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## The Role of the National Police's Criminal Investigation in Handling Perpetrators Fish Bomb Crime (Case Study of Satreskrim Pasuruan City Police)

Genta Wikrama Satya Pradhana<sup>1</sup>, Mujito<sup>2</sup>, Haniyah<sup>3\*</sup>

Universitas Sunan Giri Surabaya

**Corresponding Author:** Haniyah [haniyahkarsa99@gmail.com](mailto:haniyahkarsa99@gmail.com)

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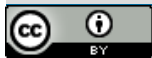
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### ABSTRACT

The role of Investigation in cracking down on perpetrators of criminal acts, especially the crime of fish bombs, is a serious challenge at both the investigation, investigation and law enforcement stages, law enforcement efforts and protection for aquatic ecosystems, both marine and river, are things that should be considered. The purpose of this study is to analyze how important the duties and roles of Pasuruan City criminal investigation are in ;P arrest and crack down on the perpetrators of fish bomb crimes in Pasuruan City. The research method used in this study is normative juridical with an empirical approach, the results of the study show that the Pasuruan City Satreskrim carries out its duties through repressive and preventive efforts, but this law enforcement focuses more on repressive actions, while preventive and curative actions are less maximized as well as action against the perpetrators. There are several obstacles such as limited facilities and infrastructure, lack of community participation in reporting, and the complexity of the evidentiary process in court

## INTRODUCTION

The Republic of Indonesia is one of the countries that adheres to the principle of the state of law, as stipulated in Article 1 Paragraph (3) of the 1945 Constitution which states that Indonesia is a country of law. This means that all aspects of life in this country must be based on the law. Therefore, law must be the center of strategic orientation that directs and becomes a reference in all activities of the life of the nation, state, and society. To ensure that the law is obeyed by individuals and groups, institutions that have a role in law enforcement are needed, one of which is the police agency.

The police are often thought of as a tool of social control, but their role is not limited to that; they also provide concrete service and interpretation of the law through their actions. With social control, services, and agents of legal interpretation, the police can realize the promises of the law (Hasibuan, S, 2021). Studying the police means understanding the object and nature of its work which is rooted in this behavior. The duties of the police include law enforcement, maintaining public security and order, and providing services and protection to the community by upholding human rights.

As a noble profession, the police must operate in accordance with the principles of legality, applicable laws, and human rights. They must act professionally and adhere to a strict code of ethics to avoid unwanted behavior by the public. The police, as the front line in criminal law enforcement, have the goal of creating internal security, maintaining public order, enforcing the law, and protecting and serving the community while respecting human rights (Ibn Suka et al, 2018).

The use of explosives in catching or taking fish is a problem that deserves attention from several circles, one of which is law enforcement officials (reserse), One of the serious problems that damage fishery resources and marine sustainability is the use of explosives in fishing. The use of explosives damages marine ecosystems, kills small fish and fish eggs that are important for the future, and damages coral reefs. In addition, this practice lowers fish populations and fishermen's incomes, and has a high risk to its users.

Research on fishing using explosive bombs, has been carried out by previous researchers, including research conducted by Elisa Priskilia A. Hasugian in 2018 with a focus on fishing with explosives in

Indonesian waters, Ayu Izza Elvany's research in 2020 with a focus on small fishermen as perpetrators of fishing with explosive bombs, Septian Eka Saputra in 2022, focus on fishing with explosives in the Jurisdiction of the Parigi Moutong Resort Police, then Baharudin Baharudin's research in 2023 with a focus on the Accountability of Perpetrators of Criminal Acts Without the Right to Own an Explosive Used to Catch Fish (Study of Decision No: 484/Pid.Sus/2022/PN.Tjk).

The case of the use of explosives or bondets in Pasuruan City shows the impact of the use of explosives in fishing. Husen Zakariya, one of the arrested perpetrators, is a suspect in the bondet explosion case that occurred at his house. This case involves several parties and shows that law enforcement related to the use of explosives in fishing is still weak, based on the above reasons, the researcher wants to research with a different focus on the use of fish bombs or explosives in fishing in the Plores area of Pasuruan city.

