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Factors Affecting the Optimization of Traffic Accident Investigations: A Case Study of Makassar City Police Headquarters

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ABSTRACT

This research aims to examine the optimization of the implementation of traffic accident criminal investigations at the Makassar City Police Headquarters, as well as the factors influencing said optimization. The research methodology employed a combination of normative and empirical legal research. Data collection was conducted using three methods: questionnaires, documentation, and literature study. The research sample, determined using a purposive sampling technique, comprised 35 individuals. The obtained data were quantified using a quantitative descriptive analysis model and subsequently presented through frequency distribution tables. The research results indicate that the optimization of traffic accident criminal investigations at the Makassar City Police Headquarters is largely achieved through Alternative Dispute Resolution (ADR). Several factors influence the implementation of investigations, including the legal substance factor, legal structure factor, legal culture factor, public legal awareness factor, and the facilities and infrastructure factor. These five factors significantly affect the implementation of traffic accident criminal investigations. It is recommended that the police enhance their responsiveness in the processes of securing evidence, handling victims, and apprehending perpetrators, thereby ensuring legal certainty and justice. Furthermore, an increase in the number of Traffic Unit police personnel at the Makassar City Police Headquarters is deemed necessary, considering the high rate of accidents and the extensive geographical area of Makassar City.

Keywords: *Alternative Dispute Resolution; Investigation; Traffic Accidents.*

INTRODUCTION

Social change presents a challenge that the Police must address due to advancements in science and technology (Azhari, 2011). The position of the Police amidst societal transformations is consistently fraught with various challenges, and no change occurs without involving the Police, especially if it is implemented through law (Nawawi, 2010). It is now commonplace to assert that law serves as a crucial instrument for social engineering; consequently, the enactment of new legislation almost invariably leads to an increase in the Police's workload (Djasmani, 2011).

The Police are defined as a nation's civilian force responsible for the prevention and detection of crime and the maintenance of public order (Hutagaol, 2020). As a professional and accountable organization, they are expected to adopt a policing style responsive to community needs (Wahyono, 2011). Furthermore, the Police's role encompasses a governmental function, implying that the administration led by the President, as the holder of executive power, delegates a portion of its authority to the Police, particularly concerning duties and powers related to security and order (Danendra, 2012). Consequently, in executing this governmental function, the Police operate under the President in his capacities as both Head of Government and Head of State. This creates a dual meaning that can influence the positioning of the Police, as these two roles carry different implications.

Several legislative regulations govern the functions of the Police, including those based on Article 30 section (4) of the 1945 Constitution, which stipulates that:

"The Indonesian National Police, as a state instrument maintaining public security and order, is tasked with protecting, nurturing, serving the community, and enforcing the law."

Based on Article 6 section (1) of the People's Consultative Assembly Decision Number VII/MPR/2000, it is regulated that:

"The Indonesian National Police is a state instrument that plays a role in maintaining public security and order, enforcing the law, providing protection, and serving the community."

Based on Article 5 section (1) of Law Number 2 of 2002, it is regulated that:

"The Indonesian National Police is a state instrument that plays a role in maintaining public security and order, enforcing the law, as well as providing protection, nurturing, and service to the community in the context of preserving domestic security."

From the provisions above, the Police institution is a governmental body positioned under the President (Djamin, 2015). Furthermore, governance as an institution established by the will of the people can only be realized if the government clearly defines its duties and functions. Therefore, should deviations from these duties and functions occur, it is reasonable to suspect that government actors, specifically bureaucrats, either do not precisely understand or fail to grasp the philosophy of service, resulting in public services falling significantly short of community expectations.

One of the duties undertaken by the Police is conducting investigations into criminal acts occurring within society (Felisiano & Paripurna, 2010). The investigation of a criminal act is critically important, as failure to do so can lead to social unrest and disrupt public peace (Indrawan & Syaafi, 2016).

Traffic accidents serve as an example of a criminal offense handled by the Police. Data obtained from the Makassar City Police Headquarters indicate the number of traffic accident criminal cases over the last three years: 1291 cases in 2016, 1632 cases in 2017, and 1622 cases in 2018. Concurrently, the role of the Police in managing traffic accident offenses includes preventing acts of vigilantism by the public against perpetrators or motor vehicle drivers.

Based on the aforementioned description, the objective of this research is to determine the optimization of the implementation of traffic accident criminal investigations at the Makassar City Police Headquarters, as well as the factors influencing it.

