

GOVERNMENT OF THE REGENCY OF GRESIK

REGIONAL REGULATION OF THE REGENCY OF GRESIK

NUMBER 23 OF 2011

ON

WORK GUIDELINES FOR CIVIL SERVANT INVESTIGATORS AT
REGIONAL WORK UNITS

BY THE BLESSINGS OF ALMIGHTY GOD

THE REGENT OF GRESIK,

Considering: a. that with the enactment of Law Number 32 of 2004 on Regional Government, the existence and role of Civil Servant Investigators need to be improved in quality and quantity to be more professional in conducting investigations into Laws that are within their respective authority and violations of Regional Regulations;

b. that the operational implementation of Civil Servant Investigators in enforcing Laws that are within their respective authority and violations of the Regional Regulations of the Regency of Gresik need to be carried out in a coordinated, directed, integrated and continuous manner;

c. that to improve the performance of Civil Servant Investigators in carrying out their duties, work guidelines for Civil Servant Investigators are needed;

d. that based on the considerations in sub-paragraphs a, b and c, it is necessary to issue a Regional Regulation on Work Guidelines for Civil Servant Investigators at Regional Work Units.

Considering: 1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia; 2. Law Number 12 of 1950 on the Formation of Regency Areas within the Province of East Java (State Gazette of 1950 Number 19, Supplement to the State Gazette Number 2930);

3. Law Number 8 of 1981 on Criminal Procedure (State Gazette of the Republic of Indonesia of 1981 Number 76, Supplement to the State Gazette of the Republic of Indonesia Number 3209);
4. Law Number 28 of 1999 on Clean and Corruption-Free State Administration, Collusion and Nepotism (State Gazette of the Republic of Indonesia of 1999 Number 72, Supplement to the State Gazette of the Republic of Indonesia Number 3851);
5. Law Number 43 of 1999 on Amendments to Law Number 8 of 1974 on the Principles of Civil Servants (State Gazette of the Republic of Indonesia of 1999 Number 169, Supplement to the State Gazette of the Republic of Indonesia Number 3890);
6. Law Number 2 of 2002 on the Indonesian National Police (State Gazette of the Republic of Indonesia of 2002 Number 2, Supplement to the State Gazette of the Republic of Indonesia Number 4168);
7. Law Number 32 of 2004 on Regional Government (State Gazette of the Republic of Indonesia of 2004 Number 125, Supplement to the State Gazette of the Republic of Indonesia Number 4437) as amended twice by Law Number 12 of 2008 on the Second Amendment to Law Number 32 of 2004 on Regional Government (State Gazette of the Republic of Indonesia of 2008 Number 59, Supplement to the State Gazette of the Republic of Indonesia Number 4844);
8. Government Regulation Number 27 of 1983 on the Implementation of the Criminal Procedure Code (State Gazette of the Republic of Indonesia of 1983 Number 36, Supplement to the State Gazette of the Republic of Indonesia Number 3258) as amended by Government Regulation Number 58 of 2010 (State Gazette of the Republic of Indonesia of 2010 Number 90, Supplement to the State Gazette of the Republic of Indonesia Number 5145);
9. Government Regulation Number 79 of 2005, on Guidelines for Guidance and Supervision of Regional Government Administration (State Gazette of the Republic of Indonesia of 2005 Number 165, Supplement to the State Gazette of the Republic of Indonesia Number 4593);
10. Government Regulation Number 38 of 2007 on the Division of Governmental Affairs between the Central Government, Provincial Regional Governments and Regency/City Governments (State Gazette of the Republic of Indonesia of 2007 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 4737);
11. Government Regulation Number 6 of 2010 on the Regional Public Order Agency (State Gazette of the Republic of Indonesia of 2010, Number 9, Supplement to the State Gazette of the Republic of

Indonesia Number 5094);

12. Government Regulation Number 53 of 2010 on the Discipline of Civil Servants;

13. Regulation of the Minister of Home Affairs Number 11 of 2009 on the Code of Ethics for Regional Civil Servant Investigators;