The urgency of research on the use of fish bombs or explosives is due to the urgent need to protect marine ecosystems, as cases such as bondets reflect the lack of optimal use of marine resources and the weak marine security system. It is important to improve the application of the law and increase surveillance to prevent similar cases in the future. Criminal law enforcement in this context is very important to maintain the stability of the management and preservation of fish resources and the marine environment. Legal certainty in handling fisheries crimes is very necessary, as stipulated in Law Number 45 of 2009 concerning Fisheries. Given the lack of effective law enforcement, there needs to be a more serious effort from governments and law enforcement to address this problem and support sustainable fisheries development

Based on the above explanation, the researcher wants to know about the role of the National Police Criminal Investigation in handling the crime of fish bomb abuse and the factors that are obstacles and obstacles to the Police Criminal Investigation in handling the crime of fish bomb abuse in the jurisdiction of the Pasuruan City Police

## **METHODS**

In this type of normative research, the researcher uses a legal and conceptual approach by using primary legal materials such as Law No. 8 of 1981 concerning the Criminal Procedure Code (KUHAP), Law No. 45 of 2009 concerning Amendments to Law No. 31 of 2004 concerning Fisheries and Regulation of the Minister of Defense No. 5 of 2016 concerning the Development and Development of the Explosives Industry as well as secondary legal materials obtained from the various theories, expert opinions from various sources either from books or from scientific articles. The data analysis method used is descriptive analytical, the legal materials obtained will be analyzed qualitatively by understanding and organizing the data systematically, then conclusions are drawn (Sugiono. 2017). The analysis is carried out in a deductive way, linking theories from literature studies (secondary data), to produce conclusions that answer the formulation of the research problem (Handayono, 2019). The results of the analysis are presented descriptively, describing real conditions in the field, so that a description of the research results is obtained that is descriptive-qualitative and provides understanding and conclusions to answer research problems.

## **RESULTS AND DISCUSSION**

### **Definition of Criminal Acts**

The word "delik" comes from the Latin "delictum," which in the Wetboek Van Strafbbaarfeit Netherlands translates as "Strafbaar feit." In German, the term is known as "delict," in French it is called "delit," and in Dutch it is also "delict." In the Indonesian Dictionary, the term delik is defined as an act that can be punished for violating the criminal law.

In the Criminal Code (KUHP), the term for a criminal act is "strafbaar feit." In Indonesian, this term is translated as a criminal act, delict, criminal event, punishable act, or criminal act (Efendi.E, 2018). In criminal law literature, the term "delik" is often used, while in law the term "criminal event" or "criminal act" is more commonly used. Criminal acts are a term that indicates the basis in legal science, used to give special characteristics to criminal law events. Thus, "strafbaar feit" refers to an event or act that can be criminally charged.

According to Simons, a criminal act is defined as: "An act or act that is criminally threatened by law, contrary to the law, and committed by mistake by a person who is capable of being responsible (Marpaung, 2009). Meanwhile, Kanter and Sianturi define a criminal act as: "An act at a particular place, time, and circumstance that is prohibited (or required) by law, criminally threatened, unlawful, and committed by fault by a person capable of responsibility.

The relationship between prohibition and criminal threats is very close, as is the relationship between the incident and the perpetrator of the incident (Hamzah.A, 2014). Based on this definition, a criminal act can be interpreted as an act committed by an individual who can be responsible, who violates a prohibition or order of the law and is subject to criminal sanctions. The key to distinguishing a criminal act from other acts is whether the act is subject to criminal sanctions or not. The terms criminal acts, criminal acts, and criminal events are used to translate the foreign term "strafbaar feit." However, it is not clear whether these terms are only to translate the language or also to divert the meaning and meaning of the term.

Criminal acts are a basic concept in criminal law related to acts that violate criminal law (Marpaung, 2009). According to Vos, a criminal act is a behavior that is threatened by laws and regulations, namely behavior that is generally prohibited with criminal threats. Moeljatno explained that criminal acts have related elements and properties, which can be divided into two types:

1. Subjective, related to the perpetrator, including everything in him.
2. Objective, related to the elements attached to the perpetrator or the conditions that affect the perpetrator's actions (Moelyatno, 2017).

