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Should Civil Servant Investigators Become Functional Positions?

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Abstract: Civil servant investigators are the vanguard in criminal law enforcement based on sectoral laws. The performance of civil servant investigators in Indonesia is not optimal, among other factors, due to minimal incentives, unclear career paths, and investigators who are not actively conducting investigations. In response to this problem, the Ministry of Law proposed making civil servant investigators a functional position; however, it is currently delayed due to a moratorium imposed by the Ministry of State Apparatus Empowerment and Bureaucratic Reform on the formation of new functional positions. This study is a normative and descriptive legal research and uses job stress theory as a reference. The study aims to assess the urgency of establishing a functional position for civil servant investigators through observations at the Ministry of Environment and Forestry in the 2015-2024 period. The results indicate that civil servant investigators need to be in a functional position based on the analysis of operational and organizational stress. From the operational stress perspective, the duties of civil servant investigators are fraught with risks, ranging from physical asset risks, human resource asset risks, financial asset risks, legal risks, reputation risks, and psychosocial risks. From an organizational stress aspect, the workload of civil servant investigators is considered high because they are required to handle at least four cases a year. The workload becomes more intense because civil servant investigators are required to investigate cases of money laundering. Related to operational stress and organizational stress, civil servant investigators need to be equipped with the internalization of the integrity system, as well as the provision of management support and operational support. Becoming a civil servant investigator is expected to be a promising career for civil servants.

Keywords: Functional Position; Investigation; Job Stress Theory; Law Enforcement; Civil Servant Investigator.

1. Introduction

Law enforcement is a vital instrument for maintaining state sovereignty. Moreover, currently, many transnational and organized crimes undermine state sovereignty, such as illegal circulation of wild plants and animals, narcotics, illegal mining, illegal logging, smuggling of waste and hazardous and toxic materials (B3), money laundering, and criminal acts related to information technology.

All laws, including criminal law, are designed as mechanisms to achieve social control. The goal is to regulate behavior and activities in society. In this way, the law not only protects individuals but also the structure and order of society. Criminal law also serves to foster a deterrent effect and prevent someone from committing a crime, both individually (individual deterrence) and as a general deterrent effect (general deterrence) (Clarkson 2005: 253).

The criminal law enforcement process begins with an initial report of the alleged crime, followed by investigation, inquiry, prosecution, submission of charges to the court, and the court decision stage. The criminal case investigation process is a very important stage. American forensic expert Professor Ralph Turner calls criminal investigation: a method for reconstructing the past (Osterburg, Ward, & Miller 2019: 5). The investigation stage seeks to uncover evidence that a crime has occurred and determine who the suspect is who must bear criminal responsibility.

According to Ndaru (2024: 62), there are five types of investigators authorized to conduct the investigation process under the Indonesian legal framework. The first is the police investigator, as regulated in Article 6, paragraph (1), letter a, of Law Number 8 of 1981 concerning the Criminal Procedure Law (KUHP). The second is the civil servant investigator (PPNS) as regulated in Article 6 paragraph (1) letter b of the Criminal Procedure Code and their respective sectoral laws. The third is the Attorney General's investigator, who is authorized to conduct investigations into certain crimes in accordance with Article 30, paragraph (1), letter d, of Law Number 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia. The fourth is the Indonesian National Army (TNI) investigator, who is authorized to conduct investigations into crimes committed by active military members as stipulated in Law Number 31 of 1997 concerning Military Justice and also handles fisheries and maritime criminal cases (specifically for Indonesian Navy officers). Fifth, other investigators are formed based on certain laws, for example, investigators from the National Narcotics Agency (BNN), investigators from the Corruption Eradication Commission (KPK), or investigators from the financial services sector. Among the various types of investigators in Indonesia, PPNS is one that plays a crucial role in upholding the implementation and integrity of a sectoral law. Almost every sectoral law has provisions regarding criminalization and mandates the authority for PPNS to conduct investigations, for example, laws in the fields of forestry, environment, trade, industry, taxation, and health.

Based on the statement of the professor of the Faculty of Law, Gadjah Mada University, Prof. Dr. Edward Omar Sharif Hiariej, SH., M. Hum. in the Minutes of the Trial of Case Number 74/PUU-XVI/2018, there are two ratio legis for granting authority to civil servants (PNS) to conduct investigations. First, the presence of PPNS in the criminal law enforcement system is intended to assist the police, whose numbers are inadequate in handling all criminal acts that occur. Second, civil servants have a better understanding of the characteristics of a sectoral criminal act.

The performance of PPNS in various ministries, institutions, and local governments is considered ineffective. Various problems hinder the optimization of PPNS performance, including the absence of awards for outstanding PPNS in the form of

promotions or positions, the absence of incentives and allowances, PPNS not being placed in law enforcement work units, minimal budget allocation for operational investigations and education and training, lack of facilities and infrastructure, the absurdity of investigators' career levels in the future ([Directorate General of General Legal Administration/AHU 2017](#)), PPNS are only considered as additional tasks, the lack of experience and courage of PPNS, and many PPNS are not actively carrying out investigations ([Hamdie 2023](#)). As a concrete example, in the Special Region of Yogyakarta Province, there are a total of 187 PPNS, including those in 5 districts/cities, but only 5 PPNS are actively carrying out investigations ([Gunawan 2013: 228](#)). In Buleleng Regency, out of 10 PPNS, only six are actively conducting investigations, despite the fact that 13 new regional regulations are introduced every year, which must be enforced ([NusaBali Editorial Team, 2018](#)). In the Directorate General of Taxes, Ministry of Finance, only 645 PPNS are actively conducting investigations out of a total of 1,477 PPNS ([Hofir 2019](#)).

Another study revealed that another problem is the lack of enforcement of work standards and professional ethics. For example, the Civil Service Police Unit handled several cases, but none of these cases were brought to trial ([Rusydi 2014: 228](#)). This phenomenon is also seen in the central government. Data from the Ministry of Energy and Mineral Resources (ESDM) indicate that as of the end of 2023, there were 2,714 illegal mining locations in Indonesia. However, in 2024, the Ministry of ESDM was only able to investigate 1 case ([Directorate General of Minerals and Coal 2025: 16](#)). There are also government agencies that complain about the problem of the lack of PPNS personnel, for example the Directorate General of Taxes at the Ministry of Finance ([Jeane 2015](#)), the Directorate General of Environmental and Forestry Law Enforcement at the Ministry of Environment and Forestry ([Zuraya 2017](#)), and local governments ([Directorate General of Regional Administration Development 2022](#)). This tangled mess has very fatal implications because many criminal cases are ultimately not prosecuted. The impact is that the public does not receive justice, and the state incurs losses due to criminal acts that cannot be recovered.

Responding to the various problems faced by PPNS, the Ministry of Law and Human Rights (currently the Ministry of Law) pioneered the idea of making PPNS a functional position. The Directorate General of General Legal Administration (AHU) of the Ministry of Law stated that the PPNS functional position is necessary because the duties and responsibilities that a PPNS must carry out are very broad and quite heavy ([Directorate General of AHU, 2020](#)). The policy plan to make PPNS a functional position was proposed on November 5, 2019, when the Director General of AHU inaugurated 56 PPNS from the Ministry of Home Affairs and the Ministry of Agriculture. The Directorate General of AHU is a government agency that issues Appointment Decrees (SKEP) for PPNS. At that time, The Directorate General of General Legal Administration (AHU) asked for input from the newly inaugurated PPNS regarding the plan to form PPNS functional positions.

