

The Role of the Police in Investigating Alternative Evidence in Sexual Violence Cases Without Gynecological Visum Et Repertum in the Jurisdiction of Polda Metro Jaya

Dinanti Putri Dewa^{1*}, Surya Nita², Zora Arfina³

¹⁻³Police Science Study Program, School of Strategic and Global Studies, Universitas Indonesia, Depok, Indonesia

Email: ¹⁾ dinantipd@gmail.com, ²⁾ suryanita.sksgui@gmail.com, ³⁾ zorasukabdi@gmail.com

Received : 16 February - 2025

Accepted : 20 March - 2025

Published online : 22 March - 2025

Abstract

The role of law enforcement in uncovering alternative evidence in sexual violence cases without gynecological *visum et repertum* is crucial to ensuring that cases can still be legally processed. By utilizing psychiatric visum, electronic evidence, forensic psychologist statements, and CCTV recordings, the police can build a strong case construction. Additionally, enhancing investigators' skills in trauma-informed interviewing and digital forensic investigation is essential for improving the effectiveness of investigations. However, law enforcement faces several challenges in collecting and utilizing non-physical evidence, including regulatory limitations, technical difficulties in digital forensics, socio-cultural factors that discourage victims from reporting, and a lack of interagency coordination. Therefore, strengthening investigator capacity, improving regulations, and fostering better collaboration with forensic psychologists and digital service providers are necessary to ensure non-physical evidence is widely accepted in the judicial system. To enhance the effectiveness of alternative evidence collection, the police must establish strong coordination with key stakeholders, such as the Witness and Victim Protection Agency (LPSK), forensic psychologists, the Integrated Service Center for Women and Children Empowerment (P2TP2A), and digital forensic institutions. Developing Standard Operating Procedures (SOPs), forming a Special Task Force for Sexual Violence Cases, and utilizing digital technology are key strategies for improving the accuracy and security of evidence. Moreover, public outreach is necessary to raise awareness of the importance of non-physical evidence in proving sexual violence cases. Through these strategies, law enforcement can ensure that cases are handled professionally, ultimately achieving justice for victims.

Keywords: Law Enforcement, Alternative Evidence, Sexual Violence Investigation, Visum et Repertum.

1. Introduction

Sexual violence is a crime that violates the law and degrades human dignity. As a crime against humanity, sexual violence has widespread implications for human rights. In Indonesia, cases of sexual violence continue to rise each year, occurring in both public and private spaces, and require a comprehensive response (Wahid et al., 2001).

Sexual violence is often associated with gender-based violence, which includes actions that cause physical, psychological, or sexual suffering to victims. Cultural factors, such as patriarchy, reinforce gender inequality, making women the most vulnerable group. Many cases go unreported due to social stigma and victims' fear of seeking justice (Lorenz et al., 2021).



According to Maharani et al. (2024), the majority of sexual violence cases occur in private settings, such as within households and dating relationships. The COVID-19 pandemic worsened the situation, trapping many victims with their perpetrators. Sexual violence is also prevalent in public spaces and has increased in digital forms, such as Online Gender-Based Violence (OGBV). Girls aged 6 to 18 are the most vulnerable group, and perpetrators are often individuals close to the victims.

Law enforcement against sexual violence still faces numerous challenges, particularly in terms of evidence (Sukmayoga Wiweka et al., 2024). The judicial system heavily relies on *visum et repertum*, even though not all sexual violence leaves physical traces (Christina et al., 2024). The lack of understanding among law enforcement officers regarding non-physical evidence, such as psychological trauma and electronic evidence, has resulted in many cases being left unprocessed (Maharani et al., 2022).

Before the enactment of Law No. 12 of 2022 on Sexual Violence Crimes (UU TPKS), legal proceedings depended on gynecological forensic reports as primary evidence. However, many cases were dismissed due to insufficient physical evidence (Dixon & Gill, 2002). In this case, UU TPKS acknowledges non-physical evidence, but its implementation still faces various challenges.

Data from the Renakta Sub-Directorate of Polda Metro Jaya (2016-2021) indicate that out of 4,258 reports, 70% were dismissed due to a lack of physical evidence. From early 2023 to December 25, 2023, Polda Metro Jaya handled 12,337 cases of violence against women and children, 740 of which were sexual violence cases.