METHOD

This study employs a combination of normative and empirical legal research methodologies. Normative legal research encompasses the study of legal principles, legal systematics, legal history, and comparative law (Qamar & Rezah, 2020). Conversely, empirical legal research examines law within its social context (Sampara & Husen, 2016), specifically focusing on the optimization of the implementation of traffic accident criminal investigations.

This research was conducted in the city of Makassar, precisely at the Makassar City Police Headquarters. The population for this study comprises the Police institution and members of the community. The sample consists of 35 respondents, determined and proportionally randomized as follows:

1. Fifteen (15) Police Investigating Officers and Detectives;
2. Ten (10) Community Members involved as Perpetrators; and
3. Ten (10) Community Members involved as Victims.

The types and sources of data utilized in this research are as follows (Irwansyah, 2020):

1. Primary Data, namely data obtained directly from respondents based on the defined population and sample selection;
2. Secondary Data, namely data acquired through the review of legal literature sources, including legislation, reference materials, legal scientific journals, legal encyclopedias, and official texts or publications. The primary legal materials used as secondary data in this study consist of Law Number 8 of 1981, Law Number 2 of 2002, and Law Number 11 of 2012.

To obtain the necessary data for this study, the following data collection techniques were employed:

1. Questionnaires/Surveys, administered through direct interviews where respondents answered questions pertaining to the issues examined in this research;
2. Documentation, executed by formally requesting relevant official documents;
3. Literature Study, conducted by inventorying and analyzing legal literature materials pertinent to the research problem.

The collected data were subsequently quantified using a quantitative descriptive analysis model and then elaborated through frequency distribution tables.

RESULTS AND DISCUSSION

A. Implementation of Traffic Accident Criminal Investigations in Makassar City

The role of Police investigators is integral to handling traffic accident criminal offenses, as stipulated in Article 14 section (1) point g of Law Number 2 of 2002, which regulates that:

“In carrying out its main duties..., the Indonesian National Police is tasked with conducting preliminary inquiries and investigations into all criminal acts in accordance with criminal procedure law and other legislative regulations.”

Based on the provision above, the scope of conducting preliminary inquiries and investigations into all criminal acts encompasses general criminal offenses as well as special criminal offenses, including traffic accident criminal offenses. The number of traffic accident criminal offenses handled by the Makassar City Police Headquarters over the last three years can be seen in the following table.

Table 1. Traffic Accident Criminal Cases in Makassar City from 2016 – 2018

Year	Frequency	Percentage
2016	1,555	29.44%
2017	1,874	35.48%
2018	1,853	35.08%
Total	5,282	100.00%

Source: Data Obtained from Makassar City Police Headquarters, 2019

The data in Table 1 indicate that there were 1,555 traffic accidents (29.44%) in 2016, 1,874 accidents (35.48%) in 2017, and 1,853 accidents (35.08%) in 2018. According to Syukri:¹

“The lower number of traffic accident criminal offenses in 2018 compared to 2017 was attributed to the Police frequently conducting traffic compliance operations, particularly on Veteran Street and Andi Pangeran Pettarani Street.”

¹Interview with H. Syukri, S.H., M.H., Traffic Operations Section, Makassar City Police Headquarters. September 2019.

Table 2. Resolution of Traffic Accident Criminal Cases in Makassar City from 2016 – 2018

Method of Resolution	Year		
	2016	2017	2018
P21	19	13	11
SP3	20	32	31
Diversion	13	7	5
ADR	1,201	1,499	1,526
Total	1,253	1,551	1,573

Source: Data Obtained from Makassar City Police Headquarters, 2019

The data in Table 2 show that the total number of resolved traffic accident criminal cases over the last three years was 4,375. The breakdown includes 43 cases resolved through P21 (Declaration of Complete Case File), 83 cases resolved through SP3 (Warrant for Termination of Investigation), 25 cases resolved through diversion, and 4,226 cases resolved via Alternative Dispute Resolution (ADR).

Based on the table description, cases resolved through SP3 were primarily due to insufficient evidence, often because the majority of perpetrators fled the scene, making prosecution impossible. As stated by Kun Sudarwati:²

“SP3 is issued because the perpetrator of the traffic accident criminal offense flees after the collision, making them difficult to locate. Additionally, SP3 is also issued for single-vehicle accidents, as they do not constitute traffic accident criminal offenses.”

