

OPTIMIZING THE FUNCTION OF INVESTIGATORS OF THE LAMPUNG REGIONAL POLICE SPECIAL CRIMINAL INVESTIGATION DIRECTORATE IN PROVING *BEWUSTE SAMENWERKING* IN ROAD PROJECT CORRUPTION IN NORTH LAMPUNG

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Abstract

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This study examines the optimization of investigators' role in proving bewuste samenwerking (joint intent) in road project corruption cases in North Lampung Regency, as well as the legal and practical factors hindering such proof. Corruption in public procurement requires law enforcement officers to establish collective mens rea beyond administrative formalities. Based on the principle of participation (deelneming), proving the involvement of medeplegers depends on demonstrating bewuste samenwerking among perpetrators. This research employs a normative and empirical juridical approach using primary and secondary data obtained through literature and field studies, analyzed qualitatively. The findings indicate that investigators optimize the proof of bewuste samenwerking through the integration of legal structure, substance, and culture within the Special Criminal Investigation Directorate of the Lampung Regional Police. Scientific crime investigation, follow the money analysis, and circumstantial evidence strengthen the chain of proof and establish the perpetrators' respective roles and meeting of minds. However, investigators face obstacles arising from unclear boundaries between maladministration and criminal conspiracy, as well as practical challenges such as passing the buck, witness recantations, and fee-commitment practices. These obstacles can be addressed through digital forensics, financial analysis, enhanced investigator competencies, procurement expertise, physical testing facilities, and tactical guidelines distinguishing administrative violations from criminal collusion.

INTRODUCTION

The investigation of corruption in government road projects requires law enforcement officers to establish not only the occurrence of state financial losses but also the criminal intent and participation of each actor involved (Hartono et al., 2024).

Indonesia's constitutional position as a state based on law requires law enforcement to be conducted according to the principles of certainty, justice, and accountability (Miswardi et al., 2021). Within this framework, the Police, particularly the Special Criminal Investigation Directorate, have an important role in investigating corruption offences through professional, objective, and evidence-based procedures (Danil et al., 2022).

Corruption is categorized as an extraordinary crime because its consequences extend beyond individual victims and can adversely affect state finances, public services, infrastructure development, and broader social and economic interests (Widyawati et al., 2021). Road infrastructure projects are particularly vulnerable because they involve substantial public budgets, complex administrative procedures, and interactions between government officials, contractors, consultants, and other parties. Consequently, corruption investigations in this sector require investigators to examine both formal administrative documents and the substantive conduct underlying the project implementation (Zainudin Hasan et al., 2023).

The role of investigators becomes increasingly significant when corruption is allegedly committed collectively (Utami, 2023). Under the doctrine of participation (*deelneming*), particularly concerning *medepleger*, criminal responsibility may involve several persons whose actions contribute to the realization of the offence (Hasan et al., 2023). Therefore, the investigation cannot be limited to identifying individual acts but must determine whether there was conscious cooperation or *bewuste samenwerking* among the actors. The existence of such cooperation demonstrates that the parties were not merely performing independent administrative functions but were connected by a common criminal purpose.

The road improvement projects in Sukamaju–Sp. Tatakarya and Isorejo–Bandar Agung in North Lampung Regency provide an important empirical context for examining this issue. The projects were financed through the 2019 Regional Budget (APBD) and allegedly involved arrangements designed to benefit a particular party. The investigation indicated that the project had allegedly been conditioned from the planning stage, demonstrating the importance of examining the relationships and interactions among government officials, procurement participants, and private parties.

The alleged use of a *flag-borrowing* scheme illustrates the complexity of proving *bewuste samenwerking*. The investigation identified the involvement of several actors, including officials within the Public Works and Spatial Planning Agency (PUPR), private parties, and procurement committee members. The alleged manipulation of asphalt quantities that differed from contractual specifications subsequently became an important factual basis for establishing the consequences of the conduct. The BPKP audit determined an actual state financial loss of Rp2,089,752,153.31, providing significant evidence concerning the financial impact of the alleged corruption.

Nevertheless, proving state financial loss alone is insufficient to establish *bewuste samenwerking*. Investigators must reconstruct the relationship between the acts of each participant and determine whether those acts were connected through a conscious and coordinated course of conduct. This requires investigators to examine communications, decision-making processes, project documentation, financial transactions, witness statements, and other circumstances capable of demonstrating the existence of a common intention. Accordingly, the investigation must transform fragmented evidence into a coherent chain of proof.

