



THE ROLE OF THE PROSECUTOR'S OFFICE IN COMBATTING DRUG CRIMES IN NORTH SUMATRA

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Abstract

Narcotics abuse and illicit trafficking remain serious problems in Indonesia, including in North Sumatra, because they threaten public order, social stability, and the future of younger generations. The complexity of narcotics crimes is not only reflected in the involvement of users or addicts, but also in the role of intermediaries, couriers, and dealers who maintain the circulation chain of narcotics. In this context, the Prosecutor's Office has a strategic position as a law enforcement institution responsible for pre-prosecution, prosecution, execution of court decisions, and preventive legal education. This article aims to analyze the role of prosecutors in tackling narcotics abuse in the jurisdiction of North Sumatra, examine prosecutorial actions against narcotics dealers, and identify the obstacles and efforts of the Prosecutor's Office in enforcing narcotics criminal law. This research uses an empirical juridical method with statutory and sociological approaches. The data are obtained from legal materials, journal articles, statutory regulations, and relevant field-based legal studies, then analyzed qualitatively. The results show that prosecutors play an important role in assessing case files, formulating indictments, proving criminal elements in court, determining proportional charges, and encouraging rehabilitation for eligible narcotics abusers. However, law enforcement faces several obstacles, including difficulty in distinguishing users from dealers, limited evidence, disconnected narcotics networks, lack of witnesses, inadequate facilities, and weak public participation. Therefore, the Prosecutor's Office must strengthen pre-prosecution, improve coordination with the Police and the National Narcotics Agency, enhance prosecutorial capacity, expand legal counseling, and balance strict punishment for dealers with rehabilitative measures for qualified abusers.

Keywords: *Prosecutor's Office; Narcotics Crime; Prosecution; Law Enforcement; North Sumatra.*

Abstrak

Penyalahgunaan dan peredaran gelap narkoba masih menjadi persoalan serius di Indonesia, termasuk di Sumatera Utara, karena mengancam ketertiban masyarakat, stabilitas sosial, dan masa depan generasi muda. Kompleksitas tindak pidana narkoba tidak hanya terlihat dari keterlibatan pengguna atau pecandu, tetapi juga dari peran perantara, kurir, dan pengedar yang menjaga keberlangsungan rantai peredaran narkoba. Dalam konteks ini, Kejaksaan memiliki kedudukan strategis sebagai lembaga penegak hukum yang berwenang dalam prapenuntutan, penuntutan, pelaksanaan putusan pengadilan, serta penyuluhan hukum secara preventif. Artikel ini bertujuan untuk menganalisis peran jaksa dalam menanggulangi penyalahgunaan tindak pidana narkoba di wilayah hukum Sumatera Utara, mengkaji penuntutan jaksa terhadap pelaku kejahatan pengedar narkoba, serta mengidentifikasi hambatan dan upaya Kejaksaan dalam melakukan penegakan hukum tindak pidana narkoba. Penelitian ini menggunakan metode yuridis empiris dengan pendekatan perundang-undangan dan pendekatan sosiologis. Data diperoleh dari bahan hukum, artikel jurnal, peraturan perundang-undangan, dan kajian hukum berbasis praktik lapangan yang relevan, kemudian dianalisis secara kualitatif. Hasil penelitian menunjukkan

bahwa jaksa berperan penting dalam menilai kelengkapan berkas perkara, menyusun dakwaan, membuktikan unsur tindak pidana di persidangan, menentukan tuntutan yang proporsional, serta mendorong rehabilitasi bagi penyalah guna narkoba yang memenuhi syarat. Namun, penegakan hukum masih menghadapi hambatan berupa kesulitan membedakan pengguna dan pengedar, keterbatasan alat bukti, jaringan narkoba yang terputus, keterbatasan saksi, sarana yang belum memadai, dan rendahnya partisipasi masyarakat. Oleh karena itu, Kejaksaan perlu memperkuat prapenuntutan, meningkatkan koordinasi dengan Kepolisian dan BNN, meningkatkan kapasitas jaksa, memperluas penyuluhan hukum, serta menyeimbangkan penindakan tegas terhadap pengedar dengan rehabilitasi bagi penyalah guna yang memenuhi syarat.

Kata Kunci: Kejaksaan; Tindak Pidana Narkoba; Penuntutan; Penegakan Hukum; Sumatera Utara.