### **Elements of Criminal Acts**

Any act that violates, disobeys orders, and prohibitions in the criminal code is referred to as a criminal offense. For an act to be considered a criminal act, it must meet the following elements:

1. There must be human action. A criminal act can only be committed by a human being, as described in the criminal code through terms such as "whom," "a mother," or "a doctor." In addition to humans, corporations can also be perpetrators of criminal acts in various laws, such as the

Economic Crimes Law, Corruption, Environment, and Money Laundering.

2. Acts must be in accordance with the provisions of the law. For example, if a person is accused of violating Article 362 of the Criminal Code, then all elements of the article must be met to consider the act as a criminal offense.
3. Actions must be against the law. There are two views related to this:
  - a) Formal unlawfulness: An act that meets the formulation of the criminal law, with exceptions provided for in the law, such as forced defense.
  - b) Material unlawfulness: Acts that are contrary to the law are not always considered unlawful, as there is a possibility that such acts may be excluded.
  - c) To determine a crime, an act must meet certain conditions, known as elements of a criminal act. According to Sudarto, there is a difference between the elements of criminal acts in general and the specific elements formulated in the law. The elements of a criminal act, as stated in Article 362 of the Criminal Code, are narrow elements of the criminal act.

The elements of a criminal act can be seen from two perspectives:

1. Monistic view: Stating that the requirements for a criminal offense include two things, namely nature and deeds. Elements according to this view include:
  - a) There is an act
  - b) There is an unlawful nature
  - c) No justification
  - d) Able to be responsible
  - e) Error
  - f) No excuse for forgiveness
2. Dualistic view: Separating criminal acts and criminal liability. According to this view, an act is considered a criminal act if it meets the formulation of the law and has an unlawful nature without a justification. The elements according to this view are:
  - a) There are acts that are in accordance with the formulation of the delicacy
  - b) There is a nature against the law
  - c) No justification

According to Sudarto, neither monistic nor dualistic views have a difference in principle in

determining criminal convictions (Sudarto, 2017). In a monistic view, a person can be convicted if his actions meet the elements of a criminal act. However, in a dualistic view, there needs to be an additional condition in the form of criminal liability from the perpetrator. So, according to the dualist view, all the conditions for the imposition of a criminal penalty must be complete.

#### **Definition of Law Enforcement**

Law enforcement is the process of implementing efforts to ensure that legal norms function effectively as guidelines in legal relations in society and the state. In terms of the subject, law enforcement can be carried out by various parties, both broadly and limitedly. In a broad sense, law enforcement involves all parties involved in legal relationships, where anyone who follows or violates the rule of law is considered to enforce the law. Law enforcement is more specific, where only certain law enforcement officials are responsible for ensuring that the law is applied correctly and can use force if necessary.

Law No. 8 of 1981 concerning the Criminal Procedure Code (KUHAP) replaces HIR/RIB and recognizes four stages of criminal case examination, namely:

1. Stages in the Police
  - a) Investigation: According to Article 1 point 5 of the Criminal Code, an investigation is a series of actions to search for and find events suspected of being criminal acts to determine whether further investigation is necessary.
  - b) Investigation: Based on Article 1 point 2 of the Criminal Procedure Code, an investigation is a series of actions to find and collect evidence to uncover criminal acts and determine suspects. Investigators include National Police officials and certain civil servants who are authorized by law.
  - c) Arrest: According to Article 1 point 20 of the Criminal Code, arrest is an investigative action to temporarily detain a suspect if there is sufficient evidence, in accordance with the provisions of the law.
  - d) Search: Article 1 point 18 of the Criminal Code defines a search as an act to examine the body and clothes of a suspect in order to find evidence to be confiscated.
  - e) Confiscation: Based on Article 1 point 16 of the Criminal Procedure Code, confiscation is

an act to take over and store evidence for the purpose of proof.