The submission of PPNS as a functional position has been carried out by the Ministry of Law and Human Rights (currently the Ministry of Law) in collaboration with the Indonesian National Police (Polri) and other relevant ministries and institutions that have PPNS. The process is currently delayed due to the moratorium policy on the formation of new functional positions by the Ministry of State Apparatus Empowerment and Bureaucratic Reform (PANRB) as outlined in Letter Number B/369/M.SM.02.00/2021, dated November 3, 2021. The Ministry of PANRB is currently working on arranging functional positions, along with their corresponding competency standards, following the implementation of the bureaucratic streamlining policy.

The development of functional positions to create maestros in specific fields among government bureaucrats has stalled and is almost at a standstill (Wasistiono & Rohmadin, 2023: 170). This study aims to answer the discourse on the need for PPNS to become functional positions by dissecting and identifying existing needs and challenges. The author analyzed by examining practices at the Ministry of Environment and Forestry (KLHK). KLHK has an echelon I unit specializing in law enforcement, namely the Directorate General of Environmental and Forestry Law Enforcement. In the Red and White Cabinet government, KLHK was divided into the Ministry of Forestry and the Ministry of Environment.

There are 293 employees with PPNS status in the Directorate General of Environmental and Forestry Law Enforcement of the Ministry of Environment and Forestry. The Ministry of Environment and Forestry also has employees with PPNS status in other echelon I units; however, this study focuses solely on PPNS under the Directorate General of Environmental and Forestry Law Enforcement. The Ministry of Environment and Forestry is one of the agencies with the most active PPNS in Indonesia. This is marked by three appreciations from the Police, namely in 2017, 2018, and 2024, for the categories of active role in implementing law enforcement and active role in implementing coordination and synergy with Police investigators. From 2015 to 2024, there were a total of 1,677 investigation cases completed by the Ministry of Environment and Forestry with the following details:

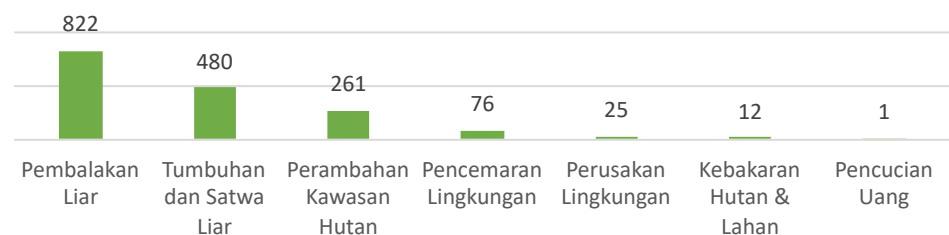


Figure 1. Investigation Cases by the Ministry of Environment and Forestry 2015-2024

Source: Ministry of Environment and Forestry statistical data 2015-2024

This study applies the job stress theory of Queirós et al. (2020) as a framework to analyze the workload of law enforcement officers. Job stress theory is often used to describe the sources of work stress in police officers. Policing is considered a stressful profession that requires police officers to face dangers and unexpected events. Thus, their work stress increases, leading to fatigue and mental/psychological disorders.

The sources of stress for officers are diverse, and job stress theory categorizes them into two main types: operational stressors and organizational stressors. Operational stress is related to the characteristics of the police, such as working in shifts, risk of injury, traumatic events, public perception of the police, fear of excessive use of force, and so on. On the other hand, organizational stress is related to the police as an institution, encompassing stressors such as conflict with superiors and colleagues, inadequate resources, excessive workload, excessive administrative tasks, leadership issues, and the specific work systems of each police work unit. From the operational stress aspect, the study focuses on identifying the risks faced by PPNS. Meanwhile, for the organizational stress aspect, the study focuses on the issue of the workload that must be borne by PPNS.

Based on the results of the literature study, research on PPNS as a functional position remains relatively limited. There are two studies related to the analysis of PPNS as a functional position. The first research, entitled "Harmonization of Regulations on Civil Servant Investigators (PPNS) in the Special Region of Yogyakarta," was written by Gunawan (2013). This research found that several ministries and

institutions regulate PPNS, including the Ministry of Home Affairs, the Ministry of Law and Human Rights, and the Indonesian National Police, each of which holds authority as both a general supervisor and a technical supervisor. Some local governments issue internal regulations on PPNS. Still, these regulations often conflict with the regulations issued by ministries or institutions that provide general supervision and technical oversight of PPNS. The second research, entitled “The Existence of Civil Servant Investigators (PPNS) in the Regional Government Structure,” was written by [Firdaus \(2013\)](#). This research questions whether PPNS is positioned as a regional official or as a central official in the region. The research results indicate that PPNS is involved in government affairs related to justice, and its appointment is made by the central government, specifically the Ministry of Law and Human Rights. Consequently, functionally, PPNS is a central government official in the region. Neither study has examined the feasibility of PPNS as a functional position or examined the workload of PPNS.

PPNS is a position that is full of risks and a high workload, but the incentives received are considered not yet commensurate. This has the potential to erode the interest of a civil servant to become a PPNS, which will lead to the neglect of criminal cases. This can lead to a weak rule of law. One of the affirmative policies that the government can take to overcome this is to establish a PPNS functional position. Unfortunately, this effort is currently hampered by the government’s policy to form a new functional position. Previous research has not discussed the importance of forming a PPNS functional position, so this study aims to examine this by analyzing the risks and workload of PPNS using the job stress theory framework. There are two research questions to be discussed. First, what does PPNS face the work risks? Second, how is the workload of PPNS reviewed from the number of cases that must be handled? The author, as a PPNS, conducted observations on the practice of investigation at the Ministry of Environment and Forestry in the period 2015 - 2024.

2. Methods

The study applies normative legal research methods and is descriptive. Namely analyzing laws and regulations in the field of criminal procedure law, state civil apparatus, and several sectoral regulations and observing the practices of investigation and governance of PPNS at the Ministry of Environment and Forestry in the period 2015 - 2024. The study examines the provisions, principles, and legal principles to design a conceptual framework regarding the need to establish functional positions for PPNS.

The author analyzed secondary data sources, which included both primary and secondary legal materials. Primary legal materials are laws and regulations. Then, secondary legal materials are scientific studies and legal literature. Primary and secondary legal materials are collected online. The study also utilizes statistical data from the Ministry of Environment and Forestry, including data on the successful investigation cases submitted to the public prosecutor (P-21) and data on the number and distribution of PPNS. All data is processed and analyzed descriptively through literature studies.

The observation method was used in this study. The observation method is a research technique in which researchers observe and record the behavior and actions of individuals or groups in a natural setting without disturbing or influencing their actions. This method is often employed in fields of science, such as sociology, anthropology, psychology, and education, to study human behavior and social interactions ([Verma et al., 2023, p. 166](#)). In natural conditions, observation is the act

of observing social phenomena in the real world and recording events as they occur (Kekeya 2021: 30). The author participated directly in various meetings organized by the Directorate General of AHU, which discussed the formation of functional positions for PPNS and documented data using unstructured observation methods.

3. Results and Discussion

3.1. Concept of Functional Positions in Indonesia

Theoretically, functional positions are rooted in the concept of competency-based human resource management. According to Armstrong (2006, quoted in Hartadi & Zaini, 2025: 155), there are four characteristics of functional positions. The first is specialization, namely functional positions that require special expertise in certain fields, such as analysts, auditors, or researchers. The second is career development; namely, functional officials have a clear career path based on achievement and competency development. The third is independence, where functional positions have a high level of independence in carrying out their duties as long as they comply with applicable rules and procedures. Fourth, the importance of continuous training and development is emphasized to ensure that functional employees remain competent and relevant to job demands.