One of the principal difficulties is distinguishing administrative irregularities from criminal conduct. Government procurement involves numerous formal requirements, and violations of those requirements do not automatically establish criminal responsibility. The challenge arises when apparently administrative actions are allegedly used as instruments to realize a predetermined criminal objective. Investigators must therefore establish the substantive relationship between irregularities, the actions of the participants, and the alleged common intention rather than relying solely on procedural deficiencies.

In this context, optimization of investigative functions requires a comprehensive approach to evidence gathering and examination. Investigators need to formulate examination strategies capable of identifying the role of each participant and connecting individual actions to the broader scheme. The preparation of investigation reports and examination records must consequently reflect the chronology of events, communication among actors, decision-making patterns, financial relationships, and the causal connection between the participants' conduct and the resulting state loss. Such an approach strengthens the evidentiary construction of *bewuste samenwerking*.

The practical complexity of corruption investigations is also influenced by the possibility that actors may attempt to distance themselves from the alleged criminal conduct. The file indicates that investigators may encounter difficulties in converting physical evidence, such as deficiencies in project volume and contractual documentation, into evidence of a common criminal agreement. Such circumstances demonstrate the importance of corroborating documentary and physical evidence with testimony and other evidence capable of explaining the relationship between the actors.

Therefore, optimizing the role of investigators in proving *bewuste samenwerking* requires an integrated evidentiary strategy that connects administrative documents, project implementation, financial losses, and the conduct of each participant. The central objective is not merely to demonstrate that a project caused state losses but to establish, through legally admissible evidence, whether the participants consciously cooperated in realizing the criminal act. The North Lampung road project case demonstrates the importance of strengthening investigative capacity in distinguishing administrative errors from intentional criminal collaboration while maintaining procedural fairness, legal certainty, and accountability.

RESEARCH METHODS

This research employs a normative and empirical juridical approach. The normative juridical approach is used to examine applicable legal norms concerning corruption, participation (*deelneming*), and the element of *bewuste samenwerking* (joint intent), particularly provisions governing criminal participation and evidentiary requirements (Rizky Reza Pahlevi et al., 2021). The empirical juridical approach is used to examine the implementation of these legal provisions in practice, particularly the role of investigators from the Special Criminal Investigation Directorate of the Lampung Regional Police in investigating corruption in road projects in North Lampung Regency. Primary data are obtained through field research, particularly interviews with investigators and other relevant law enforcement officials, while secondary data are obtained through legislation, books, scientific journals, investigation documents, and other relevant legal literature (Nurhayati et al., 2021).

Data collection is conducted through library research and field research. Library

research is undertaken by reviewing legislation, legal doctrines, scholarly literature, and documents relevant to corruption and *bewuste samenwerking* (Benuf & Azhar, 2020). Field research is conducted through interviews with relevant investigators to obtain information concerning investigative procedures, evidentiary strategies, and obstacles encountered in establishing joint intent among perpetrators. The collected data are analyzed using qualitative juridical analysis, namely by systematically connecting empirical findings with applicable legal provisions and legal theories. The analysis is directed toward identifying how investigators optimize the evidentiary process and determining the legal and practical factors that hinder the establishment of *bewuste samenwerking* in corruption investigations involving road projects in North Lampung Regency.

RESULTS AND DISCUSSION

a. Optimization of Investigators' Functions in Proving the Element of *Bewuste Samenwerking* (Joint Intent) in the Investigation of Road Project Corruption Crimes in North Lampung Regency

Law enforcement against corruption in public procurement faces substantial evidentiary challenges, particularly when the criminal conduct involves participation (*deelneming*) and causal relationships among government officials and private parties. In the jurisdiction of the Lampung Regional Police, the investigation of corruption in road infrastructure projects in North Lampung Regency illustrates the importance of investigators' effectiveness and professional competence. The central objective of the investigation is to construct a strong legal framework capable of identifying and proving *bewuste samenwerking*, namely conscious cooperation among perpetrators in realizing an unlawful objective.