## 2. Prosecution Stages

- a) Prosecution: According to Article 1 point 7 of the Criminal Procedure Code, the prosecutor is an act to transfer a criminal case to the district court with a request to be examined and decided by a judge. The prosecution was carried out by the public prosecutor.
- b) Prosecutor: An official who is authorized to act as a public prosecutor and implement court decisions that already have permanent legal force.

## 3. Stages of Examination in Court

- a) Ordinary Examination Procedure: Regulated in Articles 153 to 182 of the Criminal Code, carried out for complex crime cases.
- b) Summary Examination Procedure: Regulated in Articles 203 and 204 of the Criminal Procedure Code, carried out for cases where the application of the law is simple.
- c) Expedited Examination Procedure: Regulated in Article 210 of the Criminal Code, covering the examination of minor crimes and traffic violations.

## 4. Stages of Implementation of Judgments in Court

- A. Implementation of the Decision: Regulated from Articles 270 to 276 of the Criminal Procedure Code, carried out by the prosecutor to implement the judge's decision. The execution of a criminal offense differs depending on the type of offense:
  - a) Death Penalty: Based on Article 11 of the Criminal Code, it is carried out by the executioner or firing squad, in accordance with applicable regulations.

b) Prison and Confinement: Carried out in correctional institutions in accordance with Law No. 12 of 1995.

c) Fine: Carried out by the prosecutor.

- B. Regulation No. 2 of 2003 concerning the discipline of members of the National Police of the Republic of Indonesia, which includes the stages of reporting For violations involving members of the National Police, law enforcement is carried out by the police agency after the general judicial process, with the enforcement of the code of ethics through Article 15 and Article 25 of Government, preliminary examination, disciplinary hearing, imposition of punishment, and implementation of punishment.

### **Geographical Conditions of Pasuruan City**

The city of Pasuruan is classified as a small city with an area of about 36.8 km<sup>2</sup>, geographically located between 7°35' to 7°45' South Latitude and 112°45' to 112°55' East Longitude. Administratively, Pasuruan City is bordered by the Madura Strait to the north, Rejoso District to the east, Gondangwetan District to the south, and Kraton District to the west.

Pasuruan City is located at the intersection of the main Surabaya-Probolinggo-Malang line, with a distance of 60 km from Surabaya, 38 km from Probolinggo, and 54 km from Malang. The condition of the roads in the city is quite good with an even distribution throughout the region. Connections outside Java, especially to Kalimantan and Sulawesi, can be made through ports. Currently, the Port of Pasuruan City utilizes the mouth of the Gembong River as an inter-island trading port, with the main activities focusing on people's shipping (PELRA), as depicted in Figure 2 below:



Figure 1. Sungai Gembong Estuary

As a port city, Pasuruan City is not only passed by land traffic, but also serves sea traffic through the Port of Pasuruan. This port serves passengers from Pasuruan City as well as from surrounding areas such as Pasuruan Regency and Malang Regency/City, which is known for its industrial sector.

According to data from the Fisheries Service, the number of fishermen in Pasuruan City reaches 2,090 people and is spread across four sub-districts: Purworejo, Bugul Kidul, Gadingrejo, and Panggungrejo. Panggun Rejo Village, which is part of Bugul Kidul District, consists of 4 RWs which are divided into 9 RTs. This village is directly adjacent to the Madura Strait in the north, Mandaranrejo Village in the east and south, and the Gembong River in the west. Most of the land in Panggun Rejo Village is used for housing and settlements, with some of the rest being used for aquaculture and salt production in coastal areas. The social life of its people reflects the characteristics of coastal communities that depend on marine products, either as fishermen, shipworkers, or shipbuilders and maintenance workers. Although the society is heterogeneous, most have no skills in other fields, so available job alternatives usually include small trades or formal jobs in government or private institutions.

The fisheries sector and marine water productivity-based activities have experienced relatively slow development and tend to shift to the marine product processing industry. Development efforts carried out by the government are still limited to normative aspects, such as the construction of wharves and cooperative development, which lack focus on strategies to overcome local economic difficulties.