Furthermore, cases resolved through diversion occurred because the perpetrator was a minor. This aligns with Article 5 section (3) of Law Number 11 of 2012, which mandates that *“in the Juvenile Criminal Justice System... Diversion must be pursued,”* jo. Article 7 section (1) of Law Number 11 of 2012, stipulating that *“at the investigation, prosecution, and court examination stages of juvenile cases, Diversion must be pursued.”* However, despite this provision, some minors involved as perpetrators still underwent general judicial proceedings because the victims’ families refused the application of diversion for the individuals concerned.

Moreover, cases resolved through ADR were handled based on the Head of Police Letter Number Pol: B/3022/XII/2009/SDEOPS, which includes a task interpretation requiring Police officers to prioritize resolving criminal cases involving minor damages or losses, the resolution of which can be directed through the ADR concept (Cahyono, 2019).

²Interview with Police Adjunct Commissioner (AKP) Kun Sudarwati, Head of the Traffic Accident Unit, Makassar City Police Headquarters. September 2019.

Police skills significantly influence the success of traffic accident criminal investigations. Additionally, their attitude and conduct while executing their duties and authorities reflect the professional ethics of the Police, consistent with Article 13 of Law Number 2 of 2002, which outlines the main tasks of the Indonesian National Police as:

- a. maintaining public security and order;
- b. enforcing the law; and
- c. providing protection, nurturing, and service to the community.

Police professionalism is crucial in performing their duties as investigators and law enforcers, especially considering the evolving *modus operandi* and techniques involved in traffic accidents. Furthermore, traffic density increases due to modern developments and technology. If the Police lack professionalism, the investigation and law enforcement process will be flawed. Consequently, public security and order will remain under threat. The Police's duty extends beyond being merely a law enforcement agency; they also serve as order maintenance officers. The Police act as the spearhead within the integrated criminal justice system. It is primarily in their hands to unravel the complexities of criminal cases occurring in society.

In response to the increasing quantity and quality of crime, the Police have sought ways to anticipate failures in preliminary inquiries and investigations concerning the aforementioned traffic accident criminal offenses. These efforts have not yet achieved full optimization. Nonetheless, the Police strive to implement changes and improvements in handling traffic accidents.

This underscores the need for creativity and innovation among Police officers in prioritizing order, determining what should be addressed first under specific circumstances versus others within a particular societal context.

According to [Rahardjo \(1980\)](#), "*sociologically, law enforcers, in this case, the Police, possess both position (status) and role.*" Position refers to a specific standing, potentially high or low, within the societal structure. This position essentially serves as a vessel containing specific rights and obligations. These rights and obligations constitute the role. Therefore, an individual holding a certain position within an organization is referred to as a role-holder. Rights based on position and duty essentially constitute the authority to act or refrain from acting, while obligations are burdens or duties that must inevitably be fulfilled.

Generally, the expected role of the Police is the ideal one: as law enforcers optimally realizing justice and truth. Beyond this, some segments of society desire the Police to also participate in social change. However, due to limited facilities and

available budgets, the service quality provided by some Police officers remains low. Furthermore, the inherent conflict between the Police's role as law enforcers and their role as guardians of public security and order makes it difficult for them to meet public expectations. This creates a gap, leading to public disappointment with both individual actors and the Police institution as a whole.

Considering the roles described above, it is hoped that all levels of society can assist Police officers in the efforts to combat criminal acts in Makassar City. One crucial way is by promptly reporting observed criminal activities.

If such an event occurs, Police officers are obligated to take investigative actions. This initial action aims to determine if a full investigation is warranted. Additionally, Police officers who are not designated investigators but become aware of an event suspected to be a criminal offense can immediately take necessary investigative actions.

The preliminary inquiry process, which may require specific actions (except in cases of being caught red-handed), allows for the swift and precise handling of incidents through measures specifically authorized for preliminary investigators. Every preliminary inquiry requires the creation of an official report, which must be submitted to the designated investigator. This preliminary report serves as the basis for the investigator during the investigation phase, particularly in determining the necessary actions to search for and gather evidence required to clarify the criminal act and identify the suspect responsible.

The investigator has an obligation to promptly undertake necessary investigative actions upon becoming aware of, or receiving a report about, an event reasonably suspected to be a criminal offense. This applies whether the information comes from a preliminary investigator (with or without an official report) or from a report or complaint made by someone who has experienced, seen, witnessed, or become a victim of a criminal event, as stipulated by Article 106 of Law Number 8 of 1981:

"An investigator who becomes aware of, receives a report or complaint about the occurrence of an event reasonably suspected to be a criminal offense must promptly take the necessary investigative actions."