The criminal conduct surrounding the road projects was not limited to physical deviations in asphalt quality or supporting structures. The investigation also revealed indications of concealed coordination that had allegedly been established from the planning and procurement stages. Practices involving the borrowing of company identities, manipulation of electronic procurement procedures, and the transfer of project implementation to unauthorized third parties demonstrate the systematic nature of the alleged *modus operandi*. These circumstances required investigators of Sub-Directorate III for Corruption Crimes of the Lampung Regional Police Special Criminal Investigation Directorate to move beyond formal administrative documents and identify the existence of a common criminal purpose among the actors.

The optimization of investigators' functions in establishing *bewuste samenwerking* is essential because conscious cooperation constitutes a significant basis for imposing criminal liability on participants who perform different roles but pursue a common objective. Without evidence demonstrating a convergence of intention and conduct among the Commitment-Making Officer (PPK), the Procurement Working Group, construction service providers, and parties lending their corporate identities, the criminal prosecution may face difficulties in establishing material participation. Therefore, investigative activities must focus on circumstantial facts and systematically organize evidence to reconstruct how the common criminal intention was transformed into concrete acts that caused state financial losses.

Based on an interview with Kombes Heri Rusyaman, Director of the Lampung Regional Police Special Criminal Investigation Directorate, proving *bewuste*

samenwerking cannot rely merely on written admissions or explicit agreements. Investigators are required to construct a chain of evidence based on material analysis by identifying the meeting of minds among the PPK, procurement working group, and parties involved in the use of borrowed corporate identities. Conscious cooperation may instead be demonstrated through recurring patterns of conduct that deviate from procurement regulations, including unlawful facilitation of electronic procurement access, manipulation of qualification requirements, and tolerance of unauthorized project transfers.

The investigative approach therefore requires a shift from merely collecting textual evidence toward analyzing patterns of conduct and tracing financial flows through the follow the money approach. According to the interview findings, the road project corruption case reflected concealed transactions and procurement arrangements conducted within an unusually short period. Such circumstances indicate that the alleged cooperation among the parties involved was not merely incidental but formed part of an organized pattern of conduct. Accordingly, financial transactions, procurement procedures, and the respective actions of the actors must be examined collectively to establish whether their conduct reflected a common intention.

The proof of *bewuste samenwerking* involves both intellectual and volitional dimensions. The intellectual dimension concerns the perpetrators' knowledge that their conduct violated legal provisions and could result in state financial losses. Meanwhile, the volitional dimension concerns the willingness of each participant to coordinate and integrate their conduct into a common course of action for an unlawful purpose. The investigator's task is therefore not merely to establish that each person performed an act, but to demonstrate that the acts were consciously connected to the achievement of a common criminal objective.

The successful establishment of these two dimensions depends substantially on the quality of the Investigation Examination Report or *Berita Acara Pemeriksaan* (BAP). The BAP should not merely contain formal question-and-answer exchanges but should be structured through detailed, chronological, and interconnected questions directed at witnesses and suspects. Investigators must reconstruct the chronology from the initial procurement planning stage, technical specifications, electronic submission of tender documents, and financial transactions to the eventual transfer of project authority. Such a method enables investigators to identify inconsistencies and establish connections among separate pieces of evidence.

The practical challenges faced by investigators were further explained by AKBP Donny Hendridunand, Head of Sub-Directorate III for Corruption Crimes. According to the interview, one of the principal obstacles is the tendency of participants to shift responsibility and rely on the formal appearance of administrative documents. Government officials may claim that they merely followed superior orders, while private parties may argue that they only lent their company identities without understanding the technical details of the project. Investigators therefore seek corroboration among digital forensic evidence from electronic procurement systems, banking records, and technical examinations of project materials.

This approach demonstrates the importance of integrating electronic evidence, financial documentation, and scientific crime investigation. Technical deviations in the quality and quantity of construction materials can provide objective evidence of irregularities, while financial records may reveal the economic relationships underlying

those irregularities. The state financial loss identified through the BPKP audit, amounting to Rp2,089,752,153.31, provides an important material consequence of the alleged conduct. However, the financial loss must still be connected to the respective conduct and participation of each actor in order to establish criminal responsibility.

Circumstantial evidence consequently becomes an important investigative instrument when direct evidence of an explicit criminal agreement is unavailable. According to the interview findings, the transfer of electronic procurement credentials followed by the submission of tender documents at an unusual time constituted a sequence of circumstances that could be assessed collectively. When such facts are analyzed in chronological and logical connection with other evidence, they may demonstrate the existence of prior coordination and conscious cooperation among the participants. This approach enables investigators to establish subjective elements through objectively observable conduct.