The people of Pasuruan City are very heterogeneous, with the dominant ethnicity consisting of Javanese, Madura, Chinese, and Arab. The Madura ethnicity is more in the north of Pasuruan City, while the other three ethnicities are spread in the central part. This heterogeneity is influenced by the existence of a port that attracts immigrants to live in this city. The majority of the population embraces Islam, and despite being of various ethnicities, relations between citizens are harmonious.

The culture of Pasuruan City puts forward norms and values, which reflect individual identity and dignity. Norms and values in Pasuruan City include:

1. Ideology: With the dominance of religious norms (especially Islam), the city of Pasuruan is known as the City of Santri, characterized by the number of Islamic boarding schools. The application of high religious values and norms affects all activities carried out by the community.
2. Economy: The economy of Pasuruan City is dominated by the trade sector, home wood furniture industry, fisheries, agriculture, and offices.
3. Politics: The city of Pasuruan has 12 political parties, with PKB, PDIP, and the Democratic Party being the most dominant.
4. Socio-Cultural: The city of Pasuruan has a peaceful social life with a variety of religious activities such as the commemoration of the Prophet's Birthday, recitations, and Quran sermons during Ramadan, as well as traditional celebrations such as sea picking and the anniversary of the city of Pasuruan on February 8.

In general, regional economic conditions can be measured from gross regional domestic product (GDP), investment, inflation, taxes, and economic services. GDP shows the gross value produced by production units in the area. Significant economic growth occurred in 2015 and 2016, with growth figures of 66.31% and 66.90%, respectively. Despite experiencing a drastic decline in the following year, economic growth still shows development. In 2017 it recorded growth of 5.46% and in 2018 it was 5.21%. These fluctuations were influenced by the trade, processing and transportation sectors which experienced significant increases in the 2015-2016 period, although growth slowed down in the following years.

Pasuruan City has various resources that are used by the community for their livelihoods, such as furniture companies in Bukir Village, fish and shrimp ponds in the northern port area, marine products in the northern waters, and sand quarries around the coast. The social life of coastal communities that rely on marine products reflects their dependence on fishery activities.

### **The Role of the National Police's Criminal Investigation in Uncovering the Criminal Acts of Bondet Perpetrators in the Jurisdiction of the East Police Satreskrim**

The crime of bondet is the act of using improvised explosives as a crime that is commonly used by the community for fish bombing, an act in addition to being dangerous because it will damage the environment and water ecosystem and animals living in water, including a form of exploitation of water/marine resources.

The exploitation of marine natural resources is particularly vulnerable to environmental damage, often caused by destructive or environmentally unfriendly fishing methods, as well as other detrimental activities. This condition can cause social conflicts in society, therefore, regulations or rules set by the government are needed to regulate and control these activities. These regulations become law as part of the structure of people's social life, function as institutions that handle disputes from the economic, political, and cultural fields, and act as a tool of social control.

Law enforcement officials, including criminal investigation officers, have an important role in carrying out and enforcing hukim and maintaining public order, in addition to being tasked with conducting investigations and investigations in order to crack down on various forms of criminal acts committed by the community, including the perpetrators of the prosecution who use explosives or bondets in carrying out their actions (Soekanto, 2004). The potential use of bondets in carrying out crimes has the opportunity to pose a security threat, especially in the use of bondets in water environmental damage.

In carrying out law enforcement duties, the criminal investigation unit (Satreskrim) has a strategic role to handle and uncover criminal cases, including those related to the use of bondets in fishing. The investigation and investigation process carried out by criminal investigators also often experiences various obstacles in the field, ranging from obstacles to evidence, limitations in facilities and infrastructure, including technology and culture that grow in the community itself (Baharudin, 2023).

In the context of criminal law, the purpose of law enforcement against the perpetrators of bondet crimes is to achieve legal certainty, justice, and utility, in the criminal purpose itself is to create

public order and not just as a reward for the perpetrators of criminal acts. Crime is designed to reduce the frequency of crime and prevent future crimes, often called goal theory or utilitarian theory.

The main characteristics of this theory are:

1. The purpose of a crime is prevention.
2. Prevention is a means to achieve community welfare.
3. Only violations of the law that can be accounted for (whether by intention or negligence) qualify for a felony.
4. Crime is designated as a crime prevention tool.
5. Criminal punishment is prospective, namely to prevent crime, not to retaliate.