In Indonesia, functional positions refer to a group of positions that encompass functions and tasks related to specific services based on certain expertise and skills (Erny, Hayati, & Mamudji, 2023: 73). Functional positions in Indonesia are divided into two categories: general functional and special/specific functional. Generally, functional positions utilize the Job Performance Assessment List (DP3) for performance evaluations. Meanwhile, in special/specific functional positions, appointments and promotions are based on the credit point system (Wakhinuddin 2020: 287).

Functional positions consist of expertise categories and skill categories. Expertise categories consist of levels (from the lowest to the highest), namely first expert, junior expert, middle expert, and main expert. Skill categories consist of levels (from the lowest to the highest), namely beginner, skilled, proficient, and supervisor. The appointment of civil servants to functional positions can be made through four options: first appointment, transfer from another position, adjustment, and promotion. There are three competencies that functional officials must possess, namely technical competence, managerial competence, and socio-cultural competence. Functional officials can work independently or collaboratively in teams, both within and across organizational units (Kementerian PANRB 2023: 60).

Functional positions are categorized into four groups based on their role. The first is open, namely in the supervisory agency, central agency, and regional agency. Examples are archivists, planners, or computer administrators). The second is semi-open, specifically in supervisory agencies and central agencies (for example, APBN financial management analysts) or supervisory agencies and regional agencies (for example, fire analysts). The third is closed, specifically within the supervisory agency. Examples are land administrators or penghulu). The fourth is limited to closed cases, namely in the supervisory agency and certain work units. Examples are patent examiners or trademark examiners (Kementerian PANRB 2023: 24).

The determination of functional positions differs from that of administrative positions. There are five criteria for determining functional positions. First, the function and implementation of its duties are related to the functions and duties of government agencies. Second, it requires certain expertise or skills, as evidenced

by certain certifications and/or assessments. Third, it can be arranged at a job level based on the level of difficulty and competence. Fourth, the implementation of tasks that are independent in carrying out their professional duties. Fifth, its activities can be measured by unit values or the accumulation of activity item values in the form of credit points (Rosyadi, 2019, p. 110).

The author identifies seven advantages of holding a functional position as a civil servant. First, the criteria for promotion and level are clearer, thus encouraging civil servants to work more professionally in meeting cumulative credit points, passing competency tests, and obtaining the required performance predicate. Second, functional officials have the privilege of being promoted faster on the condition that they continuously obtain a performance evaluation with a performance predicate of “very good,” which is converted into a credit point of 150% multiplied by the annual credit point coefficient (Ministry of PANRB 2023: 70). Functional officials who have extraordinary performance assessments and expertise in carrying out functional position duties can be given an award in the form of a special promotion as stipulated in Article 40 of the Regulation of the Minister of PANRB Number 1 of 2023 concerning Functional Positions. Third, the performance allowance is greater than the implementing position because the specified job class is higher. The first expert functional official can immediately be in job class 8, while the implementing official will only stagnate at job class 7. In addition, functional officials are also given incentives in the form of functional position allowances.

Fourth, functional officials can retire at the age of 65 (in the case of having held the main expert level) or 60 (in the case of middle expert functional level), as stipulated in Article 239 of Government Regulation (PP) No. 11 of 2017 concerning Civil Servant Management. For civil servants who are only implementing officials, supervisors, or administrators, the retirement age is 58 years. In the case of a civil servant holding a high leadership position (JPT), the retirement age limit is only 60 years. Fifth, the government encourages every functional official to become a member of a professional organization. With the formation of functional positions, this step will encourage the formation of professional organizations as a forum to fight for the welfare of members, improve competence and competitiveness, maintain a code of ethics, and contribute to the formulation of policies.

Sixth, the government also made a policy breakthrough in the form of simplifying the achievement of performance targets for functional officials. This initiative is stated in PANRB Ministerial Regulation Number 1 of 2023 concerning Functional Positions. The important essence of the regulation is the elimination of the List of Proposed Determination of Credit Points (DUPAK). The current credit points are calculated by converting performance predicates into credit points according to the functional position level determined by direct superiors rather than by the assessment team. Functional officials are directed to focus on achieving organizational performance rather than concentrating on obtaining credit points whose preparation process is tiresome. Seventh, functional officials can still be promoted to high-ranking positions or JPT (JPT Primary, intermediate, or main) as long as the person concerned has the rank, position level, length of service, competence, and passes the job auction selection.

3.2. Progress of Establishment of Functional Position of Investigator for PPNS

The determination of new functional positions is carried out based on proposals from the heads of government agencies to the Minister of State Apparatus Empowerment

and Bureaucratic Reform, accompanied by a justification for the urgency of establishing these positions. The Minister of State for Apparatus Empowerment and Bureaucratic Reform then examines the proposal and determines the functional position through a ministerial regulation, if approved. The Minister of State Apparatus Empowerment and Bureaucratic Reform can determine functional positions without proposals from the heads of government agencies (Kementerian PANRB 2023: 82).

Referring to Article 70 of PP Number 11 of 2017 concerning Civil Servant Management, functional positions are determined with the following criteria: their functions and duties are related to the implementation of the functions and duties of government agencies; require certain expertise or skills as evidenced by certain certifications and/or assessments; can be arranged in a job level based on the level of difficulty and competence; implementation of tasks that are independent in carrying out their professional duties; and their activities can be measured by unit values or accumulation of activity item values in the form of credit points.

The effort to make PPNS a functional position aligns with the government's policy for bureaucratic reform. The bureaucratic simplification step is one of the focuses of the five priority programs of the Advanced Indonesia Cabinet for the 2014-2024 period led by President Joko Widodo. President Joko Widodo mandated that the bureaucracy be cut into two echelon levels, namely, echelon I and II. Meanwhile, the positions of administrator (echelon III) and supervisor (echelon IV) were replaced with functional positions that value expertise and competence. To embody President Joko Widodo's direction, the Ministry of PANRB issued PANRB Ministerial Regulation Number 28 of 2019 regarding the Equivalence of administrative positions with functional positions. The regulation was then replaced by PANRB Ministerial Regulation Number 17 of 2021, concerning the Equivalence of administrative positions to functional positions. Head of the State Civil Service Agency, Bima Haria Wibisana, further stated that critical steps for future arrangements can be taken by structuring the organization, structuring functional positions, transforming positions, and supervising and controlling (Kementerian PANRB 2019).

Reflecting on the President's direction, it is appropriate to form certain functional positions to accommodate all civil servants. The functional positions formed also need to be adjusted to the tasks, functions, and characteristics of the organization. Suppose a work unit has a function to conduct investigations. In that case, it is appropriate to establish a functional position of the investigator to create an efficient and focused work system with clear performance indicators.

Currently, in Indonesia, there are only two functional positions of investigators, namely BNN Investigators and Corruption Crime Investigators at the KPK. BNN Investigators are legalized through PANRB Ministerial Regulation Number 1 of 2018 concerning the Functional Position of National Narcotics Agency Investigators. Meanwhile, Corruption Crime Investigators are legalized through PANRB Ministerial Regulation Number 56 of 2021 concerning the Functional Position of Corruption Crime Investigators. Both BNN Investigators and Corruption Crime Investigators are specific investigators formed based on the mandate of the specialist law. The functional positions of BNN Investigators and Corruption Crime Investigators are both career positions for civil servants.