The testimony of Iptu Bun Yani further illustrates the importance of a confrontational and chronological approach in preparing the BAP. Investigators do not depend on a single question designed to obtain an admission of cooperation but examine detailed aspects of the conduct of each participant. Statements concerning authority over company bank accounts, withdrawal of project funds, notarial powers of attorney, and technical testing results can be cross-checked to determine whether the actors' explanations are consistent with the documentary and expert evidence. This method strengthens the causal connection between individual conduct and the alleged collective criminal scheme.

From a legal perspective, the investigative strategy must be directed toward accurately identifying the relationship between Article 55 paragraph (1) point 1 of the Criminal Code and the relevant provisions of the Anti-Corruption Law. Investigators must establish not only the unlawful conduct and state financial losses but also the specific contribution and degree of culpability (*schuld*) attributable to each participant. The evidentiary construction must therefore distinguish the individual role of each actor while simultaneously demonstrating the connection that transforms separate acts into collective participation in the alleged corruption offence.

The optimization of investigative functions can be analyzed through Lawrence M. Friedman's Legal System Theory, which emphasizes the interaction of legal structure, legal substance, and legal culture. From the structural perspective, the Special Criminal Investigation Directorate provides the institutional framework and specialized personnel necessary to investigate corruption. From the substantive perspective, investigators must operate within the applicable criminal, procedural, procurement, and financial regulations. Meanwhile, legal culture is reflected in the professionalism, integrity, ethical commitment, and investigative persistence of law enforcement officers (Fahrizal S.Siagian, 2023).

The application of the criminal evidence theory further requires investigators to construct a coherent chain of evidence. Under the evidentiary framework described in the research, the minimum evidentiary standard requires sufficient lawful evidence to establish both the occurrence of the criminal offence and the involvement of the accused. Consequently, witness testimony, documentary evidence, banking records, electronic evidence, expert testimony, and physical evidence must not be collected independently but must mutually corroborate one another. Such integration produces a chain of evidence capable of objectively demonstrating the roles and relationships of the participants.

Ultimately, the optimization of investigators' functions in proving *bewuste samenwerking* requires an integrated investigative strategy based on legal structure, substantive legal norms, professional legal culture, and modern evidentiary techniques. The combination of scientific crime investigation, financial tracing, digital forensic examination, technical expert evidence, and circumstantial evidence enables investigators to transform concealed coordination and physical project irregularities into a coherent evidentiary construction. The research findings demonstrate that effective proof of *bewuste samenwerking* does not depend on the existence of a formal written agreement, but on the ability of investigators to establish through legally admissible evidence that each participant consciously contributed to a common unlawful objective.

b. Factors Constituting Legal and Practical Constraints for Investigators in Proving the Element of *Bewuste Samenwerking* (Joint Intent) in the Investigation of Road Project Corruption in North Lampung Regency

The investigation of corruption in public procurement, particularly road infrastructure projects, presents complex challenges in proving the element of *bewuste samenwerking* or conscious cooperation. The difficulty does not merely concern establishing the occurrence of irregularities in project implementation, but also determining whether the various actors involved consciously cooperated in realizing a common unlawful objective. In the context of road project corruption in North Lampung Regency, investigators of the Special Criminal Investigation Directorate of the Lampung Regional Police face the challenge of penetrating formal procurement procedures that may conceal the actual relationships among government officials, contractors, procurement committees, and other parties.

The complexity becomes more apparent because the alleged conduct involves various forms of manipulation, including the practice of borrowing corporate identities, manipulation of electronic procurement systems, and delegation of project implementation to unauthorized parties. Such practices can create the appearance that each actor performs an independent administrative function. In reality, the acts may be interconnected and directed toward achieving the same unlawful objective. Therefore, investigators are required to examine the substantive relationship between the acts of each participant rather than merely relying on the formal validity of procurement documents.

From the perspective of criminal participation (*deelneming*), proving *bewuste samenwerking* is particularly important in determining whether several persons can be qualified as *medeplegers*. The existence of separate roles does not automatically establish joint participation. Investigators must demonstrate that the participants were consciously aware of and intentionally contributed to the realization of the criminal act. Accordingly, the absence of evidence concerning the convergence of intentions and actions may create difficulties in establishing material criminal participation at the prosecution and trial stages.