Furthermore, Article 108 section (1) of Law Number 8 of 1981 regulates that:

"Every person who experiences, sees, witnesses, and or becomes a victim of an event constituting a criminal offense has the right to submit a report or complaint to a preliminary investigator and or investigator, either orally or in writing."

And Article 108 section (6) of Law Number 8 of 1981 regulates that:

“After receiving a report or complaint, the preliminary investigator or investigator must provide a letter confirming receipt of the report or complaint to the person concerned.”

In practice, an investigator typically follows several procedural stages:

1. Receiving a report or complaint from an individual regarding a committed criminal offense. For instance, in a motor vehicle theft case, the Police receive a report from the victim who owns the vehicle.
2. Taking initial action at the crime scene. The first step usually involves examining the crime scene where the vehicle theft occurred.
3. Ordering a suspicious person to stop, checking their identification, and verifying the completeness of vehicle ownership documents.
4. Conducting arrest and detention, search, and seizure against an individual suspected of committing the criminal act. Once identified based on reports and evidence (e.g., the missing vehicle), the Police proceed with arrest and may place the individual on a wanted list.
5. Creating the official report by the Police investigator. This report is typically initiated by officers from the Sector Police station where the incident occurred and then transferred to the Makassar City Police Headquarters for further investigation.
6. Transferring the suspect's case file from the Police to the public prosecutor, i.e., the Prosecutor's Office. This occurs after the investigation process and case file compilation are deemed complete by the prosecutor's office.

Additionally, details of traffic accident criminal cases transferred to the Prosecutor's Office over the last three years (2016-2018) are presented in the table below.

Table 3. Transfer of Traffic Accident Criminal Cases to the Prosecutor's Office in Makassar City from 2016 – 2018

Year	Frequency	Percentage
2016	19	44.19%
2017	13	30.23%
2018	11	25.58%
Total	43	100.00%

Source: Data Obtained from Makassar City Police Headquarters, 2019

The data in Table 3 show that in 2016, 19 cases (44.19%) involving traffic accident criminal offenses were transferred to the prosecutor's office, followed by 13 cases (30.23%) in 2017, and 11 cases (25.58%) in 2018.

Based on the description above, these constitute the stages involved in the investigation of traffic accident criminal offenses conducted at the Makassar City Police Headquarters.

B. Factors Affecting the Investigation of Traffic Accident Criminal Offenses at Makassar City Police Headquarters

As a state based on the rule of law, Indonesia requires law enforcement in all aspects, including the enforcement of laws concerning traffic accident criminal offenses within the criminal justice system. Essentially, the effectiveness of law enforcement lies in the factors that influence it, such as in the exercise of Police investigators' authority when handling traffic accident criminal cases. According to [Friedman \(1969\)](#), three components (factors) influence law enforcement: the legal substance factor, the legal structure factor, and the legal culture factor. Meanwhile, [Soekanto \(2013\)](#) proposed five factors influencing law enforcement: the legislation factor, the law enforcer factor, the legal culture factor, the facilities and infrastructure factor, and the public awareness factor.

The analysis of the factors influencing the implementation of traffic accident criminal investigations will be elaborated as follows.

1. Legal Substance Factor

As explained in the previous chapter, the legal rules factor (substance) is one indicator that influences the implementation of traffic accident criminal investigations ([Utami, 2016](#)). This is important to understand because inconsistencies exist between different legislative regulations (norms) ([Akbar & Musakkir, 2022](#)). For instance, consider the conflicting definitions of the age of a child in Law Number 8 of 1981 compared to Law Number 11 of 2012. Article 171 point a of Law Number 8 of 1981 stipulates "... *a child who has not reached the age of fifteen years and has never been married.*" Conversely, Article 1 point 3 of Law Number 11 of 2012 explains that:

"A Child in Conflict with the Law, hereinafter referred to as Child, is a child who has reached the age of 12 (twelve) years but has not yet reached the age of 18 (eighteen) years...."