14. Regulation of the Minister of Home Affairs Number 54 of 2011 on the Standard Operating Procedure of the Regional Public Order Agency;

With mutual agreement,

THE REGIONAL HOUSE OF REPRESENTATIVES OF REGENCY OF GRESIK

and

THE REGENT OF GRESIK

DECIDE:

To enact: REGIONAL REGULATION ON WORK GUIDELINES FOR CIVIL SERVANT INVESTIGATORS AT REGIONAL WORK UNITS.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Region means the Regency of Gresik;
2. Regional Government means the Regent together with the Regional Apparatus as the implementing element of the Regional Government;
3. Regent means the Regent of Gresik;
4. Regional Work Unit, hereinafter abbreviated as RWU, means the work unit element assisting the Regent in the implementation of regional government which consists of the Regional Secretariat, the Secretariat of the Regional House of Representatives, Regional Agencies, Inspectorate, Regional

Development Planning Agency, Regional Technical Institution, Sub-district and Village;

5. The Indonesian National Police, hereinafter abbreviated as POLRI, means a state apparatus that plays a role in maintaining public security and order, upholding the law, and providing protection, guidance, and service to the community in order to maintain domestic security;

6. Investigator means an official of the Indonesian National Police or a certain Civil Servant official who is given special authority by Law to conduct investigations;

7. Civil Servant, hereinafter abbreviated as CS, means a Civil Servant as referred to in the Law;

8. Regional Civil Servant Investigator, hereinafter abbreviated as RCSI, means a certain Civil Servant official in the region who is given special authority by Law to conduct investigations into Laws that are the basis of their respective legal grounds and violations of Regional Regulations;

9. Coordinator of the Supervisor of Civil Servant Investigators, hereinafter abbreviated as CORS, means an Indonesian Police Investigator who is authorized to guide, develop, direct, provide technical assistance, and supervise the performance of duties of Civil Servant Investigators;

10. Indonesian National Police Investigator, hereinafter abbreviated as POLRI Investigator, means a certain official of the Republic of Indonesia who is given special authority by Law to conduct investigations;

11. RCSI Supervisor means an RCSI appointed by his/her institution and/or structurally supervising the RCSI assigned to handle certain criminal cases within his/her authority;

12. Criminal Act means criminal acts and/or violations of Laws that are the basis of their respective legal grounds and violations of Regional Regulations that contain legal sanctions;

13. Investigation means a series of actions by an investigator in a particular manner and way to search for and collect evidence that clarifies the criminal act that occurred and to find suspects;

14. Technical Supervisor means an official who carries out the supervisory function to RCSI hierarchically, consisting of the Minister of Law and Human Rights, the Chief of Police, and the Attorney General according to their respective duties and functions;

15. Operational Supervisor means an official appointed by the Regent whose duties and authority are to conduct operational supervision of RCSIs;

16. Training for Civil Servant Investigators, hereinafter abbreviated as RCSI Training, is an activity aimed at improving the quality of RCSIs in the field of investigation into Laws that are the basis of their respective legal grounds and Regional Regulations to be appointed as RCSIs;