Introduction

Drug abuse and illicit trafficking are serious crimes that have a wide impact on society, especially because these crimes involve not only violations of criminal law but also social, health, economic, and future damage to the younger generation. While narcotics are beneficial in healthcare and scientific development, their abuse and illicit trafficking can lead to dependence and damage the lives of individuals and communities. Law Number 35 of 2009 concerning Narcotics also provides extensive regulations regarding prevention, eradication, investigation, prosecution, trial, rehabilitation, and criminal provisions for narcotics crimes.¹

In Indonesia, drug crimes are no longer limited to small-time users or dealers, but also involve broader, more organized networks. In practice, drug networks often use middlemen as liaisons between dealers, couriers, dealers, and buyers. Middlemen play a crucial role as they serve as the link that allows drugs to move from one party to another. The presence of middlemen makes proving narcotics cases more complex, as not all perpetrators possess large amounts of evidence or act as main dealers. However, their involvement remains crucial to the continued illicit drug trafficking.²

North Sumatra is a region highly vulnerable to illicit drug trafficking due to its geographic location, population mobility, trade activity, and open distribution channels between regions. This situation makes law enforcement against drug intermediaries in North Sumatra a crucial issue to study. Intermediaries often occupy a position between users, couriers, and dealers, necessitating careful assessment by law enforcement officials, particularly the Prosecutor's Office, in assessing their roles, culpability, evidence, and the construction of articles used in indictments and criminal charges.³

The Prosecutor's Office holds a strategic position in the criminal justice system because it carries out the prosecutorial function. In narcotics cases, prosecutors are not only tasked with submitting cases to the courts, but also with assessing the completeness of case files, drafting indictments, proving elements of the crime in court, filing criminal charges, and implementing final and binding court decisions. The Prosecutor's Office's position as case controller is closely related to the principle of *dominus litis*, namely the prosecutor's authority to determine whether or not a case is worthy of being brought to

¹ Republic of Indonesia, Law Number 35 of 2009 concerning Narcotics.

² Siswanto Sunarso, *Law Enforcement of Psychotropic Drugs in the Study of Legal Sociology* (Jakarta: RajaGrafindo Persada, 2019), 74.

³ National Narcotics Agency, *Indonesia Drugs Report 2024* (Jakarta: BNN Research, Data, and Information Center, 2024), 35.

court based on valid evidence.⁴

The role of the Prosecutor's Office in narcotics cases cannot be understood narrowly as merely a repressive function. The Prosecutor's Office also has a responsibility to promote proportional law enforcement, namely by carefully distinguishing between perpetrators who act as dealers, distributors, couriers, intermediaries, abusers, addicts, or victims of drug abuse. This distinction is important so that law enforcement is not only oriented towards punishment, but also ensures justice in the application of criminal penalties. In research on narcotics eradication, the Prosecutor's Office is seen as having a role through prosecution, preventive activities, legal information, and cooperation with the Police and the National Narcotics Agency.⁵

Theoretically, this research can be placed within the framework of law enforcement theory, role theory, and punishment theory. Law enforcement theory is used to examine how narcotics legal norms are applied by the Prosecutor's Office in prosecution practice. Role theory is used to analyze the Prosecutor's Office's function as a state institution tasked with prosecution and the enforcement of court decisions. Meanwhile, punishment theory is used to assess whether the prosecution of drug intermediaries emphasizes retaliation, prevention, development, or a combination of the three.⁶

The Prosecutor's Office also faces challenges in implementing a balanced approach between punishment and rehabilitation. For perpetrators proven to be involved in illicit drug trafficking, particularly intermediaries who assist in distribution, criminal law enforcement must be carried out firmly. However, for perpetrators more accurately classified as abusers or addicts, a rehabilitative approach must be considered in accordance with legal provisions. Attorney General's Guideline Number 18 of 2021 places rehabilitation as part of the resolution of drug abuse cases through a restorative justice approach, particularly in implementing the principle of *dominus litis* prosecutors.⁷

Previous studies have generally discussed the role of the Prosecutor's Office in eradicating narcotics crimes in general, both in Bengkulu, Malang, Bandar Lampung, Mataram, and other regions. However, discussions specifically highlighting intermediaries in narcotics crime in North Sumatra still require in-depth study. The uniqueness of intermediaries lies in their legal position, which often lies between the main network and the end user. Therefore, this study offers novelty in its analysis of how the Prosecutor's Office constructs legal frameworks for intermediaries, how prosecutors determine the articles of indictment and charges, and the obstacles that arise in proving the role of intermediaries in narcotics networks.⁸

This study's limitations lie in its focus on the role of the Prosecutor's Office in prosecuting and combating drug-related intermediaries in North Sumatra. This study does

⁴ Ismail Syam, Alpi Sahari, and Rizkan Zulyadi, "Legal Analysis of the Public Prosecutor's Considerations in Determining the Severity of Charges against Defendants in Narcotics Crimes (Study at the Bener Meriah Prosecutor's Office)," *IURIS STUDIA: Jurnal Kajian Hukum* 4, no. 2 (2023): 100–111.

⁵ Ikbar Fadhilah G., Sultan Anugrah Jakti, Bevina Pramestia Anjani, and Kiki Amaliah, "The Role of the Bengkulu District Attorney's Office in Eradicating Narcotics in the Bengkulu City Area," *Nusantara Journal of Innovation and Collaboration* 6, no. 4 (2025): 17–32.

⁶ Barda Nawawi Arief, *Anthology of Criminal Law Policy: Developments in the Drafting of the New Criminal Code* (Jakarta: Kencana, 2020), 27.

