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The Role of the National Narcotics Agency of Sukabumi Regency/City in Law Enforcement Against Narcotics Crimes in Sukabumi According to *Undang-Undang Narkotika* Number 35 of 2009

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Abstract: The Role of the National Narcotics Agency of Sukabumi Regency/City in Law Enforcement Against Narcotics Crimes According to *Undang-Undang Narkotika* Number 35 of 2009. This study discusses the role of the National Narcotics Agency of Sukabumi Regency/City in law enforcement against narcotics crimes in accordance with *Undang-Undang Narkotika* Number 35 of 2009. The research aims to analyze the effectiveness and obstacles faced by the National Narcotics Agency of Sukabumi Regency/City in handling narcotics abuse and illicit trafficking. Using normative juridical and empirical juridical methods, data were collected through document studies and interviews with key informants. The results show that law enforcement efforts have not been optimal due to limitations in budget, authority, human resources, and legal framework. The study concludes that strengthening preventive measures, increasing the capacity of human resources, and optimizing coordination between law enforcement agencies are needed to improve the effectiveness of narcotics crime eradication in Sukabumi Regency/City.

Keyword: National Narcotics Agency, law enforcement, narcotics crime, Sukabumi, *Undang-Undang Narkotika*

INTRODUCTION

The development of law related to narcotics crimes has experienced rapid growth in Indonesia, with increasingly frequent violations of legal norms and a rise in the number of crimes occurring (Sunarso, 2005:7). The *Undang-Undang* regulating narcotics in Indonesia was previously stipulated in *Undang-Undang* Number 22 of 1997 concerning Psychotropics. Narcotics are substances or drugs derived from plants or non-plants, both synthetic and semi-synthetic, that can cause a decrease or change in consciousness, loss of sensation, or reduce to eliminate pain, and can cause dependence. These are categorized into groups as outlined in the *Undang-Undang* (*Undang-Undang* Number 35 of 2009 concerning Narcotics).

The abuse of narcotics has become a concern both nationally and internationally due to its negative impact on social life, nationality, and statehood. One of the main concerns in

Indonesian society is the high number of narcotics users. Up to now, the circulation of narcotics in Indonesia continues to increase, even reaching an alarming level. Essentially, the circulation of narcotics in Indonesia, from a juridical perspective, is legitimate. The *Undang-Undang Narkotika* prohibits the use of narcotics without permission from the *Undang-Undang*, as such use is often abused not for medicinal or scientific purposes. Instead, it has become a rapidly growing and promising business, which has led to the destruction of the physical and mental health of users, especially the younger generation.

Article 1 paragraph (1) of *Undang-Undang* No. 35 of 2009 concerning Narcotics states that narcotics are substances or drugs derived from plants or non-plants, both synthetic and semi-synthetic, that can cause a decrease or change in consciousness, loss of sensation, reduction or elimination of pain, and can cause dependence. On one hand, narcotics are drugs or materials that are useful in medicine, health services, and scientific development. However, the misuse of narcotics nowadays is increasing, and not for medical or scientific purposes, but for the sake of huge profits. These aims are achieved through the illegal trade of narcotics, both in transnational and international transactions (Atmasasmita, 1997:1).

Law enforcement against the illicit circulation of narcotics and psychotropics is not solely the right and obligation of law enforcement officers. This crime, in general, is a form of organized crime, and its modus operandi can cross national borders or be classified as transnational crime. Therefore, the involvement of the community is essential, including local, regional, and international communities (Sunarso, 2012:80). On one hand, narcotics are beneficial drugs or materials in the fields of medicine, healthcare, and scientific research. However, on the other hand, they can cause harmful dependence if used without strict control and supervision (Juliana & Negah, 2013:3).

Narcotics crime remains a chronic problem affecting Indonesia. Various methods have been undertaken by the government to eradicate these crimes, which have claimed many lives. One such effort is in the field of regulation, marked by the enactment of *Undang-Undang* No. 22 of 1997 concerning Narcotics. However, with the growth of narcotics-related crimes, this *Undang-Undang* was no longer adequate, leading to the issuance of *Undang-Undang* No. 35 of 2009 concerning Narcotics.