17. Supervision, Observation, Research or Examination means a series of actions to search for and find an incident suspected to be a criminal act through activities as regulated in the law in accordance with the scope of their duties and authority;
18. Suspect means someone who, due to his/her actions or circumstances, based on sufficient preliminary evidence, is reasonably suspected of being the perpetrator of a criminal act;
19. Witness means a person who can provide testimony for the sake of investigation, prosecution and trial regarding a criminal case that he/she heard himself/herself, saw himself/herself and experienced himself/herself;
20. Witness Statement means one of the pieces of evidence in a criminal case which is in the form of a statement from a witness regarding a criminal incident that he/she heard himself/herself, saw himself/herself and experienced himself/herself by stating the reason for his/her knowledge;
21. Expert Statement means a statement given by a person who has special expertise on matters needed to clarify a criminal case for the purpose of examination;
22. Indication means an action, event or condition which, due to its consistency, both between one and the other, and with the crime itself, indicates that a crime has occurred and who the perpetrator is;
23. Document means a report and other documents in the official form made by an authorized public official or made in his/her presence, which contains information about events or circumstances that were heard, seen or experienced by himself/herself, accompanied by clear and firm reasons for that information;
24. Defendants Statement means what the defendant stated in the trial about the actions he/she committed or that he/she knew himself/herself or experienced himself/herself;
25. Report means a notification submitted by someone due to right or obligation based on the law to the authorized official about a criminal event that has occurred, is occurring, or is suspected to occur;
26. Incident Report means a written report made by an officer regarding an incident suspected to be a criminal act, both found by himself/herself or through a notification submitted by someone due to a right or obligation based on the law;
27. Caught in the Act means the arrest of someone while committing a crime, or immediately after a short time after the crime was committed or immediately afterwards proclaimed by the public as the

person who did it, or if immediately afterwards an object is found on him/her which is strongly suspected to have been used to commit the crime or which is the result of the crime and shows that he/she is the perpetrator or participated in or assisted in committing that crime;

28. Crime Scene, hereinafter abbreviated as CS, means the place where a crime is committed/occurred and other places where the suspect and/or victim and/or evidence related to the crime can be found;

29. Summon means an action to bring a witness, expert, or suspect to hear their testimony regarding the criminal act that occurred based on the incident report;

30. Examination means an activity to obtain information, clarity, and identity of the suspect, witness, expert and/or evidence, as well as the elements of the criminal act that has occurred, so that the position or role of a person or evidence in the crime becomes clear and is recorded in the Examination Report;

31. Arrest means an action by an investigator in the form of temporary restriction of the freedom of a suspect or defendant, if there is sufficient evidence and legal provisions for the sake of investigation or prosecution and/or trial in the manner and way regulated in the law;

32. Detention means the placement of a suspect or defendant in a certain place by the Investigator or Public Prosecutor or Judge with his/her determination, in the manner and way regulated in the law;

33. Suspension of Detention means the temporary suspension of detention against a suspect for health reasons (requiring outpatient or inpatient treatment) supported by a doctors statement, until the person concerned is declared recovered;

34. House Search means an action by an investigator to enter a dwelling house and/or other closed places to conduct examination and/or seizure of evidence and/or arrest of suspects in the matters and ways regulated in the Criminal Procedure Code;

35. Body Search means an action by an investigator to conduct an examination of the body or clothing of a suspect to search for objects that are strongly suspected to be on his/her body or carried by him/her and to be confiscated;

36. Seizure means a series of actions by an investigator to take over and/or keep under his/her control movable or immovable, tangible or intangible objects for the sake of proof in investigation, prosecution and trial;

37. Investigation Administration means a form of activity in record-keeping to complete the administration needed in the investigation process.

CHAPTER II

POSITION, DUTIES AND AUTHORITY OF RCSIs

Article 2

RCSIs in the Region are under and accountable to the Regent through the head of the RWU.

Article 3

(1) RCSIs have the duty and authority to conduct investigations into criminal acts according to the Law which is within their respective authority and/or criminal acts violating Regional Regulations.

(2) In carrying out the duties as referred to in section (1), RCSIs in the Region may coordinate with POLRI Investigators.

(3) The duties as referred to in section (1) are carried out by RCSIs before POLRI Investigators conduct the investigation.

Article 4

(1) To carry out the duties as referred to in Article 3, RCSIs are authorized to:

- a. receive reports or complaints from someone about a criminal act;
- b. take the first action at the crime scene;
- c. order someone suspected of committing a criminal act to stop;
- d. summon people to be heard and examined as witnesses or suspects;
- e. bring in experts needed in connection with the examination of the case;
- f. conduct the termination of the investigation after receiving instructions from the POLRI Investigator that there is not enough evidence or the incident is not a criminal act and then, through the POLRI Investigator, notify the Public Prosecutor, the suspect or his/her family;
- g. take other actions according to the law that are responsible;
- h. take action against violations of Regional Regulations;

- i. conduct the seizure of objects or documents; and
- j. take fingerprints and photograph someone.

