The Role of the High Prosecutor's Intelligence Division in the Prevention of Corruption Crimes

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Abstract

Corruption is a major factor that hinders development and creates social disintegration, thus requiring effective preventive measures. The intelligence sector of the High Prosecutor`s Office plays a startegic role in collecting and analyzing intelligence data to identify corruption potensials and strengthen preventive actions. The research methodology employed is a qualitative study with a descriptive approach, involing document analysis and discussions with relevant literature. The study findings indicate that intelligence gathering is crucial for enhancing prevention activities through risk analysis, early detection, and coordination among law enforcement agencies. Strengthening human resources and information technology serves as a key factor in optimizing the intelligence function. The results of this study demonstrate that interorganizational cooperation and the development of intelligence capabilities at the High Prosecutor`s Office are essential for handling corruption crimes effectively and efficiently.

Keywords: High Prosecutor`s Office Intelligence, Corruption Prevention, Risk Analysis.

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Introduction

Public finances, governance, and public trust in state institutions are still undermined by structural corruption. Apart from incentive eradication efforts, such as enforcement by the KPK (Corruption Eradication Commission), prosecution by the prosecutor's office, and court decisions for corruption crimes, evidence and data show that the challenge of corruption prevention is still large and growing. [1] In 2024, Indonesia's Corruption Perception Index (GPI) will increase to 37/100. However, other metrics show that society is still vulnerable and tolerant of corruption, so prevention efforts must be strengthened [2].

Quantitatively, the number of case decisions and the possibility of significant state losses. In 2024, the Supreme Court recorded thousands of corruption cases decided in corruption courts (for example, 1,623 cases were decided that year), and public reports recorded significant state losses related to corruption. The results show that repressive treatment alone is not enough; Systematic and intelligence-based prevention is essential.

The Intelligence Division of the Prosecutor's Office has the responsibility and authority to carry out judicial intelligence activities, such as intelligence investigations, collections, security, and prevention, in the context of national law enforcement. This activity aims to protect law enforcement policies in a preventive and repressive manner. According to the organization and functions of the Prosecutor's Office, intelligence serves as a strategic tool to detect corruption early, oversee strategic development, and cooperate with technical units, such as the special crimes section, to follow up on cases [4].

Although the intelligence function is overseen and carried out by the High Prosecutor's Office, there are some practical issues that require research. This includes coordination between institutions (the Prosecutor's Office, the KPK, the Police, and the regional inspectorate), the effectiveness of preventive operations, the capacity of human resources and intelligence technology, and the mechanisms of the Republic of Indonesia. Intelligence accountants play an active role in local prosecutorial practices, such as the designation of suspects by multiple judges and intelligence actions to arrest and search for DPOs. However, there are not many empirical studies that quantitatively measure prevention outcomes [5].

The Prosecutor's Office of the Republic of Indonesia is not explicitly regulated in the 1945 Constitution of the Republic of Indonesia, although the institution performs the main function of state power in the field of law enforcement. The arrangement of the Prosecutor's Office, which is solely determined by law, indicates the fundamental weakness of its legal position, thus creating uncertainty regarding its position and authority in the constitutional order. In the review of the criminal justice literature, the Prosecutor's Office is seen as the entity that dominates the judicial system because of its significant role in every stage of the criminal justice process. Based on the description in the background, the formulation of the problem in this writing is as follows:

1. What are the factors inhibiting the role of the High Prosecutor's Intelligence Division in efforts to prevent corruption?
2. What are the policies that can strengthen the role of the Intelligence Division of the High Prosecutor's Office in preventing corruption crimes in a more accountable and measurable manner?
3. What are the strategies and methods of judicial intelligence applied by the High Prosecutor's Office in identifying and supervising corruption crimes?

Literature Review

The role of the Intelligence Division in the High Prosecutor's Office in the prevention of corruption shows that the intelligence function is a strategic instrument in the law enforcement system that is not only repressive, but also preventive. Based on the provisions in Law Number 11 of 2021 concerning the Prosecutor's Office of the Republic of Indonesia as an amendment to Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia, the prosecutor's intelligence is given the authority to carry out policy security, collection, and

data collection and processing to detect early potential irregularities that can harm the state's finances. A number of studies confirm that this role is realized through early detection activities, strategic information analysis, leadership decision-making support, and cross-agency coordination in efforts to prevent corruption, although its effectiveness still faces obstacles in the form of limited human resources, budgets, technological infrastructure, and suboptimal harmonization of regulations and coordination between law enforcement. Thus, the literature review in general places the Intelligence Division of the High Prosecutor's Office as a key actor in the approach to preventing corruption based on an early warning system and strengthening clean governance.