One of the principal legal obstacles concerns the distinction between administrative violations and criminal conduct. Government procurement involves numerous formal and procedural requirements, meaning that a procedural irregularity cannot automatically be interpreted as evidence of corruption. Investigators must determine whether an act represents an administrative error, negligence, or maladministration, or whether it constitutes a deliberate act forming part of a coordinated criminal scheme. The absence of explicit criteria capable of clearly distinguishing these categories increases the complexity of proving *bewuste samenwerking*.

The findings from the interview with Kombes Heri Rusyaman, Director of the Special Criminal Investigation Directorate of the Lampung Regional Police, confirm that the principal obstacle lies in the tendency of the parties involved to shift responsibility to one another. Government officials or PPKs may claim that procurement procedures were the responsibility of the Procurement Working Group, while contractors may argue that their companies were merely lent to other parties and that they had no knowledge of the actual implementation. This pattern creates a substantial evidentiary challenge because investigators must establish that the parties' knowledge of project deviations represented conscious cooperation rather than merely passive negligence.

Another practical obstacle emerges from the manipulation of electronic procurement procedures. The misuse of suppliers' User IDs and passwords and the submission of tender documents at unusual times may indicate prior coordination, but such conduct can also be presented by the parties as ordinary technical assistance or procedural error. Consequently, investigators must examine the chronology, frequency, context, and relationship between these actions and other evidence. The evidentiary significance of electronic procurement data becomes stronger when it corresponds with financial transactions, communications, and physical project conditions.

The proof of *bewuste samenwerking* requires investigators to establish both intellectual and volitional elements. The intellectual element relates to the knowledge of the participants concerning the unlawful nature of their conduct and its potential consequences for state finances. Meanwhile, the volitional element concerns the willingness of the participants to align their conduct and cooperate in pursuing a common objective. The simultaneous proof of these two dimensions is difficult because the subjective state of mind of a person cannot ordinarily be observed directly and must instead be inferred from objectively verifiable conduct.

The examination of witnesses and suspects consequently becomes a critical stage in the investigation. Witnesses from government institutions and private companies may provide inconsistent, incomplete, or contradictory statements because they seek to protect their respective positions. Difficulties become particularly apparent when investigators attempt to trace advance payments, project funds, or fee arrangements associated with the borrowing of corporate identities. Claims that transactions were conducted in cash, were unrelated to the project, or were merely private debts can obstruct investigators in establishing the connection between financial transactions and the alleged common criminal purpose.

AKBP Donny Hendridunand, Head of Sub-Directorate III for Corruption Crimes, emphasized that investigators must combine different forms of evidence to overcome these obstacles. According to the interview findings, witnesses frequently deny knowledge of project deficiencies or shift responsibility to consultants and other parties. Consequently, investigators combine forensic financial audits with physical testing conducted by civil engineering experts. This evidentiary integration is necessary because technical evidence concerning reduced material quality or volume may provide objective confirmation of the alleged deviations, while financial evidence can assist in identifying the economic relationships underlying those deviations.

The application of scientific crime investigation also presents its own practical challenges. Physical examination of road materials, including Core Drill testing to determine asphalt thickness and compressive-strength testing of structural concrete, requires specialized equipment, financial resources, and coordination with competent

experts. Delays or limitations in conducting such examinations may affect the ability of investigators to secure reliable physical evidence. Without accurate technical findings, it becomes more difficult to demonstrate that deviations in project quality or quantity were knowingly tolerated as part of a broader arrangement.

Another important obstacle is the withdrawal or alteration of witness statements. According to the research findings, witnesses may initially provide information suggesting the existence of an unlawful agreement but subsequently retract or modify their statements after obtaining legal assistance. Claims of intimidation, psychological pressure, or mistake may be used to challenge the validity of earlier statements. This situation requires investigators to conduct examinations carefully, transparently, and consistently while maintaining adequate documentation of the examination process, including audio-visual recording where appropriate.

The preparation of the Investigation Examination Report (Berita Acara Pemeriksaan or BAP) therefore constitutes a crucial practical aspect of proving *bewuste samenwerking*. Iptu Bun Yani explained that investigators must connect fragmented information through chronological and confrontational questioning. Financial withdrawals, issuance of payment orders, project documentation, and the timing of physical activities must be compared systematically. If the questions are not formulated based on verified factual data, witnesses may exploit general expressions such as “did not know” or “only carried out orders,” thereby weakening the evidentiary value of the BAP.