For PPNS itself, there has been no special functional position established to date. However, in several ministries/institutions, there are functional positions that are not investigators but have a scope of duties, responsibilities, authority, rights, or points of investigative activities, for example:

Table 1. Existing Functional Positions that Have the Scope of Duties, Responsibilities, Authority, Rights, or Details of Investigative Activities

No.	Functional Position	Supervisory Agency	Legal basis
1	Customs and Excise Inspector	Ministry of Finance	Regulation of the Minister of State Apparatus Empowerment and Bureaucratic Reform Number 31 of 2016 concerning the Functional Position of Customs and Excise Inspector
2	Tax Auditor	Ministry of Finance	Regulation of the Minister of State Apparatus Empowerment and Bureaucratic Reform Number 17 of 2016 concerning the Functional Position of Tax Auditor
3	State Financial Supervisor	Ministry of Finance	Regulation of the Minister of Finance Number 132 of 2023 concerning Implementation Guidelines and Technical Guidelines for Functional Positions in the Field of State Finance
4	Labor Inspector	Ministry of Manpower	Regulation of the Minister of State Apparatus Empowerment and Bureaucratic Reform Number 30 of 2020 concerning the Functional Position of Manpower Supervisor
5	Metrology Supervisor	Ministry of Trade	Regulation of the Minister of State Apparatus Empowerment and Bureaucratic Reform Number 35 of 2014 concerning the Functional Position of Metrology Supervisor and its Credit Points
6	Customs and Excise Inspector	Ministry of Finance	Regulation of the Minister of State Apparatus Empowerment and Bureaucratic Reform Number 31 of 2016 concerning the Functional Position of Customs and Excise Inspector
7	Tax Auditor	Ministry of Finance	Regulation of the Minister of State Apparatus Empowerment and Bureaucratic Reform Number 17 of 2016 concerning the Functional Position of Tax Auditor
8	State Financial Supervisor	Ministry of Finance	Regulation of the Minister of Finance Number 132 of 2023 concerning Implementation Guidelines and Technical Guidelines for Functional Positions in the Field of State Finance
9	Labor Inspector	Ministry of Manpower	Regulation of the Minister of State Apparatus Empowerment and Bureaucratic Reform Number 30 of 2020 concerning the Functional Position of Manpower Supervisor
10	Metrology Supervisor	Ministry of Trade	Regulation of the Minister of State Apparatus Empowerment and Bureaucratic Reform Number 35 of 2014 concerning the Functional Position of Metrology Supervisor and its Credit Points
11	Agricultural Product Quality Supervisor	Ministry of Agriculture	Regulation of the Minister of Empowerment of State Apparatus and Bureaucratic Reform Number 16 of 2021 concerning Functional Positions of Agricultural Product Quality Supervisors
12	Pharmaceutical and Food Supervisory Agency	National Agency of Drug and Food Control	Regulation of the Minister of Empowerment of State Apparatus and Bureaucratic Reform Number 2 of 2020 concerning the Functional Position of Pharmaceutical and Food Supervisor

Source: compiled from various laws and regulations

Although given the scope of their duties, responsibilities, authority, rights, or points of investigation activities, these functional officials will not necessarily actively conduct investigations, as investigations are not their primary task. Examining the practice within the Ministry of Environment and Forestry, investigation activities are primarily handled by the Forestry Police and Environmental Supervisors. The risk is that the functional officials concerned must “work on two feet” because they must fulfill the points of activity in their functional positions and meet the investigation targets in parallel.

One of the career developments that is being pursued is to make PPNS a functional position. On July 13, 2020, the Ministry of Law submitted a proposal for the establishment of a PPNS functional position to the Ministry of Empowerment of Apparatus and Bureaucratic Reform through a letter from the Minister of Law and Human Rights, Numbered M.HH.KP.06.02-189. The Ministry of Law involved 18 ministries and institutions that have PPNS. There are eight main substances of the proposed functional position. First, the proposed position nomenclature is Investigator. Second, Investigators have the primary task of conducting investigation activities related to specific criminal acts that fall within the scope of the laws and regulations that serve as the legal basis. Third, Investigators are functional positions in the expertise category. Fourth, Investigators are included in the investigator and detective group/classification. Fifth, Investigators are open and domiciled in government agencies. Sixth, the agency that fosters the Investigator functional position is the Ministry of Law and Human Rights (currently the Ministry of Law).

Seventh, the category and level of functional positions of Investigators, namely First Expert Investigator, Junior Expert Investigator, Middle Expert Investigator, and Main Expert Investigator. Eighth, the educational qualification for Investigators is at least a bachelor's degree or diploma, as required by the relevant educational qualifications.

On March 16, 2021, the Ministry of Law received a principal recommendation from the Ministry of PANRB for the formation of PPNS functional positions, as per a letter from the Secretary of the Ministry of PANRB, Number B/141/S.SM.02.00/2021. In the recommendation, the Ministry of Empowerment of Apparatus and Bureaucratic Reform requested that the Ministry of Law take seven steps. First, identify and map the formulation of job duties and descriptions of activities at each level related to work weight, job risks, and job competencies so that they meet the criteria for expertise and competencies required. Second, compile functional job competency standards for each level of position based on the Regulation of the Minister of Empowerment of Apparatus and Bureaucratic Reform Number 38 of 2017 concerning State Civil Apparatus Job Competency Standards. Third, compile job factor information for evaluation purposes to determine job classes. Fourth, conduct workload and time norm tests as part of a workload study of existing activities to determine the actual conditions of activities in the field, including work volume and job distribution. Fifth, process the results of the workload test and time norms in a table to determine the workload and implementation time used in each activity to determine the national average workload. Sixth, validate the results of the processing and assessment of the composition of the workload between respondents and between sample locations to determine the credit points for each activity. Seventh, formulate the concept of functional positions into the draft Regulation of the Minister of Empowerment of Apparatus and Bureaucratic Reform.

If the investigator's functional position is approved, the current PPNS will not be required to assume the functional position. All structural, functional, or implementing officials can still choose their current positions but are still allowed to participate in investigation activities as long as they have an investigator's SKEP. For example, a Fisheries Supervisor can remain in his old functional position and can still be involved in investigation activities.

As a reference for forming functional positions, the process of creating the Legal Analyst functional role can serve as a guide. The Legal Analyst position is one of the newest functional roles established by the government through the Regulation of the Minister of Empowerment of Apparatus and Bureaucratic Reform Number 51 of 2020, concerning the Legal Analyst Functional Position. Based on a study by [Simatupang \(2019: 1\)](#), one important aspect in the process of forming the Legal Analyst functional position is the readiness of the supervising agency, namely the National Legal Development Agency, Ministry of Law. Based on the Author's observations in various meetings discussing the formation of the PPNS functional position, a debate arose regarding the most suitable agency to serve as the PPNS supervisor. Several PPNS agencies considered that the Criminal Investigation Agency of the Police was the most appropriate agency to foster PPNS, as technically, PPNS falls under the coordination and supervision of Polri investigators. Given the high workload and limited personnel, the Police are not yet ready to become the PPNS supervisory agency. The Deputy Attorney General for General Crimes (Jampidum) of the Attorney General's Office was chosen as an alternative candidate for the PPNS supervisory agency. However, they stated that the legal umbrella was not strong because, based on the provisions of the Criminal Procedure Code, PPNS are under the coordination and supervision of the Police. Finally, it was agreed that the Directorate General of AHU of the Ministry of Law would be appointed as the candidate for the

PPNS supervisory agency. Although technically, the Directorate General of AHU is not an agency that carries out investigations, it has, so far, played a role in managing the administration of PPNS.

In the formation of a new functional position, there are, of course, preconditions that need to be met. Reflecting on the struggle of the Ministry of Home Affairs in proposing the formation of the Regional Functional Position (JFK) through the merger of the Regional Pamong functional position and the District Pamong functional position, two urgent systemic effects of change in the bureaucracy are evident. The first is the institutional aspect, as this bureaucratic simplification necessitates an update to a more streamlined bureaucratic structure. The second is the impact on the transfer of positions, especially from administrative positions to functional positions, which, of course, has implications for the process of competency conversion (Gafar et al. 2022: 1504).