Law enforcement against narcotics crimes has been widely carried out by law enforcement officials and has resulted in many court verdicts. Law enforcement is expected to be a deterrent to the widespread illicit trade and distribution of narcotics. However, in reality, the more intensive the law enforcement efforts, the more narcotics circulation and trade increase. Therefore, the Indonesian government continues to strive to address the issues related to narcotics by establishing the National Narcotics Agency (*Badan Narkotika Nasional* or BNN). BNN was formed to replace the National Narcotics Coordination Agency, which was established in 1999, as it was deemed no longer in line with current needs and developments. The establishment of BNN is based on legal grounds stipulated in keputusan Presiden Republik Indonesia Number 17 of 2002, which was later replaced by peraturan Presiden Republik Indonesia Number 23 of 2010 concerning the National Narcotics Agency.

In *Undang-Undang* Number 35 of 2009 concerning Narcotics, which also regulates legal sanctions and permitted actions, the National Narcotics Agency and specifically BNNK Sukabumi is expected to assist in the resolution of cases involving individuals who have committed narcotics crimes. In this *Undang-Undang*, the National Narcotics Agency is granted the authority to conduct investigations and prosecutions, which was not regulated in the previous *Undang-Undang*. These two authorities are considered necessary to anticipate narcotics crimes that are becoming more complex and are supported by organized networks. In addition to increased authority, the institutional status of the National Narcotics Agency has also been elevated.

This is because the abuse and illicit circulation of narcotics in Indonesia continues to

show a worrying upward trend. Sukabumi Regency, as one of the regions with a large population and strategic geographic location, is not exempt from this threat. Given these conditions, the government established the National Narcotics Agency of Sukabumi Regency (BNNK Sukabumi) as an extension of the National Narcotics Agency (BNN) at the regional level. The establishment of BNNK Sukabumi was motivated by the need to strengthen efforts to prevent, eradicate, abuse, and illicit trafficking of narcotics (P4GN) at the regency level. With the existence of BNNK, it is expected that the implementation of national policies in P4GN can be carried out more effectively and reach all levels of society in the region, including aspects of prevention, rehabilitation, and law enforcement (National Narcotics Agency of the Republic of Indonesia, 2025).

Legally, BNNK Sukabumi is based on *Undang-Undang* Number 35 of 2009 concerning Narcotics, *Peraturan Presiden* Number 23 of 2010 concerning the National Narcotics Agency, and relevant local regulations, such as *Peraturan Daerah Kabupaten Sukabumi* Number 4 of 2020. Through these legal bases, BNNK Sukabumi is given clear tasks, functions, and authorities to support the eradication of narcotics in its area.

However, in its implementation, various issues are often encountered that indicate discrepancies between the role of BNNK Sukabumi and the established legal basis, tasks, and authorities. These issues are important to study to ensure that BNNK Sukabumi operates according to the principles of legality, accountability, and professionalism, so that its formation objectives can be optimally achieved.

In Indonesia, the phenomenon of narcotics abuse continues to show increasing numbers, demanding special attention from BNN Kabupaten Sukabumi and law enforcement officials. BNN Kabupaten Sukabumi acts as the front guard in law enforcement, ranging from conducting outreach and education to the community, to taking action against legal violations. Through the implementation of *Undang-Undang* Number 35 of 2009, BNN Kabupaten Sukabumi focuses not only on law enforcement but also on the rehabilitation of narcotics abusers.

The following are national statistical data on narcotics abuse cases from 2023 and 2024.

Table 1. National Statistics on Narcotics Abuse

Year	Number of Narcotics Abusers	Prevalence Percentage	Largest Age Group
2023	3.3 million people	1.73%	15–24 years
2024	3.3 million people	1.73%	15–24 years

These problems are also found in Sukabumi, which is one of the largest regions for narcotics distribution. The National Narcotics Agency of Sukabumi Regency/City (BNNK Sukabumi) revealed that 80 percent of narcotics entering Indonesia, including Sukabumi, come through sea routes. The main reason is the lack of supervision in these routes (Fatimah, 2023).

Sukabumi is surrounded by coastal areas, which is one of the reasons why narcotics can easily enter Sukabumi. The entry of narcotics via sea routes is caused by the insufficient number of personnel or human resources at BNNK compared to the size of the region.

Based on research conducted at BNNK Sukabumi, the researcher obtained data on cases that were processed by BNNK for court proceedings or other law enforcement actions such as inpatient or outpatient rehabilitation.