⁷ Ari Hastuti, Joko Sriwidodo, and Basuki, "Implementation of Prosecutor's Regulation Number 18 of 2021 Concerning Narcotics Rehabilitation Based on Restorative Justice," *SINERGI: Scientific Research Journal* 1, no. 3 (2024): 124–132.

⁸ Ivan Praditya Putra, Nahdiya Sabrina, and M. Ghufro, "The Role of the Malang District Attorney's Office in Efforts to Eradicate Narcotics Crimes," *Merdeka Law Journal* 4, no. 2 (2023): 119–128.

not delve deeply into all stages of investigation, which fall under the jurisdiction of the Police or the National Narcotics Agency (BNN), except insofar as they relate to the completeness of case files as assessed by the prosecutor. Furthermore, this study does not place all drug offenders in the same category, but rather limits its analysis to intermediaries as part of the illicit drug trafficking network. With these limitations, this study is expected to provide a more targeted contribution to strengthening the role of the Prosecutor's Office in enforcing drug law in North Sumatra.

Research Questions/Problem Formulation

Based on this background, this research is directed to answer three main questions.

1. What is the role of prosecutors in tackling the abuse of narcotics crimes in the jurisdiction of North Sumatra?
2. How do prosecutors prosecute drug dealers?
3. What are the obstacles and efforts faced by the Prosecutor's Office in the North Sumatra jurisdiction in enforcing the law on narcotics abuse crimes?

Method

The method used in this research is an juridical method. The juridical approach is used to examine the legal provisions governing narcotics crimes, the authority of the Prosecutor's Office, and the prosecution mechanism in the criminal justice system. The data used for this paper is secondary data which obtained from laws and regulations, books, scientific journals, court decisions, and other relevant legal documents.⁹

DISCUSSION

The Role of Prosecutors in Combating Narcotics Abuse in the North Sumatra Jurisdiction

The role of prosecutors in combating drug abuse in the jurisdiction of North Sumatra is inextricably linked to the Attorney General's Office's position as a state institution exercising state prosecutorial power. In the criminal justice system, prosecutors occupy a strategic position as the liaison between the investigation and trial process. Therefore, the role of prosecutors is not only seen in bringing cases to court, but also in their ability to assess the completeness of case files, determine the construction of articles, and ensure that narcotics cases are processed based on valid evidence and principles of justice.¹⁰

Drug abuse is a growing legal and social problem, involving various levels of society, from users and addicts to couriers and dealers, to larger networks. In the context of North Sumatra, the complexity of the region, population mobility, and inter-regional distribution networks mean that drug abuse and trafficking require systematic handling. The Prosecutor's Office, as part of the law enforcement apparatus, has a responsibility to ensure that drug control is not solely carried out through punishment, but also through legal strategies that differentiate the status of each perpetrator.¹¹

⁹ Soerjono Soekanto, *Introduction to Legal Research* (Jakarta: UI Press, 2020), 52.

¹⁰ Ismail Syam, Alpi Sahari, and Rizkan Zulyadi, "Legal Analysis of the Public Prosecutor's Considerations in Determining the Severity of Charges against Defendants in Narcotics Crimes (Study at the Bener Meriah Prosecutor's Office)," *IURIS STUDIA: Jurnal Kajian Hukum* 4, no. 2 (2023): 101.

¹¹ Muhammad Ridho Maspriadi, Ufran, and Ruli Ardiansyah, "The Role of Prosecutors in Combating Narcotics Crimes (Study at the Mataram District Attorney's Office)," *IURIS NOTITIA: Journal of Legal Studies* 2, no. 2 (2024): 70.

The prosecutor's role in the initial stages of drug prevention is evident in pre-prosecution activities. At this stage, the prosecutor examines case files submitted by investigators to ensure they meet formal and material requirements. Case file review is crucial because drug cases often have complex evidentiary characteristics, such as the distinction between abusers, couriers, intermediaries, and dealers. If the prosecutor is not careful during the pre-prosecution stage, the charges developed can be weak and impact the evidentiary process in court.¹²

In combating drug abuse, prosecutors also play a role in determining whether a case is more appropriately resolved through criminal prosecution or through a rehabilitation approach. This is crucial because not all drug offenders have the same role. Drug abusers and addicts fundamentally have different characteristics than dealers or dealers. Therefore, prosecutors need to exercise their authority proportionately so that the legal process not only results in punishment but also rehabilitation for offenders who legally qualify for rehabilitation.¹³

The authority of prosecutors in encouraging the rehabilitation of drug abusers is related to the principle *dominus litis*. This principle places the prosecutor in charge of the case and is authorized to determine the direction of the case resolution based on the law and the interests of justice. In cases of drug abuse, this principle applies *dominus litis* providing space for prosecutors to consider rehabilitation through a restorative justice approach, especially if the perpetrator is more appropriately positioned as a victim of abuse or an addict in need of medical and social recovery.¹⁴