One instrument that every investigator must adhere to when resolving traffic accident criminal cases is Law Number 8 of 1981. However, the question arises regarding the application of Law Number 11 of 2012 when the perpetrator of a traffic accident is a child. Furthermore, according to legislation, diversion is required for the investigation of children as perpetrators. Given these two conflicting regulations, a specific legislative regulation governing

the investigation of traffic accident criminal offenses committed by children is needed to prevent conflicts within the criminal justice process. Additionally, based on data gathered during this research, it was found that Police investigators tend to rely more heavily on Law Number 8 of 1981.

Data regarding the influence of the legal substance factor on the implementation of traffic accident criminal investigations in Makassar City can be seen in the following table.

Table 4. Influence of the Legal Substance Factor on the Implementation of Traffic Accident Criminal Investigations

Indicator	Frequency	Percentage
Influential	20	57.14%
Less Influential	9	25.71%
Not Influential	6	17.15%
Total	35	100.00%

Source: Data Obtained from Makassar City Police Headquarters, 2019

The data in Table 4 indicate that 20 respondents (57.14%) assessed the legal substance factor as influential on the implementation of traffic accident criminal investigations, 9 respondents (25.71%) assessed it as less influential, and 6 respondents (17.15%) assessed it as not influential.

If there were a clear regulation concerning the investigation of criminal offenses involving child perpetrators, there would likely be fewer diverging perceptions regarding the resolution of such criminal cases, as all law enforcers would adopt a unified approach. Therefore, based on the data obtained, it can be concluded that the legal substance factor influences the implementation of traffic accident criminal investigations.

2. Legal Structure Factor

Legal structure encompasses the entirety of law enforcement institutions, including the Police, Prosecution, Courts, and Advocates (Puri & Sulastriyono, 2016). The key to just and authoritative law enforcement lies in the mentality or personality of the law enforcers themselves, due to a strong tendency among the public to equate law with officials, officers, or law enforcers (Bunyamin, 2021). That is, the law is often identified with the actual conduct of law enforcers, including Judges, Prosecutors, Investigators, and Legal Counsel. Both law enforcers and the public seeking justice still need to better understand their rights, such as the right to legal aid, the right to

provide testimony freely, the right to obtain suspension of detention, and the right to refuse to testify. The professionalism of law enforcers in evaluating expert evidence, such as medical examination reports (*visum et repertum*), is highly dependent on their discernment.

Data regarding the influence of the legal structure factor on the implementation of traffic accident criminal investigations in Makassar City can be seen in the following table.

Table 5. Influence of the Legal Structure Factor on the Implementation of Traffic Accident Criminal Investigations

Indicator	Frequency	Percentage
Influential	19	54.29%
Less Influential	9	25.71%
Not Influential	7	20.00%
Total	35	100.00%

Source: Data Obtained from Makassar City Police Headquarters, 2019

The data in Table 5 indicate that 19 respondents (54.29%) assessed the legal structure factor as influential on the implementation of traffic accident criminal investigations, 9 respondents (25.71%) assessed it as less influential, and 7 respondents (20.00%) assessed it as not influential.

The legal structure indeed needs to be made more effective so that law enforcement regarding traffic accident criminal offenses can be maximized. This is because several cases remain difficult to solve, particularly concerning the identification of perpetrators in hit-and-run incidents. Thus, investigators must be professional in evaluating evidence, especially in traffic accident criminal investigations. Article 183 of Law Number 8 of 1981 regulates that:

"A judge shall not impose a criminal sentence upon a person unless, with at least two valid pieces of evidence, the judge obtains the conviction that a criminal offense has truly occurred and that the defendant is guilty of committing it."

Regarding the institutional component, particularly law enforcement officials, it is common knowledge that disharmony often occurs in the mechanisms of law enforcement among different agencies or institutions. Law enforcement institutions frequently engage in mutual blaming, for example, between the Police and the Prosecution. This is also related to weaknesses in the administrative system of law enforcement or judicial administration across institutions. The professional quality of some human resources within law

enforcement is still considered low in certain aspects. This constitutes one of the factors affecting law enforcement, alongside accountability issues related not only to individual responsibility but also institutional responsibility. Individual responsibility demands mature moral integrity and conscience from the parties involved in the administration of justice (judicial process), whereas institutional responsibility requires good judicial management or administration.

The law consistently teaches positive values, as one of its purposes is the realization of justice. If the net salary (take-home pay) of a state official is insufficient compared to their overall living needs and those of their family, an action-versus-reaction dynamic inevitably occurs. A shift in moral values becomes difficult to avoid as basic needs take priority, often used as justification. Therefore, the institutional component plays a crucial role concerning the functioning of law within society. If regulations are sound, but the quality of law enforcement officials is lacking, problems will arise in law enforcement efforts. Conversely, if regulations are poor while law enforcement officials are competent, issues in law enforcement will also emerge.