Below is the data obtained from BNNK based on interview results:

Table 2. Statistical Data of BNNK Sukabumi

Year	Inpatient Rehab	Outpatient Rehab	Court Proceedings
2023	7	12	1
2024	6	16	1

Meanwhile, according to the Narcotics Investigation Unit of Sukabumi City Police (Polres Sukabumi Kota), they have solved 100 percent of cases, with a total of 133 suspects. The following is statistical data on narcotics abuse cases in Sukabumi.

Table 3. Statistical Data on Narcotics Abuse Cases in Sukabumi

Year	Number of Suspects	Types of Narcotics					
		Methamp hetamine	Marijuana	Ecstasy	Synthetic	Psychotropics	Restricted Drugs
2023	150 suspects	1,015.33 grams	3,218.89 grams	90 pills	-	1,825 pills	209,075 pills
2024	133 suspects	2,528.19 grams	837.31 grams	133 pills	52 grams	1,507 pills	140,247 pills

Polres Sukabumi Kota recorded 1,065 criminal cases from January to December 2024, with a completion rate of 57 percent (603 cases). This shows a decrease compared to 2023, which had 1,085 cases with a completion rate of 53 percent. Police Chief of Sukabumi City, AKBP Rita Suwadi, explained that the security situation in her jurisdiction is relatively conducive despite the presence of several prominent crimes. Polres Sukabumi Kota succeeded in solving several major cases, including theft with losses of 731 million rupiah, murder, online gambling, corruption that caused state losses of more than 1 billion rupiah, and several other cases.

In handling narcotics, out of 112 cases in 2024, the Narcotics Investigation Unit successfully solved 100 percent of them with 133 suspects. Evidence seized included 2,528.19 grams of methamphetamine, 837.31 grams of marijuana, 133 ecstasy pills, 52 grams of synthetic drugs, 1,507 psychotropic pills, and 140,247 restricted drugs. This marks a decrease compared to 2023, which had 116 cases with 150 suspects.

Traffic accidents also decreased by 6.5 percent, from 107 incidents in 2023 to 100 incidents in 2024. The main cause of accidents is driver negligence. To minimize security disturbances, Polres Sukabumi Kota launched flagship programs, including preemptive and preventive activities such as the SIAP-MANGGA Police Report, gatherings with the Police Chief (Ngariung Sareng Kapolres), and the formation of the Macan Bintana team to handle street crime. Rita hopes that in 2025, crime rates can be further reduced and security in Sukabumi City improved (Radar Sukabumi, 2025).

The main problem in this research is that the role of BNN as regulated in *Undang-Undang* No. 35 of 2009 concerning narcotics only grants the authority to conduct investigation and inquiry. If this *Undang-Undang* is considered weak, BNN should also be given the authority to carry out arrests and detentions. The role of BNN has not been optimal, such as in less professional arrests and insufficient focus on prevention compared to enforcement actions.

There are also issues with BNN's involvement in activities unrelated to its main duties, such as conducting raids on entertainment venues, which is not regulated or authorized by BNN's legal framework. There have been cases of unprofessional arrests, such as the seizure of a methamphetamine warehouse in Sukaraja containing 420 kg of methamphetamine, which was carried out through a OTT (caught red-handed operation) by the Satgasus Merah Putih team (Radar Sukabumi, 2025). Furthermore, BNN's response to narcotics problems is ineffective, not only due to human resources and legal basis, but also due to budget constraints. This budget issue is evident in the number of cases handled by BNN; based on interviews with BNN officials, the researcher found that BNN is only provided with funds by the central government to bring one narcotics abuse case to court per year.

From the problems found during the research, it can be concluded that BNNK is very weak in terms of budget, authority, human resources, and legal basis, which results in

inadequate or inappropriate performance in fulfilling its main duties as a government institution tasked with handling the narcotics emergency in Indonesia.

The aim of this research is to address the main issues previously described, namely to find out how BNNK enforces the law in handling narcotics abuse and illicit trafficking in the Sukabumi region, and to identify and analyze the discrepancies in the implementation of the tasks and authorities of the National Narcotics Agency at the regency/city level (BNNK) with the applicable legal provisions.