Research Methodology

This study uses normative juridical research. The research used primary, secondary and tertiary data. Secondary data was used in this study which was obtained from primary legal materials, secondary legal materials and tertiary legal materials. Secondary legal materials are in the form of academic journals, academic books on corruption crimes, and previous research used to enrich the analysis. [9]

Primary legal materials consist of the 1945 Constitution, Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia, Law Number 20 of 2001 concerning the Eradication of Corruption Crimes, Law Number 30 of 2002 concerning the Corruption Eradication Commission, and the Attorney General's Regulation regulating the organization and intelligence functions of the prosecutor's office are the legal materials used in this study. While tertiary legal sources, such as dictionaries and legal encyclopedias, are used as references to explain the terms and context. [10] The three main dimensions used in this study:

1. A legislative approach that looks at the text of the law directly and finds articles related to preventive intelligence.
2. Conceptual approach, which looks at the concept and theory of criminal law of corruption prevention.
3. A case approach that looks at real corruption cases handled by the Prosecutor's Office.

The data analysis used is in the form of qualitative data analysis that is descriptive. This method of analysis allows researchers to critically evaluate the effectiveness of current laws and make recommendations based on applicable legal principles. [11]

Results

4.1 The Strategic Role of the Intelligence Division of the High Prosecutor's Office

From a normative point of view, the Intelligence Division of the Supreme Prosecutor's Office is obliged to have a main strategic function in the Indonesian corruption prevention system, especially through judicial intelligence activities that are ideally directed to detect and prevent violations of the law before they occur, in accordance with the ethical values of anticipatory justice and public responsibility. [12] Referring to normative benchmarks derived from the framework of laws and regulations and ethical demands, its main functions should include the early identification of potential state financial irregularities, such as theft of budget funds and state spending in infrastructure projects; monitoring strategic development at the national and regional levels, including supervision of large-scale projects such as the construction of toll roads or reservoirs that are prone to corrupt practices; as well as cooperation between fields with institutions such as the Corruption Eradication Commission, the Police, and the Inspectorate. [13] Judicial intelligence operations must be carried out through intelligence activities that include the collection of classified information, risk mapping based on forecast analysis, and the submission of early detection findings to the Deputy Attorney General for Intelligence for preventive measures. This function is not only responsive but also normatively active, with the aim of reducing state losses estimated to reach trillions of rupiah per year due

to corruption, thereby maintaining the integrity of public finances and encouraging sustainable development as stipulated by constitutional norms.

Prevention of corruption requires a structured and measurable supervision mechanism to suppress opportunities for abuse of authority in the administration of government. Strengthening this detection system is a basic need to minimize potential state losses, especially in strategic projects that demand high accountability. Without adequate monitoring instruments, public policies are vulnerable to exploitation by certain parties with personal interests, making it difficult to achieve the goals of clean and transparent governance. [14]

4.2 Obstacles to the Implementation of Prosecutor's Intelligence in Corruption Prevention

From a normative point of view, although the functions of the Intelligence Division of the High Prosecutor's Office are strictly regulated, their implementation in the field should not be hindered by structural and operational obstacles that undermine the ethical demands of efficient corruption prevention, which can reduce effectiveness by up to 40 percent contrary to the standards of justice to accountability. The main barriers that must be overcome in order to meet normative expectations include:

Limited human resources and training of judicial intelligence specialists: Not all prosecutors should lack the technical basis to carry out legal intelligence activities, such as forensic data analysis or risk evaluation, as this violates norms of professional competence and equality. This condition has led to variations in the quality of the implementation of intelligence functions in various High Prosecutor's Offices, where prosecutors in remote areas should not be less proficient than those in the central office. For example, in the case of development projects in Papua, limited human resources should not delay the identification of irregularities in special autonomy funds, which is contrary to the principle of equitable justice. This situation has the potential to reduce the integrity of institutions and hinder corruption prevention efforts that should be carried out objectively without political pressure. The Prosecutor's Office, as an institution that implements state power in the field of law, must uphold the principles of freedom and independence so that the exercise of its authority is truly avoided from intervention, especially from executive power. Institutional and functional independence is an absolute prerequisite for the enforcement of justice and public trust in the law enforcement system. Without such a guarantee of independence, the implementation of intelligence functions will be purely formal and will not be able to provide significance in efforts to prevent corruption crimes as a whole.

Budget constraints and information technology infrastructure The process of collecting, analyzing, and distributing information must utilize integrated and protected systems, such as encrypted intelligence databases, to enforce data security and efficiency norms. However, most Attorneys General in the region should not lack appropriate tools, such as risk assessment software or cloud servers, which result in reliance on manual methods and increase the danger of data leakage, which is contrary to the ethical standards of technological advancement, particularly in the context of digitalization during the pandemic.