However, investigators at the Renakta Sub-Directorate of Polda Metro Jaya still face obstacles in conducting investigations. The regulations regarding non-physical evidence lack clear standard operating procedures (SOPs), while judges and prosecutors continue to place greater trust in gynecological forensic reports than in digital or psychological evidence.

The sexual harassment case on the KRL (LP/B/6349/X/2023/SPKT/POLDA Metro Jaya) illustrates the challenges in proving cases that leave no physical injuries. Investigators relied on psychiatric forensic reports and forensic psychologist statements to support the victim's claims.

Coordination between the police and other stakeholders in handling sexual violence cases remains suboptimal. Law enforcement requires collaboration with the Witness and Victim Protection Agency (LPSK), forensic psychologists, and digital forensic experts. This study aims to analyze the effectiveness of the police in gathering alternative evidence and propose coordination strategies to ensure justice for victims without relying solely on gynecological forensic reports.

Based on the aforementioned background, this study will address several issues, including:

1. How does the police in the jurisdiction of Polda Metro Jaya play a role in gathering alternative evidence in sexual violence cases without a gynecological *visum et repertum*?
2. What are the challenges faced by police investigators in collecting and utilizing non-physical evidence, such as psychiatric forensic reports and electronic evidence?
3. What strategies does the police employ to coordinate with relevant stakeholders to ensure the effectiveness of gathering and utilizing alternative evidence in sexual violence cases?

2. Literature Review

2.1. Law Enforcement Theory

The essence of law enforcement lies in the factors that influence it, which are neutral in nature and can have either positive or negative impacts depending on their content. Soekanto (2008) identifies five key factors that determine the effectiveness of law enforcement.

First, the legal factor itself, which includes legislation as the foundation for legal implementation. Second, the law enforcement factor, referring to those responsible for the formulation and application of the law, such as the police, prosecutors, and judges. Third, the facilities or infrastructure factor, which supports the law enforcement process, including infrastructure, technology, and adequate human resources. Fourth, the societal factor, representing the environment in which the law is applied, as public compliance with the law significantly influences its success. Lastly, the cultural factor, which reflects the values, norms, and traditions that evolve within society and affect the acceptance and implementation of the law.

2.2. Criminal Investigation Theory

The criminal investigation theory, as proposed by Rod Gehl and Darryl Plecas, emphasizes that investigation is a complex process requiring an analytical, strategic, and technical approach. Systematic investigative thinking is essential for interpreting evidence and developing hypotheses based on existing facts.

Crime scene management (CSM) is crucial, with a strong emphasis on meticulous evidence collection and documentation, as well as maintaining the chain of custody to ensure its admissibility in court. Interviews and interrogations are also critical aspects, where professional and ethical approaches must be applied to obtain accurate information without violating individual rights.

Forensic science and modern technology play a vital role in investigations, including DNA analysis, fingerprint identification, and digital forensics. Technologies such as surveillance cameras and data analysis software assist investigators in gathering information more effectively.

Major case management requires strong team coordination and collaboration with other law enforcement agencies and the community. Evidence-based investigations are emphasized to ensure that decisions are made based on valid facts. Additionally, investigative ethics must be upheld, with investigators acting professionally and maintaining integrity to ensure a fair legal process and gain public trust.

2.3. Concept of the Police Role in Law Enforcement

The concept of the police role in law enforcement relates to the rights and obligations inherent in their position as law enforcers. A role is defined as the duties and responsibilities carried out within a social system or organization (Torang, 2016). Rothwell and Kazanas (1994), emphasize that a role is not the same as a position but rather a set of expected behaviors within a specific position.

Behavior in performing a role is influenced by several factors, such as individual attributes (abilities and weaknesses), interpersonal factors (relationships with others), organizational factors (explicit and implicit norms), role senders (expectations from others), and role receivers (individual interpretations of those expectations). This model suggests that an organization is a dynamic system of roles, where individuals not only perform roles but also influence the expectations and behaviors of others.

Soekanto (2008) categorizes roles into three types. The expected role refers to the role that should be performed based on societal norms. The ideal role is based on ideal values within a system. The actual role is the role that is genuinely practiced in society. In the context of policing, these three role types determine their effectiveness in law enforcement and public service.