3.3. Job Stress Theory Analysis on Civil Servant Investigators

3.3.1. Operational Stress Aspect Analysis

Investigators are part of a group of street-level bureaucrats who provide public services to citizens, including security, law enforcement, and education. Street-level bureaucrats are responsible for making important decisions at the grassroots level. To do so, they are given discretion and authority in their work. In reality, they face numerous dilemmas, including unclear and conflicting organizational goals, unrealistic work targets, and gaps between organizational and professional interests, all while dealing with high workloads and risks (Liljegren et al., 2021, p. 70).

One of the typical characteristics of street-level bureaucrats is face-to-face interaction with the public. From the perspective of service providers, street-level bureaucrats have four characteristics, namely inadequate resources, high workload, uncertainty, and full of ambiguity (Brodkin, 2012; Lipsky, 2010 quoted from Alcadipani et al. 2020: 2). Research from Chang (2021: 10) and Lavee & Cohen (2024: 343) even states that despite being constrained by limitations in the field, street-level bureaucrats provide services beyond what is required, because they work outside of self-interest and have social responsibility for the public interest.

In this operational stress aspect, the study focuses on identifying the risks faced by PPNS. Law enforcement activities are inherently high-risk. Law enforcement is an activity that does not recognize holidays. Officers must always be ready 24 hours a day. The threats in this task are also no joke. Officers frequently face threats and risks to their personal and family safety. In the environmental and forestry sector, PPNS face risks in the field every day, such as physical resistance from perpetrators of criminal acts, accidents in the field, exposure to pollution, waste, and hazardous and toxic materials (B3), as well as exposure to viruses while in the forest.

As a concrete example, on September 2, 2016, seven KLHK employees were taken hostage by a mob mobilized by a plantation company in Riau Province. At that time, officers were investigating allegations of forest and land burning, which had caused a thick haze in Rokan Hulu Regency, Riau Province. The mob held the officers hostage for about twelve hours and threatened to kill the officers. Thanks to intensive coordination with stakeholders and local law enforcement officers, the seven officers were successfully rescued (Hasuki 2016).

In addition to external risks, law enforcement officers are also vulnerable to internal risks, namely committing violations. The unique nature of law enforcement is its authority to use force, including weapons and violence, or other harsh measures in

accordance with the provisions of the law. Because officers are also ordinary people, the risk of them abusing this authority is very wide open. Being a law enforcement officer means you must also be prepared to be disliked by people and have limited social connections. Therefore, only people with certain ideals and passions will have the endurance to carry out their duties as law enforcers.

In identifying risks associated with the implementation of PPNS duties, the study draws on Young's theory (2000), as cited by Archbold (2013: 343). Three categories of assets are the objects of risk management in law enforcement agencies, namely physical assets, human resource assets, and financial assets. Physical assets include vehicles, buildings, land, and technology. Human resource assets include political officials, managers, and all staff employed by the organization. Financial assets are all budget resources for the operation of the organization. This study adds three additional categories to complement the three types of risks presented by Young (2000), namely legal risk (Sugiharto, 2022), reputation risk (Achim, 2014), and psychosocial risk (Garcia et al., 2023). As a law enforcement agency, handling cases and addressing legal issues is the primary task, which naturally entails numerous potential risks. Reputation is also important for law enforcement because it affects public trust and support. Something that is often overlooked regarding the mental health of law enforcement officers is their psychosocial condition. The following are the risks that were successfully mapped in the investigation activities by PPNS:

Table 2. Risk Mapping of Investigations by PPNS

No.	Risk	Impact
Physical Asset Risk		
1	Infrastructure and facilities are damaged or lost	- Obstruction of law enforcement efforts, especially field mobilization - Increased maintenance and procurement costs
2	Infrastructure and facilities are used for purposes other than official purposes	- Vulnerable to damage to infrastructure - Unavailability of infrastructure when needed for official duties
Human Resource Asset Risk		
3	Psychological and physical threats and silencing of officials, experts and/or activists	- Lowering the mental condition and work spirit of officers and environmental activists - Hinders case handling
4	Injury, exposure to hazardous substances, physical disability, or death	- Lowering the mental and work spirit of the personnel concerned and their co-workers - Health risks - Making it difficult for officers to work normally or find work in the future - Hinders case handling
5	Death	- Lowering the mentality and work spirit of other personnel - Reducing the number of personnel
6	Irregular eating patterns, sleeping patterns, and exercise patterns due to heavy workload	- Health risks - Hinders case handling
Physical Asset Risk		
7	Budget cuts (reallocation, refocusing, or legislative processes)	Reduce case handling capacity and operational costs
8	Litigation costs (pre-trial, state administrative lawsuits, civil lawsuits, etc.)	Additional litigation costs and time wastage
9	Unforeseen expenses	Additional costs that are not regulated in the cost standards
Physical Asset Risk		
10	Authorities use excessive force or authority	- Rejection of the case by the Court - Counterclaim - Declining public trust and support
11	Corruption or violation of law by officials	- Officials can be reported and prosecuted - Declining public trust and support

No.	Risk	Impact
12	Maladministration in handling cases (for example: there are procedures that are not followed)	• Rejection of investigation files for the P-21 stage • Rejection of civil lawsuits by the court • Counterclaims • Declining public trust and support
13	Lack of evidence or use of invalid data in handling cases	• Rejection of case files for the P-21 stage • Rejection of cases by the court or the imposition of lower sentences • Declining public trust and support
14	Counterclaim (pre-trial, civil lawsuit, administrative lawsuit, or judicial review of statutory regulations)	• Case handling duration becomes longer • Additional case handling costs • Investigations are vulnerable to being stopped if the pretrial motion is granted
15	Attempts to criminalize and/or report officials/experts/activists to the President/Police/Prosecutor/National Human Rights Commission/Ombudsman/KPK/other agencies	• Increased costs and time for handling legal issues • Declining public trust and support • Handling of a case becomes neglected
16	Rejection of officers when carrying out activities in the field by companies or community groups	• Handling of a case becomes neglected
Reputational Risk		
17	Hoax or negative sentiment news	• Public Misperception • Declining public trust and support
18	Rejection of a case or a judge's verdict that is lower than the demands/lawsuit	• Declining public trust and support • Failure to achieve performance targets
19	Handling of discontinued or abandoned cases	• Declining public trust and support • Failure to achieve performance targets
Psychosocial Risks		
20	Reduced social relationships due to ethical code demands, workload, or being shunned by colleagues	• Mental health risks
21	Reduced time with family due to workload	• Mental health risks

Source: Author's analysis

Based on the analysis, there are a total of 21 risks in law enforcement by PPNS, which are divided into categories of physical asset risk (2 risks), human resource asset risk (4 risks), financial asset risk (3 risks), legal risk (7 risks), reputation risk (3 risks), and psychosocial risk (2 risks). The identification results show that PPNS suffer from non-trivial risks, such as mental health risks, criminalization, and even death risks.

Accurate risk management is needed to mitigate and overcome every risk in law enforcement. The study recommends three measures to mitigate risks associated with PPNS. First, it is necessary to strengthen the integrity system for PPNS. Law enforcement activities can only be carried out by people with high idealism and resilience, considering the high threats and risks. Integrity is a non-negotiable price for the honor and good name of the law enforcement organization. Strict sanctions always await staff who lack integrity. If there is no integrity, then law enforcement officers are vulnerable to acting outside the provisions of the law. By internalizing the integrity system, certain risks, such as physical asset risks, financial asset risks, legal risks, or reputational risks, can be prevented and overcome from the outset.