The quality of the BAP is also closely related to the individual competence of investigators. Investigators must possess knowledge extending beyond criminal procedure to include public procurement regulations, administrative law, financial investigation, and forensic techniques. Inadequate formulation of questions may produce gaps in the evidentiary chain and create a *juridisch defect* that can subsequently be exploited by the defence. Accordingly, investigator competence is not merely an institutional requirement but a decisive factor in determining the strength and reliability of the investigative file.

These obstacles can be further analyzed through Soerjono Soekanto’s Theory of Legal Effectiveness, which identifies five factors influencing the effectiveness of law: the legal rules themselves, law enforcement officials, facilities or infrastructure, society, and culture. This theoretical framework demonstrates that difficulties in proving *bewuste samenwerking* cannot be attributed solely to deficiencies in legal norms. Rather, they emerge from the interaction between normative uncertainty, investigator capacity, supporting facilities, witness participation, and social and cultural patterns surrounding public procurement.

The first factor concerns the legal substance itself. The existing framework governing participation and corruption requires interpretation when investigators qualify actors as *medeplegers*. The formulation of Article 55 paragraph (1) point 1 of the former Criminal Code in conjunction with Articles 2 paragraph (1) and 3 of the Anti-Corruption Law does not provide detailed objective criteria concerning *bewuste samenwerking*, particularly in cases involving borrowed corporate identities. This creates potential differences in interpretation among investigators, prosecutors, and judges concerning the boundary between administrative violations and criminal participation.

The second and third factors relate to law enforcement personnel and investigative facilities. The effectiveness of proof depends on the number, competence, professionalism, integrity, and specialization of investigators. Limited numbers of

investigators and uneven expertise in procurement, digital forensics, and financial investigation may slow the evidentiary process. At the same time, sophisticated corruption investigations require adequate digital forensic systems, physical testing facilities, expert support, and sufficient investigative budgets. Limitations in these areas may prevent investigators from promptly securing and scientifically examining circumstantial evidence.

The fourth factor concerns society, particularly the willingness of witnesses and members of the surrounding community to cooperate with investigators. Fear of intimidation, dependence on influential actors, and reluctance to become involved in legal proceedings may reduce the quantity and quality of information available to investigators. The fifth factor concerns legal culture, including the normalization of practices such as commitment fees, informal arrangements, and lending corporate identities. When such practices are perceived as ordinary mechanisms for facilitating local projects, they can weaken social resistance to corruption and make the subjective element of criminal cooperation more difficult to uncover.

From the perspective of the doctrine of *deelneming*, another legal challenge arises in proving the two cumulative requirements of *medepleger*, namely physical cooperation (*fysieke samenwerking*) and conscious cooperation (*bewuste samenwerking*). The latter presents the greater difficulty because investigators must demonstrate the inner relationship between the participants, including the connection between the alleged intellectual actor and those performing the acts at the operational level. Where formal legal arrangements, such as notarial powers of attorney, are used to disguise the actual division of roles, investigators must examine the substantive purpose behind those arrangements.

Ultimately, the obstacles faced by investigators in proving *bewuste samenwerking* in the North Lampung road project corruption investigation are multidimensional, involving legal uncertainty, evidentiary complexity, institutional capacity, facilities, witness cooperation, and permissive procurement culture. Nevertheless, the research findings indicate that these obstacles can be addressed through a combination of circumstantial evidence, scientific crime investigation, expert involvement, and follow the money analysis. The integration of financial transactions, electronic evidence, physical project examinations, witness testimony, and procurement documentation enables investigators to reconstruct the meeting of minds among the participants more systematically. Such an integrated approach strengthens the BAP, reduces the possibility of formal legal defects, and supports more accountable and effective corruption law enforcement.

CONCLUSION

Optimization of the Investigators' Functions in Proving the Element of *Bewuste Samenwerking* (Joint Intent) in the Investigation of Road Project Corruption Crimes in North Lampung Regency is achieved through the integration of the legal structure, legal substance, and legal culture of investigators within the Special Criminal Investigation Directorate of the Lampung Regional Police. The utilization of *scientific crime investigation* and circumstantial evidence has proven effective in establishing a chain of evidence in the Investigation Examination Report (BAP), fulfilling the minimum evidentiary requirements under Articles 183 and 184 of the former Criminal Procedure Code (KUHP), and legally demonstrating the *meeting of minds* and causal roles of the

perpetrators in court.