2.4. Concept of Coordination

The concept of coordination in an organization aims to unify various activities to achieve goals efficiently and effectively. Coordination involves clear information dissemination, effective communication, and appropriate task distribution. According to Hasibuan (2017), coordination is the effort to direct, integrate, and harmonize management elements and organizational member responsibilities.

Coordination can be internal or external. Internal coordination is divided into vertical coordination (hierarchical relationships between superiors and subordinates), horizontal coordination (between individuals of the same level within an organization), and diagonal coordination (between individuals of different levels but outside the direct chain of command). External coordination involves cooperation between institutions or organizations that play a role in achieving shared objectives.

Factors influencing coordination include unity of action, communication, and mutual understanding among organizational members. In law enforcement, coordination between the police and Civil Servant Investigators (PPNS) is crucial to ensuring a smooth investigative process. According to Article 107, paragraph (3) of the Indonesian Criminal Procedure Code (KUHAP), the results of PPNS investigations must be submitted to the public prosecutor through the police investigator. This coordination includes joint policy formulation, supervision, technical guidance, and the implementation of education and training in the field of investigation. With effective coordination, the law enforcement process can be more integrated and professional.

2.5. Previous Research

Several previous studies have examined the challenges and solutions in proving sexual violence cases, particularly when physical evidence is lacking. Savitri (2020) highlights the difficulty of gathering evidence in child sexual violence cases due to the absence of eyewitnesses, given that such crimes often occur in private spaces. She suggests that progressive interpretation by judges, considering laws related to domestic violence, can serve as an alternative approach to evidence evaluation. Similarly, Setyanegara (2019) discusses the role of psychological evidence, emphasizing the challenges faced by investigators in utilizing psychiatric forensic reports due to limited understanding and the scarcity of forensic psychologists.

Leona (2021) explores the increasing prevalence of online gender-based violence (OGBV) and underscores the importance of digital evidence, such as messages and recordings, in proving these crimes. Kasper and Laurits (2016) further elaborates on the challenges of validating electronic evidence in court, focusing on the chain of custody and admissibility of digital proof. While these studies emphasize the significance of alternative evidence, the present research extends the discussion by examining the police's operational strategies in handling digital and psychological evidence in sexual violence cases within the jurisdiction of Polda Metro Jaya.

From a broader investigative perspective, Gehl and Plecas (2017) emphasize the necessity of investigative thinking and evidence management, particularly when physical traces are absent. Their work aligns with this research in advocating for a more comprehensive

approach to investigation, integrating forensic technology and non-physical evidence. Smith and Skinner (2017) also discusses the role of psychological evidence in sexual offense cases, noting its decisive influence in non-physical assault cases. However, while Smith focuses on courtroom proceedings, this research examines the police's role in collecting and validating psychological evidence at the investigation stage.

This study builds upon previous research by integrating insights from various perspectives namely legal, psychological, and digital, while specifically addressing the police's role in gathering alternative evidence and coordinating with stakeholders to enhance law enforcement effectiveness in sexual violence cases.

3. Methods

3.1. Research Approach

This study uses a qualitative case study approach to examine police efforts in collecting alternative evidence in sexual violence cases at Polda Metro Jaya. This method provides an in-depth analysis of investigative challenges and legal procedures, utilizing multiple data sources such as interviews, observations, and document analysis.

3.2. Research Design

A case study approach was chosen to explore the complexities of law enforcement in handling sexual violence cases without gynecological forensic reports. The study focuses on the use of psychiatric forensic reports, digital evidence, and forensic psychologist testimonies to support investigations.

3.3. Research Location

The research was conducted at Subdit Renakta, Polda Metro Jaya, a specialized unit handling sexual violence cases. This location was selected due to its:

1. Expertise in investigating crimes involving women and children.
2. High case volume, providing a rich source of investigative data.
3. Adoption of alternative evidence in legal proceedings.

3.4. Research Data

This research utilized primary data from interviews with police investigators, forensic experts, and legal professionals, along with observations of investigative procedures. Secondary data came from legal documents and case reports. A triangulation method ensured validity by cross-checking findings across multiple sources and methodologies.