Second, PPNS need to be equipped with the provision of management support. There are PPNS who carry out their duties according to procedures but still receive legal resistance in the form of pretrial motions, civil lawsuits, administrative lawsuits, summonses, and criminal proceedings. Based on data observations at the Ministry of Environment and Forestry, it was recorded that from 2015 to 2022, there were 84 attempts at legal resistance, namely seven pretrial motions, 10 civil lawsuits, and four state administrative lawsuits. Of course, this legal resistance is very tiring

because it distorts the focus of PPNS and has implications for increasing the budget for legal advocacy.

As a solution to the problem of risk magnitude, PPNS requires management support in the form of establishing technical and regulatory frameworks related to legal protection. For example, the Ministry of Environment and Forestry has issued Regulation of the Minister of Environment and Forestry Number 10 of 2024 concerning Legal Protection for People Fighting for the Right to a Good and Healthy Environment. Law enforcement officers and the general public who believe they are facing legal challenges due to their efforts in protecting environmental interests can submit a request for legal protection to the Minister of Environment and Forestry. The form of legal protection that will be provided is the provision of free legal aid services. Each PPNS agency is also expected to provide management support in the form of establishing a legal advocacy system to assist PPNS who face legal resistance. Management support can also be provided in the form of training and technical guidance. For comparison, the National Police have implemented regulations in the form of legal protection through the ratification of the Regulation of the Chief of Police Number 2 of 2017 concerning Procedures for Providing Legal Aid by the National Police of the Republic of Indonesia (Fernando 2022: 187). The Chief of Police Regulation also stipulates that legal aid is provided not only to members of the Police but also to their families both inside and outside the court process.

Third, to complete the infrastructure in the form of strengthening the integrity system and management support, PPNS also need to be given operational support in the form of adequate facilities, tactical, operational funds, and insurance. PPNS will certainly be enthusiastic about uncovering cases if armed with vehicles for mobility, the latest technology for data acquisition and processing, evidence management facilities, or personal protective equipment. These facilities must be maintained with standard operating procedures (SOP) for use and insured. Tactical and operational funds that are not tied to conventional financial accountability provisions are also needed, for example, when PPNS have to go undercover in certain places, such as nightclubs. At the same time, organizations must prioritize the physical and mental health and safety of staff while they are on duty. One solution that can be actualized is the provision of insurance (life insurance, health insurance, accident insurance, and travel insurance), routine health services, strengthening the occupational health and safety (K3) system, the implementation of flexible working hours.

3.3.2. Analysis of Organizational Stress Aspects

Workload is defined as the amount of work completed within a specified period (Creagh et al., 2025, p. 663). Subjectively, the workload can be analyzed into three elements: prescribed workload, perceived workload, and real workload (Boucher et al., 2024, p. 3). Perceived workload refers to the demands of a job and the resources available to an individual in executing it. Job demands and resources can, for example, be in the form of performance expectations, work procedures, available equipment, work constraints, work flexibility, social support, and so on. Perceived workload guides managers, subjective experiences, and assessments of the demands faced in their work, including how they feel about the workload. Real workload refers to the activities carried out to meet expectations in a specific work context. These activities encompass various actions and strategies devised by individuals or groups of people to address existing situations.

This section aims to analyze the workload of PPNS by reviewing the number of PPNS and the number of cases that must be handled. KLHK has PPNS spread

across the head office to the technical implementation unit office in the field of law enforcement, namely the Environmental and Forestry Law Enforcement and Security Center (PPHLHK Center) in the following five regions:

Table 3. Distribution of PPNS KLHK

No.	Work unit	Number of PPNS		Total PPNS
		Active	Inactive	
1	Head Office	18	24	42
2	PPHLHK Office for the Sumatra Region	49	11	60
3	PPHLHK Office for Java, Bali and Nusa Tenggara Region	48	3	51
4	PPHLHK Office for Sulawesi Region	52	5	57
5	PPHLHK Office for Kalimantan Region	52	0	52
6	PPHLHK Office for Maluku and Papua Region	31	0	31
Total		250	43	293

Source: 2024 KLHK statistical data

KLHK has 293 PPNS. At the same time, the number of cases handled can be described as follows:

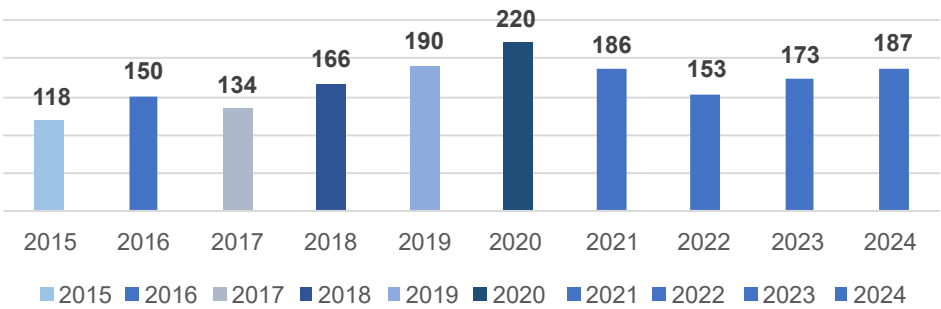


Figure 2. Number of Criminal Case Investigations by KLHK 2015-2024

Source: KLHK statistical data 2024

Investigation is an activity carried out as a team. One team generally consists of 6 PPNS. If the 293 PPNS KLHK are divided into teams of 6 people, then 48 PPNS teams are obtained. During 2015-2024, 1,677 criminal cases were recorded as being handled, indicating that 1 PPNS team handled an average of 34 cases over the past 10 years, or approximately 3-4 cases per year.

To determine the number of cases that can be handled in a year, we can refer to Regulation of the Chief of Police Number 12 of 2009 concerning the Supervision and Control of Criminal Case Handling within the Indonesian National Police. The regulation divides the criteria for the level of difficulty of the case and the time limit for handling it as follows:

Table 4. Distribution of PPNS KLHK

No.	Case Difficulty Level Criteria	Handling Time Limit
1	Easy thing	30 days
2	Medium thing	60 days
3	Difficult thing	90 days
4	Very difficult thing	120 days

Source: 2024 KLHK statistical data

Investigation is an activity carried out by a team of investigators. One team generally consists of 6 PPNS. If the 293 PPNS KLHK are divided into teams of 6 people, then 48 PPNS teams are obtained. During 2015-2024, 1,677 criminal cases

were recorded as being handled, indicating that 1 PPNS team handled an average of 34 cases over the past 10 years, or approximately 3-4 cases per year.

The number of cases handled in 1 year can also be reviewed from one of the regulations managed by KLHK, namely Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction (UU P3H). In considering the P3H Law, it is recognized that the crime of forest destruction is a serious offense with an extraordinary impact, often organized and crossing international borders, carried out with a sophisticated *modus operandi*. Thus, cases of forest destruction are certainly not easy to resolve. In the regulation, there is a maximum investigation time limit of 90 days. Assume that 90 days is the time allocated for one investigation case. In one year (365 days), one PPNS team is required to investigate four cases.

The maximum case handling time of 90 days is considered too narrow. Investigators will find it difficult to ensnare perpetrators at the middle and upper levels if the investigation time is only 90 days. Moreover, for asset tracking and the identification of criminal networks, investigators require data from other agencies, the feedback of which is also relatively lengthy (Ndaru & Sugiharto 2024: 24). Therefore, it can be concluded that 90 days is not the ideal investigation duration.