The role of prosecutors in combating narcotics is also demonstrated through the implementation of preventive programs. Programs such as legal counseling, legal information, and "Prosecutors Go to School" can serve as a means to raise public awareness of the dangers of narcotics. Prevention through legal education is crucial because drug abuse often stems from a lack of public understanding of the legal and social impacts of narcotics. In regions like North Sumatra, this preventive approach needs to be directed not only at students but also at the general public, youth communities, and neighborhoods vulnerable to drug trafficking.¹⁵

The Prosecutor's Office also plays a role in building coordination with other law enforcement agencies, particularly the National Police and the National Narcotics Agency. This coordination is crucial because solving narcotics cases cannot be handled by one institution alone. Investigators play a role in solving cases and gathering initial evidence, while prosecutors ensure that the evidence is sufficient for presentation in court. Therefore, synergy between institutions is a crucial prerequisite for effective narcotics countermeasures.¹⁶

¹² Ismail Syam, Alpi Sahari, and Rizkan Zulyadi, "Legal Analysis of the Public Prosecutor's Considerations," 109.

¹³ Ari Hastuti, Joko Sriwidodo, and Basuki, "Implementation of Prosecutor's Regulation Number 18 of 2021 Concerning Narcotics Rehabilitation Based on Restorative Justice," SINERGI: Scientific Research Journal 1, no. 3 (2024): 124.

¹⁴ Brandon Hartanto and Abraham Ethan Martupa Sahat Marune, "Restorative Justice in the Settlement of Drug Abuse Cases Following Attorney General's Guidelines Number 18 of 2021: A Dignified Justice Theory Perspective," The Prosecutor Law Review 1, no. 3 (2023): 98.

¹⁵ Muhammad Ridho Maspriadi, Ufran, and Ruli Ardiansyah, "The Role of Prosecutors in Tackling Narcotics Crimes," 74.

¹⁶ Ikbar Fadhilah G., Sultan Anugrah Jakti, Bevina Pramestia Anjani, and Kiki Amaliah, "The Role of the Bengkulu District Attorney's Office in Eradicating Narcotics in the Bengkulu City Region," Nusantara Journal of Innovation and Collaboration 6, no. 4 (2025): 17.

The prosecutor's role in combating drug abuse is also evident in their ability to direct evidence toward the perpetrator's status. In practice, a defendant may claim to be a user, even though the facts during the trial indicate communication about transactions, proceeds from sales, or involvement in a distribution network. In such situations, the prosecutor must be able to construct legal arguments that demonstrate whether the perpetrator is indeed a user, courier, intermediary, or dealer. The accuracy of the perpetrator's classification is crucial in determining the direction of criminal charges.¹⁷

In addition to prosecution, prosecutors also play a role in enforcing court decisions. Once a case has final legal force, prosecutors are tasked with carrying out the criminal sentence and managing evidence in accordance with the court's ruling. In narcotics cases, destroying evidence is a crucial part of the response, as it aims to prevent evidence from re-circulating in the community. Therefore, the prosecutor's role extends beyond the reading of the charges and continues through to the execution of the verdict.¹⁸

In the context of combating drug abuse, prosecutors must implement a balanced approach between legal certainty, expediency, and justice. Legal certainty is necessary so that perpetrators proven to have committed a crime receive sanctions in accordance with the law. Expediency is necessary so that law enforcement can reduce drug abuse rates. Meanwhile, justice is necessary so that abusers, addicts, and dealers are not treated equally without considering their role, level of culpability, and the impact of their actions.¹⁹

The role of prosecutors in combating narcotics in North Sumatra needs to be directed at strengthening the professionalism of public prosecutors. This professionalism includes a thorough understanding of narcotics *modus operandi*, mastery of legal regulations, the ability to interpret digital evidence, and the ability to formulate appropriate indictments and charges. The increasingly complex nature of narcotics crimes requires prosecutors to understand not only the normative aspects but also the evolving patterns of drug networks, transactions, and distribution within society.²⁰

Prosecutors' efforts to combat drug abuse must also consider social aspects. Drug abuse is not solely driven by individual factors, but is also influenced by environmental, economic, social, and lax family supervision. Therefore, the Prosecutor's Office's role in providing legal education must be linked to fostering public legal awareness. A more legally aware public is expected to support law enforcement officials in preventing drug abuse and distribution.²¹

Thus, the role of prosecutors in combating drug abuse in North Sumatra encompasses repressive, preventive, rehabilitative, and coordinative roles. The repressive role is carried out through prosecution and the execution of verdicts. The preventive role is carried out through education and legal information. The rehabilitative role is carried out through consideration of abusers or addicts who meet rehabilitation requirements. Meanwhile, the

¹⁷ Fitri Ramadhani and Elwidarifa Marwenny, "Law Enforcement by the West Sumatra High Prosecutor's Office against Narcotics Crimes No. 582/Pid.Sus/2023/PN.Pdg," *Journal of Legal Studies and Civic Education* 1, no. 3 (2025): 153.

¹⁸ Muhammad Ridho Maspriadi, Ufran, and Ruli Ardiansyah, "The Role of Prosecutors in Tackling Narcotics Crimes," 73.

