

# **The Urgency of Implementing Legal Protection for Victims of Sexual Harassment Crimes in the Law Enforcement Process by Asahan Resort Police**

**Eben Hesar Tarigan, Suci Ramadani, Rahmayanti**

## **Abstract**

This research raises the issue of the urgency of implementing legal protection for victims of sexual harassment in the law enforcement process by the Asahan Resort Police. The rampant cases of sexual harassment in the community show that there is an urgent need to provide optimal legal protection for victims, so that they can obtain the rights to justice, reparation, and recognition for the suffering they experience. This study aims to analyze how the implementation of legal protection for victims in the investigation and investigation stage of sexual harassment crimes by the police, as well as the obstacles faced in the process. The method used in this study is a qualitative approach with descriptive analysis, with data collection through interviews, observations, and document studies. The results of the study show that although there are regulations that support protection for victims, implementation in the field is still constrained by several factors such as the lack of socialization regarding victims' rights, the unpreparedness of human resources, and the social stigma inherent in victims of sexual harassment. Therefore, it is important for the Asahan Resort Police to improve the quality of services, training, and legal awareness for law enforcement officials in handling sexual harassment cases in a more sensitive and responsive manner to the needs of victims. This research is expected to contribute to the development of policies for the protection of victims of sexual harassment in Indonesia, especially in improving the effectiveness of law enforcement by the police.

**Keywords:** Legal Protection, Victims of Sexual Harassment, Asahan Resort Police

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## **Introduction**

The crime of sexual harassment is a form of crime that has a very serious impact on the victim, both physically, psychologically, and socially. This criminal act not only harms the individual who is the victim, but also lowers the social quality of society as a whole. [1] Sexual harassment often occurs in many forms, ranging from verbal abuse to more explicit physical violence. Although the legislation in Indonesia has regulated the protection of victims of sexual harassment, the application of this legal protection in the law enforcement process by the police still encounters many obstacles. One of the main obstacles is the lack of understanding of victims' rights and procedures for handling these sensitive cases. This is an urgent issue that needs to be addressed immediately by the police so that victims of sexual harassment not only get justice, but also optimal protection during the legal process.

In Indonesia, the existence of Law of the Republic of Indonesia No. 12 of 2022 concerning the Crime of Sexual Violence (TPKS) is an important step in providing protection to victims of sexual violence, including sexual harassment. [2] This law is expected to be able to guarantee protection for victims in a more comprehensive way, including physical, psychological, and social recovery protection for victims. However, the implementation of these regulations still faces challenges, especially in its implementation in the field. The law enforcement process involving the police, as the front line in handling criminal acts, is a key point in the success of victim protection.

Based on data from Komnas Perempuan (2020), the number of sexual harassment cases in Indonesia continues to increase every year. This shows that despite the increased regulation and legal awareness, the implementation of protection for victims still needs to be improved. The Asahan Resort Police, as one of the law enforcement units in Indonesia, is faced with a major challenge in handling these cases of sexual harassment. Therefore, it is important to conduct further research on the urgency of implementing legal protection for victims of sexual harassment in the law enforcement process by the police in the region.

The importance of this research lies in its contribution to improving understanding of legal protections for victims of sexual harassment, as well as efforts to identify the problems faced by the police in providing such protection. By paying attention to the existing obstacles, this study can provide recommendations that can be used by the Asahan Resort Police to improve the legal protection system for victims. In addition, the results of this study are also expected to be a reference for the development of more effective policies in handling sexual harassment cases in Indonesia.

## **Literature Review**

### **2.1 Sexual Harassment**

The crime of sexual harassment is a crime that involves a violation of a person's sexual integrity, which is usually done in a way that is not intended by the victim. [3] Sexual harassment can be words, physical acts, or other behaviors aimed at exploiting a person's body without their consent. Based on Law of the Republic of Indonesia No. 12 of 2022 concerning the Crime of Sexual Violence (TPKS), sexual harassment is included in the category of sexual violence that needs special attention in law enforcement.

Sexual harassment often occurs in different contexts, such as in the workplace, education, household, and public spaces. Sexual harassment in the workplace, for example, can involve physical or verbal actions that degrade the dignity of the victim (Barker, 2021). Meanwhile, sexual harassment in the context of education and the social environment more often occurs in the form of degrading or sexually offensive behavior that makes the victim feel threatened or intimidated.