Therefore, the number of 4 cases in a year is considered too many for PPNS. Indeed, to date, there has been no special study on the calculation of the ideal number of cases handled in a year. If we examine the practice at the Corruption Eradication Commission, the Deputy Chairman of the Corruption Eradication Commission for the 2011-2015 period, Bambang Widjojanto, once stated that one investigator at the Corruption Eradication Commission should ideally handle only one to two cases per year (Rachman, 2013). This correlates with a study conducted by Dhanush & Shobha (2023: 76), which examined the workload of the police in the State of Karnataka, India. It was explained that the average criminal case in the State of Karnataka requires a handling time of 6 months, so one personnel can only handle a maximum of 2 cases in a year. The caseload in the State of Karnataka is also quite high. Between 2017 and 2021, a total of 824,923 cases were reported, while the number of police personnel was approximately 109,519. During this period, many cases could not be handled, specifically 44.8 percent.

Like corruption, several types of crimes handled by PPNS are also organized crimes, have serious impacts, are difficult to prove, and sometimes cover the jurisdiction of other countries. In the fields of environment and forestry, examples include forest destruction (van Uhm, Tjoonk, & Bakole, 2022), illegal trade in wild plants and animals (Sollund, 2019), and cases of cross-border environmental pollution (Gore et al., 2019). It is only natural that handling these cases also requires a significant amount of time and resources. So, investigators handling cases must focus and not be burdened with too many cases per year. The smaller the ratio of cases per year, the more effective case handling can be, as PPNS can focus on gathering evidence for the case and developing it for the intellectual level of the actor and beneficiary.

Looking at observations at the Ministry of Environment and Forestry, the duration of case handling varies. In certain cases, for example, those where the perpetrators are caught red-handed, the duration of handling is relatively short because it does not take much time to locate and apprehend the suspect. For example, there is a case of illegal trade in protected plants and wildlife (TSL) in Pontianak City, West Kalimantan Province, involving a suspect with the initials T. Suspect T was found to be storing 15 kg of pangolin scales, which were purchased from hunters and intended for resale. This case was investigated based on an investigation warrant number PT. SIDIK.09/BPPHLHK.4/SW.3/5/PPNS/2022 dated May 17, 2022. The investigation of this case

was completed in less than a month, as the West Kalimantan High Prosecutor's Office stated on June 16, 2022, that the investigation files were completed, in accordance with letter P-21 number B-1608/O.1.4/Eku.1/06/2022. A similar case was also handled in Manokwari City, West Papua Province, involving a suspect with the initials VRK who traded two bayan parrots, 12 black-capped lorries, one cockatoo, a Maluku monitor lizard, seven king birds of paradise, one double-wattled cassowary, six green pythons, and two Timor deer antlers. The suspect was investigated based on an investigation warrant number SP. SIDIK.01/BPPHLHK.5/SW.1/PPNS/2/2024 dated February 7, 2024. This case was handled relatively quickly because, on March 8, 2024, the West Papua High Prosecutor's Office stated that the investigation files were complete according to the letter P-21 number B-558/R.2.4/Eku.1/03/2024.

In contrast to certain cases where it is difficult to find the perpetrator or require in-depth scientific evidence, handling can take up to more than a year. An example is the transnational case of the illegal import of B3 waste by PT ART, as many as 24 containers in the Bitung Cikupa Bonded Zone in 2019. The PPNS KLHK then issued an investigation order number SPRINDIK-06 / PHP-3 / PPNS / 2019 dated September 3, 2019. This case took quite a long time because it required laboratory analysis and collection of various evidence. In addition, the PT ART administrator with the initials KWL, a Singaporean citizen, fled to Singapore so that the handling of the case was hampered. Finally, on August 24, 2022, the public prosecutor at the Attorney General's Office stated that the case file was complete based on letter P-21 number B-3323 / E.3 / Eku.2 / 08/2022 after KWL's position as the PT ART administrator was replaced by JP (Financial Director of PT ART who is an Indonesian citizen).

Similarly, forest and land fires (karhutla) cases require difficult evidence to handle. To find the perpetrator, investigators need to interview dozens of witnesses. Investigators must also present experts to ensure violations of environmental quality standards by the perpetrators, as well as high-resolution satellite imagery analysis, to convince the public prosecutor and judge. In the devastating forest and land fire phenomenon in Indonesia in 2014-2015, there were several cases by the Ministry of Environment and Forestry whose investigation duration took more than 2 years, namely the forest and land fire case of PT TFDI in Siak Regency, Riau Province with an investigation order letter number SPRIN.DIK.03/PHP-1/PPNS/2015 dated September 7, 2015, and PT KU in Tanjung Jabung Timur Regency, Jambi Province, through an investigation order letter number Sprin.Dik.02/PHP-1/PPNS/2016 dated September 1, 2016. The PT TFDI case was only completed on December 27, 2017, after the Siak District Attorney issued a P-21 letter number B-4781/E.4/Euh.1/12/2017. Meanwhile, the investigation into the PT KU case was completed after the Attorney General's Office's public prosecutor issued letter P-21 number P-21 B-1208/E.4/Epk/04/2019, dated April 18, 2019.

In addition to the typology of cases that are relatively difficult to handle, the facts also show that one PPNS agency can enforce more than one law thereby multiplying its workload. Examples are described in the following table:

Table 5. Number of Sectoral Laws Handled by PPNS Agencies

No.	PPNS Agencies	Sectoral Laws Under Their Jurisdiction
1	PPNS of forestry sector	• Law Number 5 of 1990 on Conservation of Natural Resources and Ecosystems in conjunction with Law Number 32 of 2024 • Law Number 41 of 1999 on Forestry • Law Number 18 of 2013 on Prevention and Eradication of Forest Destruction • Law Number 37 of 2014 on Soil and Water Conservation

No.	PPNS Agencies	Sectoral Laws Under Their Jurisdiction
2	PPNS of energy and mineral resource sector	• Law Number 22 of 2001 on Oil and Gas • Law Number 30 of 2009 on Electricity • Law Number 4 of 2009 on Mineral and Coal Mining in conjunction with Law Number 3 of 2020 • Law Number 21 of 2014 on Geothermal
3	PPNS of agriculture sector	• Law Number 29 of 2000 on Plant Variety Protection • Law Number 18 of 2009 on Animal Husbandry and Animal Health in conjunction with Law Number 41 of 2014 • Law Number 41 of 2009 on Sustainable Food Crop Land Protection • Law Number 13 of 2010 on Horticulture • Law Number 18 of 2012 on Food • Law Number 19 of 2013 on Farmer Protection and Empowerment • Law Number 39 of 2014 on Plantations • Law Number 21 of 2019 on Animal, Fish, and Plant Quarantine • Law Number 22 of 2019 on Sustainable Agricultural Cultivation Systems
4	PPNS of health sector	• Law Number 5 of 1997 on Psychotropics • Law Number 35 of 2009 on Narcotics • Law Number 17 of 2023 on Health

Source: compiled from various laws and regulations.

The workload of PPNS is increasing because currently, PPNS (and also all investigators of predicate crimes) are given authority by the Constitutional Court to conduct investigations into money laundering (TPPU). This authority is enshrined in Constitutional Court Decision Number 15/PUU-XIX/2021, dated June 29, 2021. Before the Constitutional Court decision came into effect, there were only six investigative agencies authorized to conduct TPPU investigations based on Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering (PPTPPU Law), namely National Police investigators, prosecutors, KPK investigators, BNN investigators, PPNS Directorate General of Taxes, and PPNS Directorate General of Customs and Excise.

Currently, all investigators of predicate crimes, including PPNS, are authorized to follow up on TPPU investigations originating from predicate crimes in accordance with the legal regime they are responsible for (Mappatunru: 2023: 86). Referring to Article 2 paragraph (1) of the PPTPPU Law, there are 26 types of predicate crimes, namely: corruption, bribery, narcotics, psychotropics, labor smuggling, migrant smuggling, in the banking sector, in the capital markets sector, in the insurance sector, customs, excise, human trafficking, illegal arms trade, terrorism, kidnapping, theft, embezzlement, fraud, counterfeiting, gambling, prostitution, in the taxation sector, in the forestry sector, in the environmental sector, in the maritime and fisheries sector, or other crimes that are subject to imprisonment of 4 years or more. (Atmasasmita 2016: 1).