METHOD

This research employs a normative juridical method, which is an approach based on literature studies and an examination of relevant *peraturan perUndang-Undangan*, particularly *Undang-Undang* Number 35 of 2009 concerning Narcotics, as well as its implementing regulations at both the national and regional levels. In addition, this research is also complemented by an empirical juridical method through interviews and the collection of primary data at the National Narcotics Agency of Sukabumi Regency (BNNK Sukabumi), to obtain a factual picture of the implementation of law enforcement against narcotics crimes in the area. Secondary data were obtained from books, journals, and official BNNK documents, while primary data were collected from interviews with key informants within BNNK Sukabumi.

The data collection techniques in this research were carried out through document studies and in-depth interviews. Data analysis was conducted qualitatively and descriptively by examining the alignment between theory, *peraturan perUndang-Undangan*, and the practical implementation of tasks and authorities of BNNK Sukabumi in enforcing narcotics criminal law. Through this approach, the research is expected to identify forms of discrepancies that occur in the implementation of BNNK Sukabumi's duties and provide a critical analysis of the factors that become obstacles in law enforcement efforts against the abuse and illicit trafficking of narcotics in Sukabumi Regency (Muhaimin, 2020).

RESULTS AND DISCUSSION

Law Enforcement by the Government and BNNK Institutions in Addressing Narcotics Crimes

The Indonesian government, in an effort to combat narcotics abuse, enacted *Undang-Undang* Number 35 of 2009 concerning Narcotics and granted authority to the National Narcotics Agency (*Badan Narkotika Nasional* or BNN), a non-ministerial government institution under and responsible to the President, to conduct investigations and inquiries into narcotics and precursor narcotics crimes.

In order to carry out the mandate of the *Undang-Undang* on narcotics, which requires narcotics addicts and victims of narcotics abuse to undergo medical and social rehabilitation, a joint regulation was established by the Chief Justice of the Supreme Court, Minister of Law and Human Rights of the Republic of Indonesia, Minister of Health, Minister of Social Affairs, Attorney General, Chief of the National Police, and Head of the National Narcotics Agency Number 465 of 2014 concerning the Handling of Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions. Essentially, this regulation serves as a technical guideline for handling narcotics addicts and victims of abuse as suspects, defendants, or convicts to undergo medical and/or social rehabilitation, and for the integrated and synergistic implementation of medical and social rehabilitation at the stages of investigation, prosecution, trial, and sentencing.

The implementation of medical and social rehabilitation is based on the results of assessments by the Integrated Assessment Team (Tim Asesmen Terpadu), which is proposed by the heads of the relevant institutions at the national, provincial, and regency/city levels. The

Integrated Assessment Team is tasked with analyzing individuals who are arrested and caught in connection with narcotics trafficking and abuse, conducting medical and psychosocial assessments and analyses, and recommending therapy and rehabilitation plans for individuals.

This is in line with the purpose of the *peraturan bersama* No. 465 of 2014 on the Handling of Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions, which aims, among others, to: Achieve optimal coordination and cooperation in solving narcotics problems in care and recovery efforts to reduce the number of narcotics addicts through treatment, care, and recovery programs for addicts and victims of narcotics abuse as suspects, defendants, and convicts, while continuing to eradicate illicit narcotics circulation, and to serve as a technical guideline for handling addicts and victims of abuse as suspects, defendants, or convicts to undergo medical and/or social rehabilitation.

Based on the law of the Head of the National Narcotics Agency of the Republic of Indonesia Number 4 of 2019 on Regency/City Policy Responsive to Narcotics Threats, this policy was made to address the issue of narcotics abuse and illicit trafficking throughout all cities in Indonesia. Responsive, comprehensive, integrative, and sustainable policies are required so that local governments are responsive to narcotics threats.

To realize these policies, local governments must pay attention to aspects of family resilience, community resilience, territorial resilience, institutional and legal aspects, so as to enable the prevention and eradication of narcotics abuse and illicit trafficking in every regency/city. In order to provide direction, a foundation, and legal certainty to ensure the readiness of all regencies/cities against the threat of narcotics, regulations are needed regarding regency/city policies oriented toward anticipating, adapting, and mitigating the narcotics threat.