### **2.2 Legal Protection for Victims of Sexual Harassment**

Legal protection for victims of sexual harassment includes various efforts made to protect the rights of victims and prevent them from experiencing discrimination or adverse actions during legal proceedings. [4] This protection includes not only physical protection, but also psychological and social protection.

One of the important aspects of legal protection for victims is the guarantee of providing a sense of security and fair treatment to victims throughout the legal process, from investigation to trial. In this context, it is important to understand the role of the state and law enforcement officials, such as the police, in implementing such protections. However, despite various victim protection rules, implementation in the field often encounters obstacles. Therefore, further research is needed to identify the problem at hand and find effective solutions.

### **2.3 Law Enforcement by the Police in Cases of Sexual Harassment**

Law enforcement is a process to ensure that the law is applied correctly and fairly. In the case of sexual harassment, law enforcement by the police plays a very important role, as they are the first party to interact with the victim. The police are responsible for receiving reports, conducting investigations, and ensuring that legal proceedings run in accordance with applicable regulations.

However, despite the many regulations governing the handling of sexual harassment, there is often an unpreparedness or lack of preparedness on the part of the police in handling these cases sensitively and efficiently. The lack of training on how to handle victims of sexual violence, as well as views that may lack understanding of the psychological impact experienced by victims, are some of the obstacles in the law enforcement process.

There are various factors that hinder the effectiveness of law enforcement in cases of sexual harassment. One of them is the social stigma against victims. People often look down on victims of sexual abuse and blame them for what happened to them. This can make victims reluctant to report or participate in legal proceedings.

In addition to social stigma, there are also obstacles in terms of human resources and limited budgets in the police. Police often lack adequate training to handle cases involving psychological trauma, so they are not always able to provide optimal protection for victims. In addition, lack of coordination between agencies and difficulties in providing support facilities for victims, such as shelters or mental health services, are also major obstacles.

To improve legal protection for victims of sexual harassment, various efforts can be made. One of them is to increase training for law enforcement officials to handle cases of sexual harassment more sensitively and responsive to the needs of victims. [5] Police also need to improve coordination with other institutions, such as health and social institutions, to ensure that victims receive comprehensive protection.

In addition, it is important to raise public awareness about the importance of protecting victims of sexual violence and change the views that blame the victim. Through wider education and socialization, it is hoped that the public can better understand the rights of victims and the importance of supporting them to get justice.

### **Research Methodology**

This research approach uses a qualitative approach to gain a deeper understanding of the application of legal protection for victims of sexual harassment in the law enforcement process by the Asahan Resort Police. The qualitative approach was chosen because this study aims to explore the understanding and perception of law enforcement officials and victims related to the implementation of the legal protection provided, as well as the obstacles that exist in the process. In addition, a qualitative approach allows researchers to analyze data in a broader social and legal context. The type of research used in this study is descriptive research with the aim of describing or explaining the phenomenon that occurs related to legal protection for victims of sexual harassment in the Asahan Resort Police. This descriptive research also aims to identify

obstacles in the implementation of legal protection and provide an overview of the efforts that need to be made to improve victim protection in the law enforcement process. [6]

**Research Location** This research was carried out at the Asahan Resort Police, which is the main location that is the focus of the research. The researcher chose this location because there are a number of cases of sexual harassment handled by the local police, as well as because the Asahan Resort Police is an institution that is expected to provide an overview of the implementation of legal protection at the local level.

**Research Subject**

The subjects of this study consist of two main groups, namely:

1. Police Officer – Police who are in charge of handling sexual harassment cases at the Asahan Resort Police. They will provide insight into the procedures for handling sexual harassment cases, the application of legal protection, and the obstacles they face in the process.
2. Victims of Sexual Harassment – Victims of sexual harassment who have reported or experienced sexual violence and interacted with the police in legal proceedings. They will provide perspectives on the legal protection received, whether there is a sense of security during the legal process, and how they are treated by law enforcement officials.

**Data Source**

The data sources used in this study are primary data obtained through in-depth interviews and direct observations, as well as secondary data obtained through document studies related to legal protection and law enforcement policies.