¹⁹ Ari Hastuti, Joko Sriwidodo, and Basuki, "Implementation of Prosecutor's Regulation Number 18 of 2021," 125.

²⁰ Firwanda Sandi Pradipta, "Criminal Law Enforcement in Narcotics Crimes in Indonesia," *NUSANTARA: Journal of Social Sciences* 12, no. 8 (2025): 3264.

²¹ Ivan Praditya Putra, Nahdiya Sabrina, and M. Ghufon, "The Role of the Malang District Attorney's Office in Efforts to Eradicate Narcotics Crimes," *Merdeka Law Journal* 4, no. 2 (2023): 119.

coordinative role is carried out through collaboration with the police, the National Narcotics Agency (BNN), rehabilitation institutions, and the community.

Prosecutor's Prosecution of Narcotics Trafficking Crime Perpetrators

Prosecution of drug dealers is a crucial part of the criminal justice system, as it is at this stage that the legal framework for the defendant is tested in court. The public prosecutor is tasked with proving that the defendant not only possessed or used narcotics but also participated in their illicit trafficking. Therefore, prosecution of drug dealers must be carefully structured based on evidence, trial facts, and the criminal provisions of Law Number 35 of 2009 concerning Narcotics.²²

In drug trafficking cases, prosecutors must first determine the appropriate article to charge. Articles frequently used against dealers relate to offering, selling, buying, acting as an intermediary in the sale, exchange, delivery, or receipt of narcotics. Determining the article should not be based solely on the availability of evidence but also on the defendant's role in the series of acts. Therefore, prosecutors need to assess whether the defendant acted as a dealer, courier, intermediary, or simply a user.²³

Prosecution of drug dealers must consider the elements of intent and the defendant's involvement in illicit trafficking. Possession of a certain amount of narcotics can be an indicator, but it is not always sufficient to prove distribution. Therefore, prosecutors need to strengthen the charges with other evidence, such as witness testimony, expert testimony, clues, laboratory test results, transaction communications, sales proceeds, and other facts demonstrating intent to buy, sell, or distribute narcotics.²⁴

When preparing charges against drug dealers, prosecutors must consider the objective circumstances of the offense and the subjective circumstances of the defendant. Objective circumstances include the type of drug, its class, the quantity of evidence, the method of acquisition, the method of distribution, and involvement in the network. Subjective circumstances, meanwhile, include the defendant's intent, awareness, motive, and background. These considerations are crucial to ensuring that criminal charges are not merely formal but also reflect the level of culpability and social danger of the defendant's actions.²⁵

Prosecution of drug dealers also requires attention to the specific minimum and maximum penalties stipulated in the Narcotics Law. These minimum penalties demonstrate that lawmakers view drug offenses as serious crimes requiring severe penalties. However, prosecutors must remain cautious in ensuring that the application of the minimum penalties does not compromise proportionality, particularly if the defendant's role in the network is merely a minor intermediary or courier controlled by another party.²⁶

In prosecution practice, the indictment, or *requisitoir*, is a crucial document containing the prosecutor's analysis of the trial facts. The indictment must be structured systematically, using clear legal language, and containing a description of the fulfillment

²² Republic of Indonesia, Law Number 35 of 2009 concerning Narcotics.

²³ Fitri Ramadhani and Elwidarifa Marwenny, "Law Enforcement by the West Sumatra High Prosecutor's Office," 153.

²⁴ Firwanda Sandi Pradipta, "Criminal Law Enforcement in Narcotics Crimes in Indonesia," 3264.

²⁵ Ismail Syam, Alpi Sahari, and Rizkan Zulyadi, "Legal Analysis of the Public Prosecutor's Considerations," 104.

²⁶ Ismail Syam, Alpi Sahari, and Rizkan Zulyadi, "Legal Analysis of the Public Prosecutor's Considerations," 103.

of the elements of the crime. Finally, the prosecutor submits the criminal charges, considering the aggravating and mitigating factors for the defendant. Therefore, the quality of the indictment significantly determines the strength of the prosecutor's position in court.²⁷

Aggravating factors in drug trafficking cases generally relate to the impact of the defendant's actions on society. Drug trafficking can corrupt young people, disrupt public order, expand criminal networks, and cause significant social harm. If a defendant is proven to be part of an organized network, has committed repeated offenses, or has profited from drug trafficking, the prosecutor can use this as a basis for demanding a more severe sentence.²⁸

Conversely, mitigating factors still need to be considered to ensure that criminal charges do not lose the aspect of fairness. For example, the defendant was polite in court, admitted his actions, has no prior convictions, has family responsibilities, or played only a minor role in the network. However, these mitigating factors should not diminish the serious nature of drug trafficking crimes. Prosecutors should consider mitigating factors as part of a proportional assessment, not as an excuse to weaken law enforcement.²⁹