4. Results and Discussion

4.1. Research Results

4.1.1. The Role of the Police in the Jurisdiction of Polda Metro Jaya in Collecting Alternative Evidence in Sexual Violence Cases Without Gynecological *Visum et Repertum*

In cases of sexual violence, gynecological *visum et repertum* is often considered the primary evidence to prove the element of violence. However, not all sexual violence cases leave physical evidence that can be documented in a gynecological examination. This necessitates the police, including those in the jurisdiction of Polda Metro Jaya, to explore alternative legally admissible evidence to ensure cases can still be prosecuted.

According to Soerjono Soekanto's Law Enforcement Theory (2008), the success of law enforcement depends on the effectiveness of officers in gathering and managing evidence. The police play a central role in ensuring that all available evidence is maximized in the investigation and prosecution process.

1. Utilization of Alternative Evidence in Investigations

Based on Article 184 of the Indonesian Criminal Procedure Code (KUHAP), valid evidence includes witness testimony, expert testimony, documents, indications, and statements from the defendant. With the enactment of Law No. 12 of 2022 on Sexual Violence Crimes (UU TPKS), the police can utilize additional evidence relevant to sexual violence cases, such as:

- a. Psychiatric forensic reports – containing psychological evaluations of the victim to demonstrate the psychological impact of sexual violence.
- b. Electronic evidence – including CCTV recordings, text messages, emails, voice recordings, and other digital traces that indicate sexual violence incidents.
- c. Forensic psychologist testimony – explaining the psychological effects experienced by the victim as a result of the assault.
- d. Recorded conversations or threat evidence – such as messages from the perpetrator showing coercion or manipulation in committing sexual violence.
- e. Other medical documentation – such as reports from medical personnel or psychiatrists who have examined the victim before the case was reported.

According to the Criminal Investigation Theory by Rod Gehl and Darryl Plecas (2017), an effective investigation should not rely on a single type of evidence but rather employ various methods to construct a comprehensive chronology of events.

2. Methods for Collecting Alternative Evidence

To optimize investigations in sexual violence cases without gynecological *visum et repertum*, the police at Polda Metro Jaya apply several methods:

- a. Trauma-informed interviews – Investigators use an empathetic and trauma-sensitive approach in interviews to obtain accurate statements from victims without causing additional psychological distress.
- b. Digital forensic examination – In technology-based sexual violence cases, investigators analyze victims' and perpetrators' devices to uncover evidence such as threatening messages, voice recordings, or other digital traces.
- c. Psychological assessment by experts – Forensic psychologists assess the victim's psychological impact and provide testimony relevant to the case.
- d. Identification of key witnesses – The police seek individuals who can provide supporting testimony, whether as direct witnesses or those aware of the victim's condition before and after the incident.
- e. Use of CCTV and audiovisual recordings – If the incident occurred in a public or workplace setting, the police can obtain CCTV footage to identify the perpetrator and establish a timeline of events.

According to Good Governance Theory, the effectiveness of law enforcement is also influenced by transparency in the investigation process and the use of technology to strengthen evidence collection.

3. Enhancing Investigators' Capacity in Utilizing Non-Physical Evidence

To improve investigators' ability to gather alternative evidence, the police at Polda Metro Jaya play a role in:

- a. Enhancing investigators' skills in trauma-informed interviews.
- b. Providing digital forensic training for handling electronic evidence.
- c. Encouraging investigators to actively seek forensic psychological testimony and other non-physical evidence.

According to Organizational Effectiveness Theory, an institution must have competent human resources to achieve its goals optimally. In this regard, the police must continually enhance their capacity to conduct more effective investigations.

4. The Role of the Police in Ensuring Victim Security and Protection

Beyond gathering alternative evidence, the police are also responsible for protecting victims and witnesses during the investigation process. Measures taken include:

- a. Ensuring victim safety through protection mechanisms from the Witness and Victim Protection Agency (LPSK).
- b. Preventing intimidation or threats from the perpetrator.
- c. Encouraging victims to proceed with the legal process using a more humane approach.

This role aligns with Crime Prevention Theory, which emphasizes that law enforcement must not only act as enforcers but also as protectors of victims to prevent repeated crimes.