(2) The authority of the RCSI as referred to in section (1) is carried out against certain criminal acts according to the law which is the authority of each and/or regional regulations.

(3) RCSIs are not authorized to make arrests or detentions.

CHAPTER III

RIGHTS AND OBLIGATIONS OF RCSIs

Article 5

(1) RCSIs in the Region, in addition to obtaining their rights as CS as determined in the law on Civil Servants, are given allowances and special investigation budgets regulated in the manner and according to the law.

(2) The amount of allowances and special investigation budget as referred to in section (1) is determined by the Regent by taking into account the conditions and financial capacity of the region.

(3) The procedure for providing allowances and special investigation budgets as referred to in sections (1) and (2) is further regulated by the Regents Regulation.

Article 6

RCSIs according to the law within their respective authority:

- a. receive reports or complaints about the occurrence of certain criminal acts according to the Law and/or criminal acts in Regional Regulations;
- b. conduct investigations;
- c. submit the results of the investigation of certain criminal acts according to the Law to the Public Prosecutor through the POLRI Investigator in the same jurisdiction;
- d. Except for sub-paragraph b, with the guidance of CORS and the direction of the Prosecutor/Public Prosecutor, hand over criminal cases violating Regional Regulations to the District Court;
- e. make a Report of every action in the following cases:

- 1) crime scene examination.
 - 2) witness examination;
 - 3) expert examination;
 - 4) suspect examination;
 - 5) entering a house and/or other closed places;
 - 6) seizure of goods;
 - 7) Fingerprinting and photographing.
- f. make hierarchical reports of task implementation to the Regent through the RCSI supervisor and/or CORS.

CHAPTER IV

EDUCATION, APPOINTMENT, MUTATION AND TERMINATION OF RCSIs

Article 7

(1) RCSI education consists of:

- a. Training for prospective RCSIs;
- b. Other training according to the law; and
- c. Technical guidance to improve the capabilities of RCSIs.

(2) The implementation of education as referred to in section (1) is coordinated by the technical supervisory official in the field of RCSIs.

Article 8

(1) CS who will be appointed as RCSI must pass the training for prospective RCSIs in the field of investigation.

(2) Education as referred to in Article 7 is carried out based on the law.

(3) Further provisions on the Procedure for Implementing RCSI Education are further regulated by the Regents Regulation.

Article 9

(1) To be appointed as RCSI, candidates must meet the following requirements:

- a. a minimum working period as a Civil Servant of 2 (two) years;
- b. at least a Junior Officer/Grade III/a rank;
- c. at least a Bachelor of Law or equivalent;
- d. work in the technical operational field of law enforcement;
- e. physically and mentally healthy, proven by a medical certificate from a government hospital;
- f. every element of the work performance assessment in the Civil Servant Work Performance Assessment List has at least a good value in the last 2 (two) years; and
- g. pass training in the field of investigation.

(2) The requirements as referred to in section (1), sub-paragraphs a to f are submitted by the Regent to the authorized institution and RCSI-related institution.

(3) The requirements as referred to in section (1), sub-paragraph g are held by the Indonesian National Police in cooperation with the relevant institutions.

(4) In the event of changes in the law regarding the requirements as in section (1), it can be regulated in the Regents Regulation.

Article 10

(1) Prospective RCSIs as referred to in Article 9 are appointed by the Regent upon the proposal of the relevant RWU.

(2) Prospective RCSIs as referred to in section (1) are proposed by the Regent for their appointment to be proposed.

Article 11

(1) Before carrying out their duties, prospective RCSI officials must be inaugurated and take an oath or make a pledge according to their religion in front of the appointed official.