The Regency/City Policy Responsive to Narcotics Threats (KOTAN) is a policy that encourages various sectors of development in regencies/cities to be oriented towards efforts to anticipate and mitigate narcotics threats. The aim of the KOTAN policy is to increase the responsiveness of a regency/city in facing narcotics threats by strengthening the capacity for anticipation, adaptation, and mitigation, and it is implemented with an integrative and collaborative approach across regional development sectors oriented toward narcotics control efforts.

Forms of the KOTAN policy implemented by BNNK (National Narcotics Agency of Sukabumi Regency/City) are as follows:

Implementation of KOTAN includes:

1. Establishing regular sports programs in every neighborhood unit (RT/RW);
2. Creating policies designating smoke-free and alcohol-free zones;
3. Organizing family gatherings at the RT/RW level;
4. Optimizing the role of the neighborhood security system at every RT/RW;
5. Holding religious, social, and cultural activities at every RT/RW with active family member participation;
6. Conducting independent and routine socialization activities on prevention and eradication of narcotics abuse and illicit trafficking (P4GN) and regular urine tests;
7. Forming P4GN activists at the village/urban village level, coordinated with the BNNK/city;
8. Intensifying P4GN outreach through family information forums at each RW;
9. Providing social/electronic/print media managed by stakeholders;
10. Organizing P4GN extracurricular activities at every educational institution;
11. Holding competitions for narcotics-free (Bersinar) villages or urban villages;
12. Conducting regular special operations by local authorities;
13. Implementing entrepreneurship training facilitated by the local government;
14. Forming integrated teams at the regency/city level for area supervision;

15. Developing skill training facilities managed and utilized by the community and local government;
16. Providing narcotics rehabilitation services at government-owned health facilities;
17. Declaring integrity pacts on P4GN by law enforcement, civil servants, and TNI/Police personnel;
18. Allocating budgets to support P4GN activities for each stakeholder.

Obstacles and Solutions Faced by BNN in Handling the Increasing Number of Narcotics Cases

1. Obstacles

Wijaya (2005) states that:

The handling of illicit trafficking and abuse of narcotics can be carried out through various government strategies and policies, which are then implemented comprehensively and simultaneously by related officials in cooperation with anti-narcotics community components. The strategies for addressing illicit trafficking and abuse of narcotics are as follows:

- 1) Demand Reduction Strategy, The demand reduction strategy for narcotics includes primary prevention, which is directed at individuals, families, communities, and society who have not yet been affected by the issue of narcotics abuse and illicit trafficking, with the aim of encouraging individuals, families, and groups to reject and resist narcotics. Secondary prevention is directed at groups or communities that are at risk of narcotics abuse. Tertiary prevention is aimed at users/therapy and rehabilitation so that they do not relapse and can maintain a stable and improved recovery.
- 2) Supply Control of Narcotics
 - a. Supervision of illegal narcotics routes.
 - b. Narcotics and precursors for medical and scientific purposes, as well as for industrial needs, are supervised by the government. Supervision of legal routes includes monitoring cultivation, production, importation, exportation, transformation, warehousing, distribution, and delivery by relevant agencies, in this case, the forestry department.
 - c. Supervision of illegal narcotics routes.
 - d. Supervision of illegal routes includes prevention on land, at sea, and in the air. The *Badan Narkotika Nasional* has established airport and seaport interdiction task forces to prevent illicit trafficking at airports and seaports.

3) Harm Reduction in Narcotics Abuse

To date, the government officially recognizes and implements only two strategies: demand reduction and supply control. However, due to the high prevalence of HIV/AIDS among injecting drug users who share needles, on December 8, 2003, BNN entered into a memorandum of understanding with the HIV/AIDS Prevention Commission (KPA), number 21/kep/menko/kesra/XII/BNN, in order to prevent the spread of HIV/AIDS in efforts to eradicate narcotics abuse.

2. Factors in Combating Narcotics Abuse

1) Internal Factors

- a. The policy of the police leadership to establish a Narcotics Directorate at the National Police Headquarters and at the regional police (Polda) level has made narcotics control efforts in Indonesia more focused and structured, thereby expected to achieve optimal results.
- b. There is already an organ in the organizational structure of the police that clearly regulates the main duties and responsibilities in combating narcotics abuse, whether pre-emptive, preventive, repressive, curative, or rehabilitative. Pre-emptive and

preventive tasks are carried out by the Intelligence, Community Guidance (Binamitra), Public Order (Samapta), and Medical (Dokkes) divisions. Repressive tasks are handled by the Criminal Investigation (Reserse) division, while curative and rehabilitative tasks are handled by the Medical division.