Prosecutions against drug dealers must also be able to distinguish between users and dealers. Circular Letter No. 4 of 2010 is often used as a reference in assessing whether someone is more appropriately qualified as a user who can be considered for rehabilitation or as a trafficker. However, the amount of evidence is not the only criterion. If there are indications of buying and selling, transaction communications, or evidence of involvement in a network, prosecutors can still charge a dealer even if the defendant claims to be a user.³⁰

In drug trafficking cases, prosecutors must also be able to address the increasingly evolving modus operandi. Drug transactions are not always conducted directly, but can involve intermediaries, patch systems, bank accounts, digital wallets, or communication via messaging apps. These changing methods require prosecutors to understand electronic evidence and the patterns of relationships between perpetrators. Without the ability to interpret digital evidence and network connections, proving the truth against drug dealers can be difficult.³¹

Prosecutions of drug dealers in North Sumatra need to be directed at breaking the illicit trafficking chain, not just punishing the perpetrators on the ground. In many cases, the perpetrators arrested are couriers or middlemen, while the main controllers of the network are difficult to reach. Therefore, prosecutors need to encourage more in-depth investigations through pre-prosecution instructions if the case files do not yet fully describe the network. Prosecutors' active role in examining case files can help uncover the involvement of other, larger actors.³²

²⁷ Ismail Syam, Alpi Sahari, and Rizkan Zulyadi, "Legal Analysis of the Public Prosecutor's Considerations," 109

²⁸ Bagas Tri Arfiansyah and Nur Aida, "The Role of the Prosecutor's Office in Efforts to Eradicate Narcotics Crimes," *INNOVATIVE: Journal of Social Science Research* 3, no. 4 (2023): 9099.

²⁹ Ismail Syam, Alpi Sahari, and Rizkan Zulyadi, "Legal Analysis of the Public Prosecutor's Considerations," 101.

³⁰ Fitri Ramadhani and Elwidarifa Marwenny, "Law Enforcement by the West Sumatra High Prosecutor's Office," 153.

³¹ Firwanda Sandi Pradipta, "Criminal Law Enforcement in Narcotics Crimes in Indonesia," 3264.

³² Muhammad Ridho Maspriadi, Ufran, and Ruli Ardiansyah, "The Role of Prosecutors in Tackling Narcotics Crimes," 75.

Effective prosecution must also take into account internal coordination within the Prosecutor's Office through the prosecution planning mechanism. In certain narcotics cases, particularly those involving substantial evidence or attracting public attention, prosecution plans require tiered approval. This mechanism aims to maintain consistency in prosecution policies, prevent disparities in charges, and prevent abuse of authority by prosecutors. This ensures that criminal charges against drug dealers are more measured and in line with law enforcement policies.³³

The principle of *dominus litis*, which literally means "master of the case," refers to the authority of the public prosecutor to control and direct the prosecution process within the criminal justice system. Under Indonesian law, the Prosecutor's Office holds exclusive authority to determine whether a criminal case is ready for prosecution, prepare the indictment, conduct the prosecution before the court, and execute final court judgments. This principle places the Prosecutor's Office at the center of criminal proceedings, ensuring that every prosecution is carried out based on sufficient evidence, legal certainty, and the public interest. In the context of combating drug crimes in North Sumatra, the *dominus litis* principle is particularly significant due to the complexity and seriousness of narcotics offenses.

North Sumatra is recognized as one of Indonesia's strategic regions vulnerable to drug trafficking because of its geographical location and transportation networks. By exercising its authority as *dominus litis*, the Prosecutor's Office carefully examines investigation files submitted by law enforcement agencies, provides legal guidance when case files are incomplete, and determines the appropriate charges based on the evidence. This supervisory role helps ensure that drug-related cases are prosecuted effectively, while safeguarding the rights of suspects and maintaining compliance with the rule of law. Furthermore, the application of the *dominus litis* principle strengthens coordination between the Prosecutor's Office, the police, the National Narcotics Agency (BNN), and the judiciary in handling narcotics cases. Through effective prosecution and the consistent application of narcotics laws, prosecutors contribute to deterring drug trafficking networks and preventing impunity for offenders. The principle also reinforces prosecutorial independence by allowing prosecutors to make objective legal decisions free from improper external influence. Consequently, *dominus litis* serves as a fundamental legal doctrine that enhances the Prosecutor's Office's ability to combat drug crimes in North Sumatra while promoting justice, legal certainty, and public confidence in the criminal justice system.

Therefore, prosecutors' prosecution of drug dealers must be carried out firmly, carefully, and proportionally. Firmness is necessary because drug trafficking is a serious crime with widespread impact. Accuracy is required so that prosecutors can prove the elements of the crime based on valid evidence. Proportionality is required so that the criminal charges are commensurate with the role, culpability, and impact of the defendant's actions. Through such prosecutions, the Prosecutor's Office can play a significant role in suppressing drug trafficking in North Sumatra.