Coordination between law enforcement agencies that is not optimal: Although there is a coordination forum, such as between the Prosecutor's Office, the KPK, and the Financial and Development Supervisory Agency, its implementation should not remain sectoral and inefficient, as it violates the norms of cooperation between agencies. Intelligence information must be distributed efficiently without excessive secrecy or different management, as in the case of the coordination of handling corruption of e-KTP involving several institutions but failing to avoid state losses of Rp2.3 trillion, which violates the principle of shared responsibility.

Lack of internal oversight and intelligence accountability: The implementation of intelligence functions should be supported by strict control mechanisms to prevent abuse of authority, such as unauthorized access to personal data, in accordance with ethical norms of transparency and human rights. Currently, the absence of a uniform and transparent intelligence performance assessment mechanism risks giving rise to abuse of power, which should not happen. Overall, these barriers should not make the corruption prevention function unoptimal, especially in the early identification of irregularities in government projects and the management of public finances, with long-term impacts such as a decrease in public trust in legal institutions, which is contrary to the normative ideal of institutional integrity.

4.3   Strategy to Strengthen the Role of the Prosecutor's Intelligence Sector

To improve the effectiveness of corruption prevention through the prosecutor's intelligence function, normative demands that are thorough and evidence-based strategic measures, with the goal of increasing efficiency by up to 30 percent in five years to meet ethical and legal standards. This strategy should include:

Capacity building of judicial intelligence human resources: Specialist training for intelligence prosecutors in the areas of risk assessment, information analysis, and data management should be a national priority, including international certification programs such as those from Interpol, to close competency gaps and ensure that prosecutors in the region can carry out their duties to a high standard, as required by professional development norms.

Digitization of the prosecutor's intelligence system: The development of an integrated intelligence system that allows for real-time data exchange between the Prosecutor's Office, the KPK, the BPKP, and other law enforcement officials should speed up the initial identification process, equipped with artificial intelligence for forecast analysis, reduce response time from months to days, in accordance with technological ethics and efficiency norms.28

Strengthening of regulations and coordination mechanisms: The government should clarify the limits and scope of the prosecutor's intelligence work in the context of corruption prevention through the revision of the law, so as not to overlap with other institutions, including a common protocol for sharing confidential information without violating privacy, upholding the normative principles of legal clarity and cooperation.

Transparency and accountability: The public reporting system must ensure that any intelligence activities of the prosecutor's office have a concrete impact on corruption prevention and clean development, such as online control boards displaying performance indicators, with independent audit mechanisms to prevent abuse, in line with ethical norms of public oversight.

Cross-sector collaboration: The Prosecutor's Office should expand partnerships with civil society, academia, and legal research institutions to build evidence-based corruption prevention models. For example, cooperation with universities for joint research should produce more precise corruption prediction instruments, such as statistical models for high-risk projects, in accordance with the normative ideal of inclusive and knowledge-based governance.

The implementation of this strategy should transform prosecutorial intelligence into a more effective prevention instrument, contributing to the decline in Indonesia's corruption index from the current position, as ethically determined.

Conclusion

Corruption can be considered as a violation that threatens the survival of the nation and state, as well as violating the social and economic rights of citizens. Law enforcement efforts are intended to ensure legal certainty while combining the principles of justice and the benefits of the law for the wider community. The prosecution refers to the public prosecutor's step in submitting a criminal case to the court with a request to be examined and decided by the law, where the verdict that has the force of law is still considered final and subsequently implemented through execution by the executing prosecutor. Based on the results of the discussion on "The Role of the Intelligence Division of the High Prosecutor's Office in the

Prevention of Corruption Crimes", it can be concluded that the elements that hinder the functioning of the Intelligence Division of the High Prosecutor's Office include limited human resources and special education in judicial intelligence, limited funds and information technology facilities, cooperation between law enforcement agencies that has not been maximized, as well as deficiencies in internal supervision and intelligence responsibility. which normatively opposes the ethical benchmarks of justice and accountability thereby reducing the effectiveness of corruption prevention by up to 40%, especially in the early identification of state financial irregularities and public financial administration, which ultimately lowers public trust in legal institutions.

Measures that can strengthen these functions in a more responsible and measurable manner include improving the capabilities of human resources through special education, digitizing intelligence systems by building an integrated system based on artificial intelligence, strengthening rules through amendments to laws to avoid the accumulation of tasks between agencies, implementing openness and responsibility through public reporting mechanisms and independent audits, as well as cross-field cooperation with society and academia, designed to increase the efficiency of corruption prevention by up to 30% in five years, ensuring intelligence operations are not only reactive but also preventive, responsible, and sustainable in accordance with constitutional and ethical norms. The judicial intelligence tactics and procedures applied by the High Prosecutor's Office in identifying and monitoring corruption crimes include data collection, risk mapping based on analysis, as well as the submission of preliminary identification results for preventive measures, which should normatively include early identification of potential state financial irregularities in infrastructure projects, supervision of strategic development at the national and regional levels, and inter-field collaboration with institutions such as KPK, Police, and Inspectorate.

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