- c. In general, the quantity of police personnel is a potential strength that can be empowered to eradicate narcotics abuse in Indonesia.

2) Weakness Factors

- a. In general, the quality of police personnel is still quite low, especially in the fields of investigation and inquiry of narcotics cases.
- b. The moral attitude and behavior of some police officers is still problematic, with tendencies to seek personal gain, such as commercializing narcotics cases and even providing protection to offenders, among other issues.
- c. Limited facilities and infrastructure hinder the ability to pursue and apprehend trafficker groups.
- d. Limited budgets for uncovering narcotics cases. We know that conducting investigations and inquiries into narcotics crimes requires sufficient funding.

3) External Factors

- a. *Undang-Undang* No. 22 of 1997 concerning Narcotics and Presidential Decree of the Republic of Indonesia No. 17 of 2002 concerning the *Badan Narkotika Nasional* provide a legal framework for combating narcotics abuse, so law enforcement officers do not hesitate in carrying out their duties related to narcotics abuse.
- b. Community and government support for the police, especially in combating narcotics abuse.
- c. Harmonious relationships among related agencies, which facilitate coordination and make the process of combating narcotics abuse holistically more effective.
- d. The establishment of several NGOs that care about narcotics issues, such as GRANAT, GANAS, and GERAM, which have representatives or branches in almost all of Indonesia. These NGOs can serve as partners for the police in combating narcotics abuse through pre-emptive, preventive, curative, and rehabilitative activities.

4) Solutions

According to Wijaya, efforts to prevent the distribution and abuse of narcotics include:

- a. Primary prevention, which is directed at individuals, families, communities, and society who have not yet been affected by narcotics abuse and distribution, aiming to make individuals, families, groups, and communities vigilant and resilient enough to reject and resist narcotics.
- b. Secondary prevention, aimed at groups or communities at risk of narcotics abuse, such as those living in slum areas or working in entertainment venues. The goal is to strengthen their self-defense against temptation, persuasion, coercion by others, or internal urges to try narcotics.
- c. Tertiary prevention, which targets habitual users/addicts who have undergone therapy and rehabilitation, to prevent relapse. Prevention of narcotics abuse is carried out in the family, school, and community environments through information and education using various media that can be adapted to field conditions.

CONCLUSION

Law enforcement efforts undertaken by the Government and the National Narcotics Agency (*Badan Narkotika Nasional*), particularly by the Integrated Assessment Team (Tim Asesmen Terpadu), in addressing narcotics crimes have not been optimal. This is evident in

their lack of responsiveness in handling narcotics cases. Although, based on the *Peraturan Kepala Badan Narkotika Nasional* concerning Regency/City Policy Responsive to Narcotics Threats, this policy was established with the aim of addressing the problems of narcotics abuse and illicit trafficking in all cities across Indonesia, responsive, comprehensive, integrative, and sustainable policies are required for local governments to effectively respond to the threat of narcotics. The form of KOTAN policy in Sukabumi Regency is implemented by strengthening the capacities for anticipation, adaptation, and mitigation.

The obstacles faced by BNN in dealing with the increasing number of narcotics cases include: first, the generally low quality of police personnel, especially in the fields of investigation and inquiry of narcotics cases. Second, the moral attitude and behavior of some police officers, who tend to seek personal gain by commercializing narcotics cases, and even acting as protectors of offenders. Third, the limited facilities and infrastructure available to the police, which hinder the pursuit and apprehension of trafficking groups. Fourth, insufficient budget allocations for uncovering narcotics cases.

There are three alternative solutions. First, primary prevention, which is aimed at individuals, families, or communities and societies that have not yet been affected by the problem of narcotics abuse and trafficking. Second, secondary prevention, which targets groups or communities vulnerable to narcotics abuse. Third, tertiary prevention, which is directed at recurring users/addicts who have already participated in therapy and rehabilitation programs, to prevent relapse through communication, information, and education activities using various media that can be adapted to field conditions. These efforts are carried out in family, school, community, workplace, and broader societal environments.

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