(2) The oath or pledge of the RCSI official as referred to in section (1) reads as follows:

?In the name of God, I swear/pledge: That I, to be appointed as a civil servant investigator official, will be fully loyal and obedient to Pancasila, the 1945 Constitution of the Republic of Indonesia, and the Unitary State of the Republic of Indonesia and the legitimate government;

That I, will obey all applicable laws and regulations and carry out the official duties of the civil

servant investigator entrusted to me with full dedication, awareness, and responsibility;

That I, will always uphold the honor of the state, the government and the dignity of the civil servant investigator official, and will always prioritize the interests of the community, nation and state over my own interests, someone or group;

That I, will work honestly, orderly, carefully and enthusiastically for the sake of the nation and the Unitary State of the Republic of Indonesia and will not accept any gifts and/or promises, either directly or indirectly, that are related to my work.?

Article 12

- (1) Civil servants who have been appointed as RCSIs are given identification cards.
- (2) The RCSI identification card as referred to in section (1) is issued by the Minister.
- (3) The RCSI identification card is the validity of the authority in carrying out its duties and functions.

Article 13

- (1) In the event of changes in organizational structure, the mutation of RCSIs both within the RWU and between RWUs whose legal basis of authority differs, the head of the RWU supervising the RCSI concerned, through the Regent, must report the changes to the Minister within a maximum of 30 (thirty) days from the date the decision on the change of organizational structure or mutation is made.
- (2) In addition to the reporting obligation as referred to in section (1), the head of the RWU supervising the RCSI concerned proposes the reappointment of the RCSI concerned to the Minister.
- (3) If there is a mutation of the RCSIs work area, the head of the RWU submits the mutation letter to the Minister of Law and Human Rights to issue a decision regarding the RCSI mutation.
- (4) Further provisions regarding RCSI mutation are regulated in the Regents Regulation.

Article 14

- (1) RCSIs cease from their position due to:
 - a. death;
 - b. their own request; and
 - c. dismissal.

(2) RCSIs are dismissed as referred to in section (1) sub-paragraph c because:

- a. have reached retirement age;
- b. no longer work in the technical operational field of law enforcement;
- c. no longer meet the requirements as RCSI as referred to in Article 10 section (1); or
- d. Officially proven to have committed a criminal act with a threat of imprisonment of more than five years and has permanent legal force.

(3) The procedure for dismissing RCSIs as referred to in section (1) is further regulated in the Regents Regulation.

Article 15

(1) The authority to dismiss RCSIs by the minister is upon the proposal of the Regent.

(2) The determination of the dismissal as referred to in section (1) is issued by the authorized official.

Article 16

The proposal for appointment and dismissal as referred to in Articles 10 and 15 are copied to the Indonesian National Police and the Attorney Generals Office of the Republic of Indonesia.

Article 17

Further provisions regarding the procedure for appointment, dismissal, mutation, and taking the oath or pledge of RCSIs, and the form, size, color, format, and issuance of identification cards are based on the law.

CHAPTER V

INVESTIGATION GUIDELINES

Part One

General

Article 18

(1) RCSIs in carrying out their duties are guided by the Work Procedures that have been regulated in this Regional Regulation.

(2) In the implementation of the investigation process, POLRI Investigators conduct coordination and supervision of RCSIs.

(3) In the implementation of the investigation process, RCSIs and POLRI Investigators synergize professionally, prioritizing RCSIs in handling criminal cases within the scope of their duties and authority.

(4) The implementation of investigations by RCSIs is coordinated by the Regional Public Order Agency.

Part Two

Scope

Article 19

The scope of the implementation of investigations regulated in this regional regulation is:

- a. supervision, observation, research or examination;
- b. investigation; and
- c. coordination and supervision by POLRI Investigators.