Thus, the role of the police in the jurisdiction of Polda Metro Jaya in gathering alternative evidence in sexual violence cases without gynecological *visum et repertum* is crucial in ensuring that cases can still be legally processed. By utilizing non-physical evidence such as psychiatric forensic reports, electronic evidence, forensic psychologist testimony, and CCTV recordings, the police can build a strong case construction even without physical evidence. Additionally, the police play a role in enhancing investigators' skills in trauma-informed interviewing and digital forensic investigation. By optimizing modern investigative approaches and utilizing non-physical evidence, the police can ensure that justice for victims is upheld without relying solely on gynecological forensic reports.

4.1.2. Challenges Faced by Police Investigators in Collecting and Utilizing Non-Physical Evidence, Such as Psychiatric Forensic Reports and Electronic Evidence

In the investigation of sexual violence cases, non-physical evidence such as psychiatric forensic reports and electronic evidence is increasingly recognized as a crucial component of proof, especially following the enactment of Law No. 12 of 2022 on Sexual Violence Crimes (UU TPKS). However, its implementation still faces various challenges that affect the effectiveness of investigations. Based on law enforcement and criminal investigation theories, the challenges faced by police investigators in collecting and utilizing non-physical evidence can be categorized as follows:

1. Regulatory and Legal Framework Challenges

According to Soerjono Soekanto's Law Enforcement Theory (2008), the success of law enforcement is influenced by five factors: legal framework, law enforcers, facilities and infrastructure, society, and legal culture. In this context, legal factors pose major obstacles due to:

- a. The absence of clear standard operating procedures (SOPs) for non-physical evidence – Although UU TPKS recognizes alternative evidence such as psychiatric forensic reports and electronic evidence, there is no uniform SOP for their collection and utilization at the police level.

- b. Lack of legal precedents – Many sexual violence cases lack strong legal precedents regarding the use of psychiatric forensic reports as primary evidence, leading prosecutors and judges to continue prioritizing gynecological forensic reports.
- c. Limited understanding within the judicial system – Judges and prosecutors often place greater reliance on physical evidence than on non-physical evidence, making psychiatric forensic reports or electronic evidence less persuasive in building a case.

2. Technical Challenges in Evidence Collection

According to the Criminal Investigation Theory by Rod Gehl and Darryl Plecas (2017), modern criminal investigations must integrate forensic analysis techniques and technology. However, in practice, several technical challenges hinder investigators, including:

- a. Shortage of forensic psychology experts for psychiatric forensic reports – Not all police jurisdictions have easy access to forensic psychologists authorized to issue psychiatric forensic reports, causing delays in collecting psychological evidence.
- b. Difficulties in securing and authenticating electronic evidence – Electronic evidence, such as CCTV recordings, text messages, or voice recordings, is often difficult to verify for authenticity. Additionally, investigators require digital forensic skills to ensure the admissibility of such evidence in court.
- c. Limited access to electronic evidence – In technology-based sexual violence cases, perpetrators often delete evidence or use methods that are difficult to trace, such as encrypted messaging apps, making it challenging for investigators to retrieve communication data.
- d. Technical difficulties in digital evidence tracking – Investigators frequently struggle to obtain data from foreign servers due to jurisdictional limitations and varying data privacy regulations across countries.

3. Cultural and Social Challenges

According to Friedman's Legal Culture Theory (1975), the effectiveness of law is influenced by legal substance, legal structure, and legal culture. In sexual violence cases, Indonesia's legal culture still faces significant challenges, including:

- a. Victims' reluctance to undergo psychiatric forensic examinations. Many victims experience trauma or discomfort in recounting their experiences to forensic psychologists, hindering the collection of psychological evidence to support investigations.
- b. Social stigma discouraging victims from reporting. Fear of social stigma and pressure from their surroundings often prevent victims from providing testimonies that could be used as non-physical evidence.
- c. Lack of public awareness about non-physical evidence. Many people still believe that evidence of sexual violence must be in the form of physical injuries. In reality, non-physical evidence such as psychological evaluations and recorded communications also hold strong evidentiary value.

4. Challenges in Interagency Coordination

According to Good Governance Theory, effective law enforcement requires synergy among institutions. However, in practice, coordination between the police and other agencies still faces obstacles, such as:

- a. Difficulties in coordinating with digital service providers – In digital-based crimes, the police often struggle to obtain data from technology companies due to strict privacy policies.