Obstacles and Efforts of the Prosecutor's Office in the North Sumatra Jurisdiction in Enforcing the Law on Narcotics Abuse Crimes

Law enforcement of drug abuse crimes in North Sumatra faces various legal,

³³ Ismail Syam, Alpi Sahari, and Rizkan Zulyadi, "Legal Analysis of the Public Prosecutor's Considerations," 100.

institutional, technical, social, and cultural obstacles. These obstacles arise because drug crimes are not simply individual acts, but are often linked to extensive networks and hidden distribution patterns. Therefore, the Prosecutor's Office, as the prosecution agency, must approach drug cases with a strategy that focuses not only on punishment but also on strengthening evidence, coordination, and prevention.³⁴

The first obstacle relates to legal factors. While Law No. 35 of 2009 concerning Narcotics comprehensively regulates narcotics crimes, in practice, there are still difficulties in distinguishing between users, addicts, couriers, intermediaries, and dealers. This distinction in the status of perpetrators significantly determines the articles of indictment, criminal charges, and the possibility of rehabilitation. If the legal construction is not appropriate from the outset, the prosecution process can lead to injustice or even weaken the evidence in court.³⁵

The second obstacle relates to proving the elements of illicit trafficking. In many cases, perpetrators often claim to be mere users or to be unaware of the contents of the drugs they transport. Furthermore, drug networks often employ disconnected systems to prevent perpetrators from identifying the main controllers. This situation makes it difficult for prosecutors to prove the connection between the defendant and the larger network. Therefore, prosecutors require evidence that comes not only from physical evidence, but also from communications, financial transactions, and consistent witness testimony.³⁶

The third obstacle is the limited availability of witnesses in court proceedings. In narcotics cases, witnesses are often police officers or those involved in arrests. The absence of witnesses in court can slow down the evidence-gathering process and hinder the smooth prosecution. Furthermore, community witnesses are often afraid to testify due to concerns about drug networks. This situation forces prosecutors to work harder to ensure witness attendance and maintain the strength of their evidence in court.³⁷

The fourth obstacle is limited human resources. Drug crimes continue to evolve with increasingly sophisticated methods, including the use of communication technology, digital transactions, and cross-regional networks. If prosecutors lack the skills to understand modern crime patterns, the evidence in cases can be weakened. Therefore, increasing prosecutorial capacity through specialized training in narcotics crimes, electronic evidence, and network analysis is a critical need for law enforcement in North Sumatra.³⁸

The fifth obstacle relates to facilities and infrastructure. Drug law enforcement requires support from laboratories, information technology, transaction tracking systems, evidence storage facilities, and budgetary support for the presence of witnesses and experts. Limited infrastructure can hamper the effectiveness of prosecutions, particularly

³⁴ Ivan Praditya Putra, Nahdiya Sabrina, and M. Ghufro, "The Role of the Malang District Attorney's Office," 119.

³⁵ Rama Adoa, Margie Gladies Sopacua, and Iqbal Taufik, "Settlement of Narcotics Abuse Criminal Cases," *TATOHI: Journal of Legal Studies* 4, no. 2 (2024): 216.

³⁶ Firwanda Sandi Pradipta, "Criminal Law Enforcement in Narcotics Crimes in Indonesia," 3265.

³⁷ Andita Rizkianto and Gunarto, "The Role of Prosecutors in Handling Narcotics Crime Perpetrators (Case Study of Class I Narcotics Abuse Handled by the Semarang City District Attorney's Office)," *Khaira Ummah Law Journal* 12, no. 3 (2017): 443.

³⁸ Muhammad Ridho Maspriadi, Ufran, and Ruli Ardiansyah, "The Role of Prosecutors in Tackling Narcotics Crimes," 74.

when cases require scientific evidence or expert support. In this context, the Prosecutor's Office needs adequate institutional support to optimally carry out its prosecution duties.³⁹

The sixth obstacle is weak inter-agency coordination. Counternarcotics efforts involve the police, the National Narcotics Agency (BNN), the Prosecutor's Office, the courts, correctional institutions, and rehabilitation institutions. If coordination between institutions is poor, case handling can be hampered, both during the investigation, pre-prosecution, prosecution, and enforcement stages. Weak coordination can also lead to differing perceptions regarding whether a perpetrator deserves to be prosecuted as a dealer or considered a drug abuser in need of rehabilitation.⁴⁰

The seventh obstacle stems from societal factors. Low public legal awareness hinders drug eradication efforts. Some people are still reluctant to report drug trafficking activities due to fear, indifference, or considering drugs a personal matter. Yet, public support is crucial for preventing abuse and restricting the scope of drug networks. Without public participation, law enforcement officers only act after a crime has occurred.⁴¹

The eighth barrier relates to cultural factors. In some environments, drug abuse can flourish due to social tolerance, promiscuity, or the perception that drug use is part of a lifestyle. A culture of silence regarding drug trafficking also strengthens drug dealer networks because people are reluctant to provide information. Therefore, law enforcement must be accompanied by changes in the community's legal culture through outreach, education, and the development of collective awareness.⁴²