The unsatisfactory readiness and capability of law enforcement officials is one of the problems frequently lamented by community members. Besides rigorous recruitment processes, continuous education for law enforcement officials is also necessary to continually enhance their capabilities in their respective fields. Therefore, based on the data obtained, it can be concluded that the legal structure factor influences the implementation of traffic accident criminal investigations.

3. Legal Culture Factor

Legal culture comprises the entirety of values, attitudes, feelings, and behaviors of community members, including government officials, concerning legal matters (Purba, 2017). Legal culture is increasingly recognized as a valid element of the legal system (Hariyadi, 2020). This becomes evident when viewed against the backdrop of contemporary legal life. It highlights the importance of legal culture and legal behavior as determining factors. Legal ideals and the objectives of legal development cannot be achieved by ignoring the role and contribution of legal culture. Legal culture is an element within the legal system that is inherently attached. Societal change is a normal phenomenon. Likewise, law, as applied in society, reflects the social life of the community concerned. If a society undergoes rapid social change, the law will also change rapidly; conversely, if change is slow, the law will change gradually, following the social transformations within that society.

Legal culture reflects the close relationship between legislative provisions, public legal awareness, and law enforcement officials. The interaction pattern among these three cannot be detached from the values existing within society, including perceptions manifested through such legal behavior.

Data regarding the influence of the legal culture factor on the implementation of traffic accident criminal investigations in Makassar City can be seen in the following table.

Table 6. Influence of the Legal Culture Factor on the Implementation of Traffic Accident Criminal Investigations

Indicator	Frequency	Percentage
Influential	18	51.43%
Less Influential	10	28.57%
Not Influential	7	20.00%
Total	35	100.00%

Source: Data Obtained from Makassar City Police Headquarters, 2019

The data in Table 6 indicate that 18 respondents (51.43%) assessed the legal culture factor as influential on the implementation of traffic accident criminal investigations, 10 respondents (28.57%) assessed it as less influential, and 7 respondents (20.00%) assessed it as not influential. Thus, it can be concluded that the legal culture factor influences the implementation of traffic accident criminal investigations. This is because legal culture is closely related to the morality of law enforcers (investigators) and the behavior of the community in participating in uncovering criminal acts.

4. Public Legal Awareness Factor

An essential part of legal culture is legal awareness. Besides the term legal awareness, the term legal feeling is also known. Essentially, legal awareness comprises the values residing within individuals concerning existing law or desired law (Manangin et al., 2022). If every individual understands their rights and obligations as legal subjects, public legal awareness will increase. In other words, legal awareness is the public's perception of the law. When discussing legal awareness, it is inseparable from legal compliance or public adherence to the law. Actual behavior manifests as legal compliance; however, this does not automatically emerge and gain immediate public support. Public support can be obtained if legal compliance is based on satisfaction, as satisfaction results from the fulfillment of desires and justice. In other words, the law will receive public support if it aligns with the values that grow and develop within society.

Legal awareness is often linked to legal effectiveness. That is, legal awareness concerns whether a specific legal provision functions effectively within society. The relationship between legal awareness and legal compliance can be depicted in a hypothesis: high legal awareness leads to compliance with the law, whereas low legal awareness results in non-compliance.

The public's willingness to voluntarily comply with the law is also an essential prerequisite for law enforcement. Without the willingness to voluntarily adhere to what the law commands or prohibits, no sanction, however severe, can fully control subject behavior. There are always loopholes and opportunities, however small, that individuals can exploit to evade legal control, despite calculated risks. This willingness to comply with the law is indeed a determining factor for the sociological effectiveness of law.

Data regarding the influence of the public legal awareness factor on the implementation of traffic accident criminal investigations in Makassar City can be seen in the following table.

Table 7. Influence of the Public Legal Awareness Factor on the Implementation of Traffic Accident Criminal Investigations

Indicator	Frequency	Percentage
Influential	20	57.14%
Less Influential	11	31.43%
Not Influential	4	11.43%
Total	35	100.00%

Source: Data Obtained from Makassar City Police Headquarters, 2019

The data in Table 7 indicate that 20 respondents (57.14%) assessed the public legal awareness factor as influential on the implementation of traffic accident criminal investigations, 11 respondents (31.43%) assessed it as less influential, and 4 respondents (11.43%) assessed it as not influential.