The Legal and Practical Factors Hindering Investigators in Proving the Element of *Bewuste Samenwerking* (Joint Intent) in the Investigation of Road Project Corruption Crimes in North Lampung Regency stem from the blurred normative boundaries between maladministration and criminal conspiracy. Practical obstacles, including the shifting of responsibility, the withdrawal of witness statements, and the culture of commitment fees, have been addressed through *follow the money* analysis, *scientific crime investigation*, and circumstantial evidence to establish the role of the intellectual actor (*intellectual dader*) and prevent formal defects (*juridisch defect*) in the case files.

BIBLIOGRAPHY

- Benulf, K., & Azhar, M. (2020). Metodologi Penelitian Hukum sebagai Instrumen Mengurai Permasalahan Hukum Kontemporer. *Gema Keadilan*, 7(1), 20–33. <https://doi.org/10.14710/gk.2020.7504>
- Danil, Y. F., Sintusa, A. F., & Aji, T. B. (2022). Law Enforcement in The Eradication of Criminal Acts in Children and Youth Generations. *Jurnal Dinamika Hukum*, 22(1), 168. <https://doi.org/10.20884/1.jdh.2022.22.1.3247>
- Fahrizal S.Siagian. (2023). Optimizing Lawrence Meir Friedman's Legal System Theory in the Authority to Investigate Corruption Crimes in Indonesia. *JUSTICES: Journal of Law*, 2(4), 185–201. <https://doi.org/10.58355/justices.v2i4.93>
- Hartono, B., Aprinisa, A., & Mahendra, P. U. (2024). Implementasi Uang Pengganti Terhadap Pelaku Tindak Pidana Korupsi (Studi Putusan Nomor: 15/Pid.Sus-TPK/2023/PN Tjk). *SAKOLA: Journal of Sains Cooperative Learning and Law*, 1(2), 938–960. <https://doi.org/10.57235/sakola.v1i2.3556>
- Hasan, Z., Apriano, I. D., Simatupang, Y. S., & Muntari, A. (2023). Penegakan hukum terhadap pelaku tindak pidana perjudian online. *Jurnal Multidisiplin Dehasen (MUDE)*, 2(3), 375–380.
- Miswardi, Nasfi, & Antoni. (2021). ETIKA, MORALITAS DAN PENEGAK HUKUM ETHICS, MORALITY AND LAW ENFORCEMENT. *Menara Ilmu: Jurnal Penelitian Dan Kajian Ilmiah*, 15(2).
- Nurhayati, Y., Ifrani, I., & Said, M. Y. (2021). METODOLOGI NORMATIF DAN EMPIRIS DALAM PERSPEKTIF ILMU HUKUM. *Jurnal Penegakan Hukum Indonesia*, 2(1), 1–20. <https://doi.org/10.51749/jphi.v2i1.14>
- Rizky Reza Pahlevi, Zulfi Diane Zaini, & Recca Ayu Hapsari. (2021). Analisis Perbuatan Melawan Hukum (Onrechtmatiggedaad) Terhadap Sengketa Kepemilikan Hak Atas Tanah. *Pagaruyuang Law Journal*, 5(1).
- Utami, D. N. (2023). Analisis Yuridis Pelaksanaan Pinjam Pakai Barang Bukti Perkara Tindak Pidana Ditinjau Dari Ketentuan Pasal 44 Kuhap. *Iblam Law Review*, 3(1), 138–149.
- Widyawati, A., Wijayanto, I., Latifiani, D., Ra'uf, A. S., & Rosana, A. S. (2021). Assistance And Establishment Of An Anti-Corruption Legal Clinic In Puguh Village, Boja District, Kendal Regency. *Jurnal Dedikasi Hukum*, 1(2), 164–177.
- Zainudin Hasan, Lukmanul Hakim, & Rudi Irawan. (2023). Judge's Consideration in Imposing the Death Penalty on Perpetrators of Narcotic and Narcotic Precursor Crimes. *Constitutional Law Society*, 2(2), 125–134.