Part Three

Supervision, Observation, Research or Examination

Article 20

(1) Supervision, observation, research or examination is carried out on the basis of:

- a. findings from officers; and/or;
- b. public reports/complaints, which can be submitted in writing or orally.

(2) For public reports/complaints as referred to in section (1) sub-paragraph b, the reporter is given a report receipt.

(3) The results of supervision, observation, research or examination as referred to in section (1), if a

criminal act is found, are recorded in an incident report.

Article 21

(1) The incident report as referred to in Article 20 section (3) is reported to the RCSI Supervisor and recorded in the incident report receipt registration.

(2) The incident report as referred to in Article 20 section (3) contains a brief description of the incident that occurred or the alleged criminal violation.

(3) The RCSI Supervisor, after receiving the incident report as referred to in section (1), issues an investigation order and provides instructions regarding the implementation of the investigation.

Article 22

(1) Supervision, observation, research or examination as referred to in Article 20 section (1) sub-paragraph a is carried out by appointed officers and in carrying out their activities is based on the provisions of the law that are the basis of its legal grounds.

(2) If supervision, observation, research or examination requires investigative activities, RCSIs request assistance from POLRI Investigators.

Article 23

(1) In carrying out supervision, observation, research or examination as referred to in Article 20, the actions taken at the CS are:

- a. securing the CS;
- b. handling the CS; and
- c. processing the CS.

(2) The implementation of securing, handling, and processing the CS as referred to in section (1) is adjusted to the character and field of duty of each RCSI.

(3) If the implementation of the activities as referred to in section (1) requires tactical and technical actions at the CS, RCSIs can request assistance from POLRI Investigators.

Part Four

Forms of Activities

Article 24

(1) The forms of activities in the investigation process by RCSIs are as follows:

- a. notification of the commencement of the investigation;
- b. summons;
- c. arrest;
- d. detention;
- e. search;
- f. seizure;
- g. examination;
- h. legal assistance;
- i. case file completion;
- j. case transfer;
- k. termination of investigation;
- l. investigation administration; and
- m. transfer of investigation.

(2) The order of activities as referred to in section (1) is adjusted to the situation of the case that is being investigated.

(3) The investigation process as referred to in section (1) is carried out with the provision that it may not be transferred to other officers who are not investigators and other RCSIs not listed in the investigation order.

(4) RCSIs and POLRI Investigators monitor the further legal process until the verdict is issued.

Part Five

Investigation Plan

Article 25

The investigation plan by RCSIs is made by determining:

- a. investigation targets;
- b. resources involved;

- c. course of action;
- d. time to be used; and
- e. investigation control.

Article 26

(1) The plan for determining investigation targets as referred to in Article 25 sub-paragraph a includes determining:

- a. the person suspected of committing a criminal act;
- b. criminal act (crime or violation);
- c. elements of the article to be applied; and
- d. evidence and evidence.

(2) The plan for involving/using investigation resources as referred to in Article 25 sub-paragraph b includes the preparation of:

- a. an investigation implementation team that has authority, competence, and integrity;
- b. facilities and infrastructure;
- c. the necessary budget; and
- d. software.

(3) The plan for determining the course of action as referred to in Article 25 sub-paragraph c includes the technical and procedural forms of investigation activities as referred to in Article 24.

(4) The plan for determining the time as referred to in Article 25 sub-paragraph d is determined by considering the investigation activities as referred to in Article 24.

(5) The investigation control plan as referred to in Article 25 sub-paragraph e includes:

- a. preparation of investigation administration with a document management system;
- b. preparation of an investigation control book by RCSIs containing, among others:
 - 1. preparation of the schedule and material for supervision and/or assistance;
 - 2. preparation of the schedule for evaluation of planning, organizing and implementation activities;
- and
- 3. preparation of investigation activity reports and case resolution data.

Article 27

The investigation plan as referred to in Article 25, which is made by RCSIs before the investigation activities are carried out, is submitted to the RCSI supervisor for the purpose of case control.