PPNS must realize its authority to investigate TPPU. If criminal investigators fail to utilize their authority to investigate TPPU, this can have at least three negative implications. First, perpetrators of criminal acts will further strengthen their criminal networks because there is no action and deterrent effect (Garnasih 2017: 26). Second, the government cannot recover state financial losses due to criminal acts (Rafay 2021: 96). Third, from the aspect of the formation of laws and regulations, the government (Ministry of Law) has a mandate to conduct analysis and evaluation of laws and regulations as stipulated in Article 97C of Law Number 13 of 2022 concerning the Second Amendment to Law Number 12 of 2011 concerning the Formation of Laws and Regulations. Failure to implement the authority granted, for example, through TPPU investigations, can be a material factor for the government

to revoke this authority. The government has revoked several provisions of articles in the law because they were considered ineffective, namely in Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction. The provisions that were revoked were the establishment of the Forest Destruction Prevention and Eradication Agency (Article 54) and the establishment of mad hoc haki (Article 53). These provisions were revoked through Law Number 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation into Law (Job Creation Law) because they had not been implemented (National Legal Development Agency 2022: 30).

The high risk and workload among law enforcement officers are also a central issue in developed countries. Research by Wilson & Grammich (2024: 4) shows that in the United States, there is a trend of mass resignations in police institutions. This is because many police personnel are experiencing burnout from workloads and fading police morale due to mass protests due to the brutality of a police officer who killed an American citizen named George Floyd.

Based on the description presented, there is also a disturbing fact that some PPNS are not actively conducting investigations. At the Ministry of Environment and Forestry, of the 293 registered PPNS, only 249 people (85 percent) are active. This means that there are still 44 PPNS (15 percent) who are not actively carrying out investigations. The issue of PPNS activity levels certainly has negative implications. The first implication is that many cases are ultimately not handled. The 1,677 criminal cases handled by the Ministry of Environment and Forestry cannot be considered resolved, as many cases remain unaddressed. For comparison, during the period from 2015 to 2024, the Ministry of Environment and Forestry received 8,851 public complaints. This data illustrates that the potential for violations in the field is far greater than the authorities' capacity to address them. KLHK data from 2015 to 2020 also show that 65 cases of forest destruction failed to proceed to prosecution due to the limitations of PPNS in collecting evidence and searching for suspects within the 90-day investigation time limit (Ndaru & Sugiharto, 2024: 24).

The second implication is that there are cases that can be handled, but the resolution becomes protracted due to the lack of PPNS who can develop the case. The handling of one case varies in time depending on the level of difficulty. Some cases are handled in less than a month, and there are also cases that drag on for years. Criminal law enforcement requires a relatively long time, starting from collecting materials and information/investigation, processing the crime scene, examining witnesses and experts, preparing investigation files, collecting and handling evidence, and handing over evidence and suspects to the public prosecutor.

The third implication is the waste of the state budget because training has been held, but the knowledge gained is not implemented optimally. In order to be able to conduct an investigation, a civil servant is required to attend a formation training held by the Police Education and Training Institute. Referring to Government Regulation Number 60 of 2016 concerning Types and Tariffs for Types of Non-Tax State Revenue Applicable to the Indonesian National Police, the cost of forming a ministerial-level PPNS per person ranges from IDR 27,900,000 to IDR 30,300,000. Of course, these costs come from public money, but it turns out that the brevet that has been obtained with great difficulty is not necessarily used to conduct investigations.

In addition to the high risk in conducting investigations, the suboptimal PPNS to actively conduct investigations occurs due to several other factors. The first factor is the burden of other tasks assigned to PPNS. Current practices in ministries/institutions show that PPNS come from three sources, namely structural officials, functional

officials, and implementing officials. In the Directorate General of Environmental and Forestry Law Enforcement of the Ministry of Environment and Forestry, structural officials who become PPNS are high-ranking officials (directors-general), high-ranking officials (directors), administrator officials (heads of subdirectories and heads of technical implementation units), and supervisory officials (heads of sections and heads of administrative subsections). Functional officials who become PPNS are Forestry Police, Environmental Supervisors, Policy Analysts, Legal Analysts, and Planners. Meanwhile, implementing officials who become PPNS are Data Analysts. By being designated as functional positions, PPNS will focus on carrying out functional investigation tasks.

For structural, functional, and implementing officials, assignment as PPNS is considered an additional task so that these staff are more focused on carrying out their main tasks. The author's observations show that there are still investigators who are assigned other activities by their superiors, such as managing state assets, preparing planning documents, and personnel administration. If one person is burdened with two tasks at once as a functional official and investigator, this is very tiring and has the potential to cause staff to fail to meet the credit points or activity points they are targeting.

The second factor is that the quality of PPNS is not yet optimal. There are still PPNS whose capacity is not yet adequate because they have minimal flying hours and opportunities to participate in capacity building. There are even PPNS who do not know how to file and have never interviewed witnesses, experts, or suspects. For such PPNS, the investigator's superior usually takes a pragmatic attitude by not involving them in handling the case because it is considered that they will be a burden for the team.

Research by [Prayogo, Priyowibowo, & Patria \(2024\)](#), which analyzed the competence of Indonesian Navy investigators, emphasized that developing the competence of investigator personnel is very important to improve the quality of investigations and strengthen integrity and professionalism. Regarding the problem of the quality of PPNS, which is not yet optimal, the most appropriate solution is to provide regular capacity building for PPNS. Ideally, each PPNS gets a capacity building at least 3-4 times a year. Every year, PPNS needs to prepare a capacity-building plan to be submitted to their superiors for budget allocation. A PPNS also has the right to choose a capacity building according to their interests, for example, specialization in handling money laundering crimes, lie detection techniques, or training in operating drones. A PPNS also needs to be facilitated to obtain study scholarships and opportunities to attend international conferences to enrich their experience.

The third factor is the lack of incentives for PPNS. It must be admitted that incentives, both monetary and non-monetary, are a source of encouragement for employees to complete their tasks thoroughly. In 2015-2017, there was a separate budget item to provide special incentives to PPNS at the Ministry of Environment and Forestry. Unfortunately, the budget item was removed by the Ministry of Finance on the grounds that investigations were already an inherent task of PPNS. Research from [Adamson & Rentschler \(2020\)](#) also shows that increasing incentives for police personnel has implications for increasing performance and ultimately reducing crime rates.

4. Conclusion

The results of the study indicate that PPNS can ideally be promoted to become a functional position based on the analysis of job stress theory. Referring to the operational stress aspect, it was identified that there were 21 risks faced by PPNS, namely physical asset risk (2 risks), human resource asset risk (4 risks), financial asset risk (3 risks), legal risk (7 risks), reputation risk (3 risks), and psychosocial risk (2 risks). Referring to the organizational stress aspect, it was identified that the workload of PPNS is quite high because they are required to handle 4 cases in one year. Currently, PPNS are also required to conduct TPPU investigations.

The transformation of PPNS into functional positions is also expected to address the persistent problem in the investigation sector, namely the lack of PPNS who actively conduct investigations. By becoming a functional position, PPNS will be able to focus on pursuing a career only as an investigator. PPNS will also receive special allowances as functional officials so that their take-home pay will be greater than if they were in an implementing position. In the future, it is hoped that becoming a PPNS can be a promising career choice for civil servants, both in the central government and local governments.

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