Thus, the public understands law as the process of law enforcement when considered in relation to law enforcement theory. Law enforcement is part of the legal system; without enforcement, substantive legal norms are merely piles of paper. This means the law is ineffective if not enforced.

Furthermore, legal theory states that the purpose of law is to realize an orderly, peaceful, and just societal order, supported by legal certainty, so that the interests of individuals and society can be protected. According to [Lubis \(1978\)](#):

“Legal awareness is a blend of mental attitude and behavior towards legally aspected issues which includes knowledge concerning the intricacies of law, an appreciation for the values of justice, and compliance with the prevailing law.”

Therefore, based on the data obtained, it can be concluded that the public legal awareness factor influences the implementation of traffic accident criminal investigations.

5. Facilities and Infrastructure Factor

Facilities and infrastructure serve as supporting factors to those previously explained. Thus, facilities/infrastructure are crucial supports in the law enforcement process (Purnawati & Ilham, 2022). The availability of adequate facilities is beneficial for law enforcement officials in carrying out their duties. Often, regulations are enacted while the supporting facilities are not yet fully available. For example, the Police cannot work effectively if not equipped with facilities such as vehicles with adequate communication tools.

Legal facilities and infrastructure encompass all hardware, software, and brainware that must support the smooth and continuous functioning of the legal system effectively. These include:

- a. All facilities and infrastructure related to judicial bodies and other law enforcement agencies;
- b. All facilities and infrastructure within legal bureaus, departments, and non-departmental government institutions' legal documentation and information network systems;
- c. Facilities and infrastructure for legal research, development, and education;
- d. Facilities and infrastructure for legal services, and so forth.

Data regarding the influence of the facilities and infrastructure factor on the implementation of traffic accident criminal investigations in Makassar City can be seen in the following table.

Table 8. Influence of the Facilities and Infrastructure Factor on the Implementation of Traffic Accident Criminal Investigations

Indicator	Frequency	Percentage
Influential	21	60.00%
Less Influential	10	28.57%
Not Influential	4	11.43%
Total	35	100.00%

Source: Data Obtained from Makassar City Police Headquarters, 2019

The data in Table 8 indicate that 21 respondents (60.00%) assessed the facilities and infrastructure factor as influential on the implementation of traffic accident criminal investigations, 10 respondents (28.57%) assessed it as less influential, and 4 respondents (11.43%) assessed it as not influential. Thus, it can be concluded that the facilities and infrastructure factor influences the implementation of traffic accident criminal investigations.

CONCLUSIONS AND SUGGESTIONS

This research concludes that the implementation of traffic accident criminal investigations at the Makassar City Police Headquarters, while adhering to existing procedures, demonstrates a tendency towards optimization primarily through resolutions outside the formal judicial process, dominated by Alternative Dispute Resolution (ADR) mechanisms. The effectiveness and optimization of this investigation process are significantly influenced by the complex interplay of five identified key factors: inconsistencies within the legal substance (particularly concerning the definition of a child's age), challenges within the legal structure encompassing the professionalism and quantity of officers, legal culture aspects pertaining to both law enforcers and the community, the level of public legal awareness impacting participation and cooperation, and the availability of supporting facilities and infrastructure. Collectively, these five factors shape the operational landscape that affects the extent to which investigations can achieve comprehensive law enforcement objectives beyond non-litigious settlements.

Addressing these findings and aiming to foster enhanced optimization, several suggestions are proposed. Improving investigation effectiveness demands serious attention to the identified hindering factors. Specifically, it is recommended that the Police enhance their promptness, responsiveness, and professionalism in the initial handling of crime scenes, including the swift and appropriate evacuation of evidence, victims, and perpetrators, in order to better guarantee legal certainty and a greater sense of justice for all involved parties. This enhancement of responsive capacity directly addresses some of the identified structural and cultural weaknesses. Furthermore, considering the high volume of traffic accident cases handled, as documented in the data, the extensive geographical area of Makassar City, and supported by the findings on the significant influence of the legal structure and facility/infrastructure factors, an increase in the number of personnel within the Traffic Unit at the Makassar City Police Headquarters emerges as a crucial strategic step. Augmenting human resources is expected to support the overall improvement in the effectiveness and optimization of the implementation of traffic accident criminal investigations.

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