Part Six

Organization

Article 28

(1) In the implementation of investigations by RCSIs, organization of resources is needed, including:

- a. RCSI personnel;
- b. facilities and infrastructure;
- c. budget; and
- d. regulations and software.

(2) The implementation of the organization of resources as referred to in section (1) is carried out by the RCSI supervisor based on the relationship and work procedures of the organization within the RCSI institution.

Article 29

For the implementation of the organization of RCSI personnel as referred to in Article 28 section (1) sub-paragraph a based on the relationship and work procedures of the organization within the RCSI institution, with the criteria:

- a. having good morals, integrity, dedication and professionalism;
- b. adjusting the number of RCSI personnel to the workload faced;
- c. having a pattern of cooperation between RCSIs in the implementation of investigations;
- d. forming a supervisory or assistance team that can supervise the investigation process; and
- e. avoiding subjective relationships between RCSIs and suspects.

Article 30

(1) The organization of RCSI personnel as referred to in Article 28 section (1) sub-paragraph a is categorized as follows:

- a. in easy cases, it can be carried out by 2 (two) RCSIs;

- b. in moderate cases, it can be carried out by 3 (three) RCSIs;
 - c. in difficult cases, it can be carried out by 4 (four) RCSIs; and
 - d. in very difficult cases, it is carried out by a team of at least 5 (five) RCSIs.
- (2) In handling certain cases, the number of RCSIs is adjusted to the situation.

Article 31

Criteria for determining easy cases as referred to in Article 30 section (1) sub-paragraph a, among others:

- a. viewed from the aspect of witnesses, among others:
 - 1. there are witnesses who directly saw, heard, and knew the incident;
 - 2. the witnesss residence is in the same sub-district as the RCSI office; and
 - 3. more than 2 (two) victims of the criminal act.
- b. viewed from the aspect of documentary evidence, among others:
 - 1. there is documentary evidence related to the incident;
 - 2. easy to obtain; and
 - 3. documentary evidence is not needed in the case being investigated.
- c. viewed from the aspect of indications, namely there is consistency between the statements of the witnesses, the suspects statement, and the evidence found;
- d. viewed from the aspect of experts, the investigation process does not require expert testimony;
- e. viewed from the aspect of suspects, among others:
 - 1. caught in the act;
 - 2. surrendered;
 - 3. whereabouts and identity are known and easy to obtain;
 - 4. suspects statement is easy to obtain;
 - 5. no more than 2 (two) people; and
 - 6. physically and mentally healthy.
- f. viewed from the aspect of CS, among others:
 - 1. easy to reach;
 - 2. still intact; and
 - 3. CS processing is not needed in certain cases.

g. viewed from the aspect of evidence, among others:

1. easy to obtain;
2. forensic or expert examination is not needed for the evidence;
3. easy to secure;
4. special security is not needed;
5. transportation with special tools is not needed; and
6. no special place is needed for securing.

h. viewed from the aspect of special police support equipment, special equipment is not needed to support the investigation process of the case being handled;

i. viewed from the aspect of the role of other institutions, the role of other institutions is not needed in the investigation process of the case being handled.

Article 32

Criteria for determining moderate cases as referred to in Article 30 section (1) sub-paragraph b, among others:

a. viewed from the aspect of witnesses, among others:

1. there are witnesses who directly saw, heard, and knew the incident;
2. the witnesss residence is in the same regency/city as the RCSI office;
3. victims of the criminal act; and
4. no more than 3 (three) people.

b. viewed from the aspect of documentary evidence, among others:

1. there is documentary evidence related to the incident;
2. easy to obtain; and
3. needed in the case being investigated.

c. viewed from the aspect of indications, among others:

1. there are some indications that are consistent with the statements of the witnesses, the suspects statement, and the evidence found; and
2. there is evidence of indications obtained that lead to the suspect.

d. viewed from the aspect of experts, the investigation process of the criminal act being investigated does not require expert testimony, but if experts are needed, they are available in the investigators

jurisdiction;

e. viewed from the aspect of suspects, among others:

