be separated from issues concerning leasing procedures that that arise during implementation. Therefore, the authors conducted research in the area of Banyumas Police Department related to the leasing procedures. The method that used is the juridical sociological, using primary data sources such as interviews and direct observation in the study site, as well as secondary data sources such as books, legislation, court decisions, scholarly writings law, the sources of the internet, scientific conference papers, journals relating to the writing of this study. From the research result that is based on an interview with the Chief of traffic accident Unit, Banyumas Traffic Police, Ipda Kuart Widodo, the procedures for leasing the evidence in Banyumas Police are not yet fully in accordance with the provisions of article 23 of the Police Regulation No. 8, 2014. In addition, the obstacles that arise in its implementation are, there's non-compliance rule to the Criminal Procedure Code rules, inadequate of the Human resources of the law enforcement and infrastructures, as well as public ignorance about the rules regarding leasing procedure of evidence.

Keywords : evidence, leasing procedure.