1. Primary Data:
  - a. In-depth interview with police officers who handle sexual harassment cases at the Asahan Resort Police.
  - b. Interviews with victims of sexual harassment who are willing to share their experiences regarding the handling of their cases by the police.
  - c. Direct observation of the processes that occur in the police related to the handling of sexual harassment cases.
2. Secondary Data:
  - a. Policy documents related to legal protection for victims of sexual harassment, such as the Sexual Violence Crime Act (TPKS), guidelines for handling cases of sexual violence by the police, as well as relevant annual reports and previous research.

**Data Collection Techniques**

Some of the data collection techniques used in this study include:

1. In-Depth Interview In-depth interviews were conducted with police officers and victims of sexual harassment to dig into more detailed information about their experiences in handling sexual harassment cases, as well as to understand how legal protections are applied in practice. These interviews were conducted using open interview guidelines that allowed for flexible interaction between researchers and informants.
2. Participatory Observation The researcher also conducted participatory observations on the processes of handling sexual harassment cases at the Asahan Resort Police. This observation aims to see how legal protection is applied in practice, as well as to identify obstacles that arise during the legal process.
3. The Research Document Study also collects data from official documents related to legal protection for victims of sexual harassment, such as laws and regulations, police policies, annual reports, and internal documents used in handling sexual harassment cases.

## Results

#### 4.1 Implementation of Legal Protection for Victims of Sexual Harassment Crimes at the Asahan Resort Police

The implementation of legal protection for victims of sexual harassment crimes by the Asahan Resort Police includes several stages involving investigations, physical and psychological protection, and legal assistance for victims. In this study, researchers found that despite efforts from the police to ensure protection for victims, there are still a number of challenges that need to be overcome.

- a. Investigation and Investigation Stage At this stage, the police have an obligation to immediately handle reports of victims of sexual harassment with clear procedures and respect for the rights of victims. One form of legal protection that is expected is the security of the victim's identity, as well as providing easy access for victims to report incidents without fear of threats. [7] However, in some cases found at the Asahan Resort Police, victims often feel uncomfortable or hesitant to report due to a lack of security or a negative stigma in society against them.
- b. Physical and Psychological Protection In addition, physical and psychological protection is very important in handling cases of sexual harassment. This study found that although the Asahan Resort Police already have mechanisms to provide physical protection, such as temporary security or the provision of medical assistance, psychological protection is not fully optimal. Some victims reported difficulties in getting adequate psychological assistance during the legal process. This is due to the limited facilities or lack of resources available to support the psychological recovery of the victim.
- c. Awareness of Law Enforcement Officers The awareness and understanding of law enforcement officials on the impact of sexual harassment on victims is also an important factor in ensuring effective protection. Some of the police officers interviewed in the study revealed that they had been given basic training on handling sexual harassment cases, but the training was not in-depth enough in terms of victim psychology. This leads to a lack of sensitivity in dealing with victims, which in turn can negatively impact the success of law enforcement.

#### 4.2 Obstacles in Enforcing Legal Protection for Victims of Sexual Harassment

Some of the obstacles faced by the Asahan Resort Police in providing legal protection for victims of sexual harassment can be divided into several categories, namely internal barriers, external barriers, and resource-related barriers.

- a. Internal Barriers (Police Organization Factors) One of the main obstacles in enforcing legal protection for victims of sexual harassment is the limited capacity and training of police officers. Although the police have protocols in place for handling cases of sexual abuse, they often face difficulties in carrying out proper procedures, especially in dealing with psychologically traumatized victims. One of the police officers interviewed stated that while they understand the importance of victim protection, they are not always trained to deal with the psychological impact that arises after a victim is sexually abused.
- b. External Barriers (Social and Cultural Factors) The social stigma attached to victims of sexual harassment is also a major obstacle in the enforcement of legal protection. Many victims are reluctant to report for fear of being labeled as guilty or underestimated by the public. [8] This is often compounded by the view that sexual abuse is a personal problem and should be resolved within the family or community, not by the police. Some of the victims interviewed in the study revealed that they felt embarrassed to report for fear of being subjected to social stigma.

**Resource Constraints** Resource constraints are also a significant problem in law enforcement protection. Most police units do not have dedicated facilities dedicated to

handling cases of sexual abuse, such as dedicated rooms to conduct interviews with victims, or medical personnel and psychologists ready to provide assistance. Some officers at the Asahan Resort Police revealed that they were often forced to conduct interviews with victims in the same room as the suspect, which was clearly not ideal for the victim's psychological recovery.