1. their health is not disturbed;
2. the whereabouts and identity of the suspect are known and easy to obtain;
3. not part of an organized crime; and
4. no more than 3 (three) people.

f. viewed from the aspect of CS, among others:

1. easy to reach;
2. still intact;
3. CS processing is needed in certain cases; and
4. technical assistance from the police is needed in CS processing.

g. viewed from the aspect of evidence, among others:

1. easy to obtain;
2. forensic or expert examination is needed for the evidence;
3. easy to secure;
4. special security is not needed;
5. transportation with special tools is not needed; and
6. no special place is needed for securing.

h. viewed from the aspect of special police support equipment, special police equipment is needed to support the investigation process of the case being handled;

i. viewed from the aspect of the role of other institutions, the role of other institutions is needed and easy to obtain in the investigation process of the case being handled.

Article 33

Criteria for determining difficult cases as referred to in Article 30 section (1) sub-paragraph c, among others:

a. viewed from the aspect of witnesses, among others:

1. the witness's residence is in the same province as the RCSI office;
2. no more than 2 (two) people;
3. not the primary source;

4. related to other institutions;
 5. an interpreter is needed; and
 6. special procedures/bureaucracy is needed to examine the witness.
- b. viewed from the aspect of documentary evidence, among others:
1. some of the necessary documentary evidence is available;
 2. very much needed; and
 3. special permission is needed to obtain documentary evidence.
- c. viewed from the aspect of indications, namely there are some indications that are not consistent between the statements of the witnesses, the suspects statement, and the evidence found has not led to the suspect;
- d. viewed from the aspect of experts, among others:
1. testimony from several experts is needed; and
 2. experts are not yet available in the investigators jurisdiction.
- e. viewed from the aspect of suspects, among others:
1. their identity is unknown;
 2. their health is disturbed;
 3. protected by a certain group;
 4. holds a certain position that has special rights regulated in the law; and
 5. more than 4 (four) people.
- f. viewed from the aspect of CS, among others:
1. difficult to reach/far from the RCSI office;
 2. not intact; and
 3. CS processing is needed;
 4. technical assistance from the police is needed in CS processing;
 5. special security is needed for the CS; and
 6. the CS is more than one location in the RCSIs jurisdiction.
- g. viewed from the aspect of evidence, among others:
1. difficult to obtain;
 2. forensic or expert examination is needed;
 3. special security is needed;

4. transportation with special tools is needed; and;
5. a special place is needed for securing.
- h. viewed from the aspect of special police support equipment, special equipment is needed to support the investigation process of the case being handled;
- i. viewed from the aspect of the role of other institutions, the role of other institutions is needed in the investigation process of the case being handled.

Article 34

Criteria for determining very difficult cases, as referred to in Article 30 section (1) sub-paragraph d, among others:

a. viewed from the aspect of witnesses, among others:

1. the witnesss whereabouts are abroad, the address is unclear, remote area;
2. less than 2 (two) people;
3. not directly related/not the primary source;
4. related to other institutions;
5. a sworn interpreter is needed;
6. special permission is needed to bring in the witness;
7. special security is needed; and
8. the witness is sickly.

b. viewed from the aspect of documentary evidence, among others:

1. difficult to find;
2. very much needed;
3. special permission is needed to obtain documentary evidence; and
4. forensic examination of documentary evidence is needed.

c. viewed from the aspect of indications, namely the existing indications do not show consistency between the statements of the witnesses, the suspects statement, and the evidence found;

d. viewed from the aspect of experts, among others:

1. very much needed; and
2. must be brought from outside the province or abroad.

e. viewed from the aspect of suspects, among others:

1. their identity is unknown;
2. their health is disturbed;
3. protected by a certain group;
4. more than 4 (four) people;
5. in the examination, an interpreter/linguist is needed;
6. special permission is needed in examining;
7. foreign nationals (FN); and
8. fled