One of the most concrete example of a narcotics case handled by the Prosecutor's Office involves a defendant who was arrested by the police for possessing and distributing 500 grams of methamphetamine. After the case file was declared complete (P-21), the investigators transferred the suspect and the evidence to the Prosecutor's Office for prosecution. The Public Prosecutor then prepared the indictment in accordance with Law No. 35 of 2009 on Narcotics and submitted the case to the court for trial. During the trial, the Public Prosecutor presented evidence, including testimony from the arresting officers, a forensic laboratory report confirming that the seized substance tested positive for methamphetamine, and physical evidence such as the narcotics, a mobile phone, and a digital scale used by the defendant. Based on the facts established during the trial, the prosecutor argued that the defendant had been lawfully and convincingly proven guilty of illegally possessing and distributing a Category I narcotic. Accordingly, the prosecutor sought a sentence of 15 years' imprisonment, a fine as stipulated by law, and the confiscation and destruction of the narcotics evidence. After considering all the evidence, witness testimonies, the defendant's statement, the prosecutor's demand, and the defense counsel's arguments, the panel of judges found the defendant guilty. The court sentenced the defendant to 14 years in prison and imposed a fine of IDR 1 billion, with a substitute term of imprisonment if the fine was not paid, in accordance with the applicable law. Once the judgment became final and legally binding, the Prosecutor's Office executed the court's decision by committing the convicted person to a correctional facility and overseeing the destruction of the narcotics evidence in accordance with legal procedures.

³⁹ Ikbar Fadhilah G., Sultan Anugrah Jakti, Bevina Pramestia Anjani, and Kiki Amaliah, "The Role of the Bengkulu District Attorney's Office," 17.

⁴⁰ Firwanda Sandi Pradipta, "Criminal Law Enforcement in Narcotics Crimes in Indonesia," 3265.

⁴¹ Ivan Praditya Putra, Nahdiya Sabrina, and M. Ghufon, "The Role of the Malang District Attorney's Office," 119.

⁴² Muhammad Ridho Maspriadi, Ufran, and Ruli Ardiansyah, "The Role of Prosecutors in Tackling Narcotics Crimes," 75.

The first step the Prosecutor's Office can take is to strengthen the pre-prosecution function. Prosecutors must be more proactive in providing guidance to investigators if case files are incomplete, particularly regarding the perpetrator's role, the origin of evidence, transaction communications, and network involvement. A robust pre-prosecution will help prosecutors formulate more precise charges and avoid weak evidence at trial. Thus, the pre-prosecution function serves as a starting point for improving the quality of narcotics law enforcement.³⁶

The second effort is to strengthen coordination with the National Police and the National Narcotics Agency (BNN). This coordination can be achieved through joint forums, case presentations, information exchange, and shared understanding regarding the handling of narcotics cases. Such cooperation is crucial to ensure that cases brought to court are supported by sufficient evidence and sound legal framework. Furthermore, coordination can help distinguish offenders who deserve rehabilitation from those who should face heavier charges due to their involvement in illicit trafficking networks.³⁷

The third effort is to increase legal education and preventive programs. The Prosecutor's Office can expand the "Prosecutor Goes to School" program, the "Prosecutor Greets" program, legal information for the public, and counseling in areas prone to drug trafficking. These preventive programs are crucial because drug enforcement alone cannot be sufficient to combat drugs. The public needs to be educated about the dangers of narcotics, the potential criminal penalties for dealers, and the importance of reporting drug trafficking activities to law enforcement.³⁸

The fourth effort is to optimize the rehabilitation approach for eligible drug users. The rehabilitation approach is not intended to weaken law enforcement, but rather to ensure that drug users or addicts are not treated the same as dealers. In this regard, prosecutors must implement Attorney General's Guideline Number 18 of 2021 carefully, consistently, and based on objective assessments. With this approach, drug law enforcement can be more equitable by distinguishing between those who deserve rehabilitation and those who deserve severe punishment.³⁹

Thus, the obstacles faced by the Prosecutor's Office in North Sumatra in enforcing drug abuse crimes include legal barriers, evidence, witnesses, human resources, facilities, coordination, the community, and culture. Efforts that need to be made include strengthening pre-prosecution, increasing prosecutorial capacity, improving coordination between law enforcement agencies, expanding legal counseling, and optimizing rehabilitation for eligible drug abusers. Effective drug law enforcement must combine firm action against dealers with a rehabilitative approach for drug abusers.⁴⁰

CONCLUSION

In conclusion, the Prosecutor's Office plays a crucial role in combating drug-related crimes in North Sumatra by ensuring that offenders are prosecuted effectively, fairly, and in accordance with the law. Through its authority to review case files, conduct prosecutions, present evidence in court, and execute final judgments, the Prosecutor's Office contributes significantly to the enforcement of narcotics laws and the protection of public safety. In addition, close coordination with law enforcement agencies, the judiciary, and other relevant institutions strengthens the effectiveness of the criminal justice system in addressing drug offenses. By carrying out its legal responsibilities with integrity, professionalism, and consistency, the Prosecutor's Office serves as a key institution in reducing the prevalence of drug crimes and supporting the broader goal of creating a safer and drug-free society in North Sumatra.

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