In the theory of criminal law itself, the prevention and eradication of criminal acts can be carried out through repressive efforts by way of criminal sanctions and through preventive measures, namely prevention with the aim of not happening again in the future or in the future, punishment is needed to maintain legal order and improve the perpetrators of crimes. Based on research, law enforcement by the Pasuruan City Police against the crime of fish bombing includes several actions:

1. Preventive Measures: The Pasuruan City Police carry out preventive measures to prevent fish bombing in the fishery area, including annual counseling and daily monitoring. However, counseling is only carried out once a year.
2. Repressive Measures: These actions are carried out to address violations of the law and protect the rights of communities and the marine environment. This includes law enforcement and sanctioning violators.
3. Curative Action: This action is in the form of a spontaneous effort by the police to build legal awareness of the perpetrators of criminal acts during the examination, by giving advice not to repeat their actions.

In 2021, the Pasuruan City Police handled three reports of fish bombings and one is still under investigation. In 2022, two reports related to fish bombing were handled, one is still under investigation and one has been resolved. There have been no reports of fish bombings in 2023, although the public often reports such incidents. The Pasuruan City Police often do not take action even though there are reports.

Regarding the prohibition of the use of explosives or better known as *bondet* in taking fish is an act that is prohibited and against the perpetrators based on the provisions of Law Number: 45 of 2009 concerning Amendments to Law Number 31 of 2004 and based on the Regulation of the Minister of Defense Number 5 of 2016 concerning the Development and Development of the Explosives Industry, against the perpetrators of *bondets*, where the perpetrators carry out unlawful activities based on Number 45 of 2009 about Fisheries, especially in article 85 "that the use of explosives that endanger the sustainability of environmental *agtau* fish resources is punishable by imprisonment for 6 years and a maximum fine of one million two hundred billion".

Obstacles and Obstacles to the Criminal Investigation of the National Police in Uncovering and Handling the Investigation of *Bondet* Crimes in the Jurisdiction of the Pasuruan City Police *Satreskrim*

In an interview conducted by the researcher with the Head of Crime at the Pasuruan City Police, several obstacles faced in law enforcement in the waters were revealed, namely:

1. **Bad Weather:** Bad weather and uncertain seasons, especially the storm or western season, are often obstacles for the Pasuruan City Police *Satreskrim*. Strong winds and large waves during the rainy season make patrolling difficult, and often fishing boats are forced to look for fish in unsafe areas.
2. **Patrol Boat Size:** The second obstacle is the relatively small size of the patrol boat, so it is inadequate to reach the entire vast Pasuruan water area. For patrols in distant areas, the Pasuruan City Police sometimes have to ask for the help of an additional fleet of ships.
3. **Limited Time and Preparation:** When receiving reports of unlawful actions, the limited fleet and the vastness of the waters cause law enforcement to take longer. The issue of fishing gear that may be modified to damage the environment also adds to the challenge, especially due to the undetailed regulations regarding fishing gear.
4. **Number of Patrol Boats:** The small number of patrol boats is a big obstacle, considering the vastness of East Java's territorial waters. Existing patrol vessels must handle a variety of tasks, including facility maintenance, patrol execution,

and SAR assistance, which often limits the effectiveness of law enforcement.

5. **Interpretation of the Law:** The fifth obstacle is the difference in interpretation in the law related to fishing gear, which often has different names even though they have the same function. This difference makes it difficult to enforce the law.

Of the five obstacles, the researchers concluded that factors such as weather conditions, distance, and fleet limitations were the main challenges. To increase the effectiveness of law enforcement, researchers have the following opinions:

1. **Hurricane season:** Focus activities during hurricane season on onshore socialization and the study of marine law to broaden understanding of fishing gear and the underlying legal basis.
2. **Additional budget and facilities:** There needs to be an increase in budget and facilities to increase the size and number of patrol boats, as well as a more sophisticated fleet, so that law enforcement in the waters can be carried out more effectively.
3. **Advanced learning:** Provide further training to investigators on illegal fishing laws and their categorization to address the problem of modification of fishing gear that is not environmentally friendly.