#### **4.3 Efforts to Improve in Enforcement of Legal Protection for Victims of Sexual Harassment**

To increase the effectiveness of legal protection for victims of sexual harassment, several efforts need to be made by the Asahan Resort Police, both in terms of internal organization, training of officers, and in terms of cooperation with other institutions that can help in handling cases of sexual harassment.

- a. **Improving Police Officer Training** One of the efforts that can be made to improve legal protection for victims is to increase police officer training. This training should not only cover the technical aspects of handling sexual harassment cases, but also the psychological aspect, so that the police can handle the victim more sensitively and understand the psychological impact experienced by the victim. In addition, training on victims' rights and the latest legal protection policies are also very important to ensure that police officers can provide services in accordance with applicable legal standards.
- b. **Provision of Special Facilities for Victims** The Asahan Resort Police also needs to provide special facilities for victims of sexual harassment, such as a special room for safe and comfortable interviews, as well as professionals who can provide medical and psychological assistance. With these facilities, victims can feel safer and more confident to report and can undergo legal proceedings without feeling further traumatized.
- c. **Socialization and Social Campaigns** Beyond the police, it is also important to raise public awareness about the importance of providing protection for victims of sexual harassment. Campaigns that aim to reduce the social stigma against victims, as well as educate the public about the rights of victims and how to report sexual harassment crimes, are essential to create a supportive environment for victims to report.

The perspective of victims and law enforcement officials is very important in analyzing the success of legal protection for victims of sexual harassment. [9] In this study, some of the victims interviewed expressed disappointment with the handling of their cases, especially related to the lack of psychological protection and difficulties in communicating with the police. However, most law enforcement officers at the Asahan Resort Police Department have shown readiness and commitment to take sexual harassment cases seriously, although they acknowledge there are still many things that need to be improved.

Based on the discussion above, it can be concluded that although the Asahan Resort Police has implemented several legal protection measures for victims of sexual harassment, there are a number of obstacles that need to be overcome. Physical and psychological protection for victims, training of law enforcement officials, and the provision of adequate facilities are important steps that need to be improved. In addition, social and cultural factors, such as stigma against victims, must also be considered in efforts to improve the handling of sexual harassment cases.

#### **Conclusion**

This study aims to analyze the application of legal protection for victims of sexual harassment in the law enforcement process by the Asahan Resort Police. Based on the results of the research and discussion, several important conclusions can be drawn as follows: Implementation of Legal Protection by the Asahan Resort Police Legal protection for victims of sexual harassment crimes at the Asahan Resort Police has been carried out in accordance with

the applicable legal provisions. The police are trying to ensure an investigation and investigation process that pays attention to the rights of victims. However, in practice, the protection provided still faces a number of challenges. Physical and psychological protection for victims is available, but it is not entirely optimal, especially in terms of psychological assistance and ensuring comfort for victims during the legal process. In addition, some police officers involved in handling sexual harassment cases show a lack of understanding of the psychological impact experienced by victims, leading to less sensitive handling.

Obstacles in Law Protection Enforcement of legal protection for victims of sexual harassment at the Asahan Resort Police are faced with various obstacles. Internal barriers related to the lack of adequate training and resources in the police force reduce the effectiveness of handling these cases. Despite clear protocols and procedures, law enforcement officials still often have difficulty handling cases that require special attention, especially those involving the psychological trauma of victims. External barriers, such as social stigma against victims of sexual abuse, also worsen conditions and cause victims to be reluctant to report. These barriers often hinder the legal process and cause injustice to the victim. Needed Improvement Efforts To increase the effectiveness of legal protection for victims of sexual harassment, improvements are needed in various aspects. One of them is increased training for police officers, which not only includes the technical aspects of handling cases, but also psychological aspects that involve understanding the impact of trauma experienced by victims. In addition, the provision of more adequate facilities, such as dedicated spaces for victim interviews and professionals for medical and psychological assistance, is essential to provide a sense of security and support the victim's recovery. Efforts to reduce social stigma against victims and increase legal awareness in the community are also equally important in creating a more supportive environment for victims to report.

Hope for the Future Legal protection for victims of sexual harassment must be a priority in law enforcement in Indonesia. This research is expected to contribute to the Improve the protection system for victims of sexual harassment, especially at the police level, and serve as a basis for more effective policies in handling similar cases in the future. A more victim-aware society and more sensitive and trained law enforcement officials will create a safer and fairer environment for all.

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