The doctrine of causality in criminal law discusses the extent to which an act can be considered the cause of a circumstance or to what extent the circumstance is a result of the act, as well as the extent to which legal responsibility can be imposed (Prasetyo, 2009). In the Criminal Code (KUHP), there are no detailed instructions on determining cause and effect for a delict, but some articles stipulate that for a certain delinquent, the existence of certain consequences is necessary to impose a criminal penalty on the perpetrator (Hamzah, 2014).

The teachings of causality can be grouped into three main theories: the theory of *conditio sine qua non*, the theory of individualization and the theory of generalization. In addition, according to the theory of legal certainty must be clear and firm and can be implemented sustainably, in the criminal act of bonding that occurs in Pasuruan City there are legal obstacles and lack of regulations that are difficulties in the application of the law which ultimately has an impact on difficulties in applying the law and is an obstacle to legal certainty for both the perpetrators of crimes and the victims.

## CONCLUSION

1. Law Enforcement by the Pasuruan City Police: Law enforcement against fish bombing perpetrators by the Pasuruan City Police refers to Emergency Law Number 12 of 1951, which regulates the ownership of firearms and sharp weapons. Article 1 paragraph (1) of the law regulates severe criminal sanctions, including the death penalty and life imprisonment, for firearm-related offenses. Article 2 paragraph (1) of the same law regulates the prohibition of the possession of sharp weapons and the provisions for their use. In general, this law enforcement focuses more on repressive measures, while preventive and curative actions are less maximized. Obstacles in law enforcement are related to the lack of number of law enforcement and limited facilities and infrastructure.
2. Focus on Storm Season and Fleet Repair: During the hurricane season, the Ditpolair's activities are focused on onshore socialization and further study of marine law to broaden the understanding of fishing gear and its legal basis. The importance of support from the central government to increase attention to the Pasuruan City Police fleet, by providing more sophisticated tools. The current fleet is inadequate and small, so larger vessels will help maritime patrols by reaching a wider area. With a larger fleet, the emergency response process will be more efficient and will not take long to reach the location.

## REFERENCES

- Baharudin Baharudin (2023). The responsibility of the perpetrator of a criminal act without the right to possess an explosive used to catch fish. *Rectum Journal*. Vol 5. No. 1
- Edi Saputra Hasibuan. *Police Law and Criminal Policy*. King Grafindo Persada. 2021.
- Effendi, E. *Customary Criminal Law: The Idea of Pluralism in Criminal Law and the Application of Law According to Legal Beliefs*. Bandung: Refika Aditama. 2018
- Emergency Law Number 12 of 1951
- Government Regulation No. 2 of 2003 concerning the discipline of members of the National Police of the Republic of Indonesia
- Hamzah, A. *Principles of Criminal Law*. Bandung: Rineka Cipta. 2014
- Ibn Suka, Gunarto, & Umar Ma'ruf. The Role and Responsibility of the National Police as Law Enforcers. *Khaira Ummah Law Journal*, 13(1), 112. 2018.
- Law No. 45 of 2009 concerning Amendments to Law No. 31 of 2004 concerning Fisheries
- Marpaung, L. *Principles-Theory-Practice of Criminal Law*. Jakarta: Sinar Grafika. 2009.
- Moeljatno. *Principles of Criminal Law (Revised Edition)*. Jakarta: Rineka Cipta. 2017.
- Prasetya, R. *Philosophy of Law: Theory and Practice*. Yogyakarta: Pustaka
- Regulation of the Minister of Defense No. 5 of 2016 concerning the Development and Development of the Explosives Industry
- Soerjono Soekanto, *Factors Influencing Law Enforcement*, Jakarta: PT RajaGrafindo Persada, 2004.
- Sudarto. *Criminal Law I*. Semarang: Sudarto Foundation, Faculty of Law, UNDIP Semarang. 2017
- Sugiyono, *Quantitative, Qualitative, and &D Research Methods (14th Edition)*. Alfabeta. 2017