- b. Limited cooperation with certified forensic psychologists – Investigators frequently encounter difficulties in finding psychologists authorized to issue psychiatric forensic reports that are admissible in court.
- c. Lack of facilities and resources for digital investigations – Not all police units have adequate digital forensic equipment to analyze electronic evidence, complicating the collection of digital proof.

5. Insufficient Investigator Training in Using Non-Physical Evidence

According to Organizational Effectiveness Theory, human resource quality plays a crucial role in an institution's success. In the context of sexual violence investigations, police forces still face challenges in improving investigator capacity, including:

- a. Limited training in trauma-informed interviewing. Many investigators lack adequate training in conducting interviews with sexual violence victims, resulting in suboptimal victim statements for case prosecution.
- b. Lack of understanding of electronic and psychological evidence. Investigators are generally more familiar with physical evidence and have not fully grasped how to use psychiatric forensic reports and electronic evidence as primary proof.
- c. Disparities in knowledge levels across police units. Not all police units apply the same standards in handling non-physical evidence, leading to inconsistencies in investigation procedures.

The police in the jurisdiction of Polda Metro Jaya face various challenges in collecting and utilizing non-physical evidence in sexual violence cases. These challenges include regulatory gaps, technical difficulties in digital forensics, social and cultural factors that discourage victims from reporting, interagency coordination issues, and resource constraints in investigator training. To enhance the effectiveness of investigations, it is essential to strengthen investigator capacity in trauma-informed interviewing, digital forensic techniques, and coordination with forensic psychologists and digital service providers. Additionally, regulatory improvements and greater judicial system awareness are needed to ensure that non-physical evidence is widely accepted in court proceedings.

4.1.3. Police Strategies for Coordinating with Relevant Stakeholders to Ensure the Effective Collection and Use of Alternative Evidence in Sexual Violence Cases

In handling sexual violence cases, the police cannot work alone. Coordination with various stakeholders is essential to ensure that alternative evidence, such as psychiatric forensic reports, electronic evidence, and forensic psychology expert testimony, can be optimally utilized in the investigation process. Good Governance Theory, which emphasizes transparency, participation, and accountability, serves as the foundation for police strategies in establishing collaborations with various parties to enhance the effectiveness of evidence collection.

According to Soekanto's Law Enforcement Theory (2008), the success of law enforcement is influenced by legal structure, legal substance, and legal culture. In this context, police coordination with stakeholders must encompass all three aspects to ensure that non-physical evidence is accepted within the judicial system. The following are strategies that can be implemented by the police:

1. Establishing a formal coordination system with key stakeholders

According to Organizational Management Theory, the success of a collaboration process depends on a clear coordination structure. In this regard, the police must establish formal

coordination with various stakeholders involved in the evidence collection for sexual violence cases, including:

- a. Witness and Victim Protection Agency (LPSK). LPSK plays a role in protecting victims and witnesses who are willing to testify. The police must ensure that victims receive legal protection so they can provide testimony safely and without pressure.
- b. Forensic psychologists and professional psychology institutions. Given the importance of psychiatric forensic reports, the police must establish partnerships with forensic psychologists from official institutions to ensure that victims' psychological evaluations are conducted promptly and can be used as evidence.
- c. Integrated Service Center for the Empowerment of Women and Children (P2TP2A). P2TP2A provides psychological and social support for victims. The police should collaborate with this institution to ensure that victims receive adequate recovery services.
- d. Digital forensic institutions and technology service providers. To handle electronic evidence such as CCTV recordings, text messages, or digital traces, the police must work with digital forensic experts and technology companies to verify and utilize the evidence in legal proceedings.
- e. Prosecutors and judges in the criminal justice system. Coordination with the prosecution and judiciary is essential to ensure that alternative evidence is admissible in court. The police need to educate other law enforcement officials on the validity of psychiatric forensic reports and electronic evidence as legitimate forms of proof.

According to Organizational Effectiveness Theory, synergy between various institutions enhances efficiency and effectiveness in achieving legal objectives. Therefore, the police must build strong networks with various stakeholders.

2. Developing standard operating procedures (SOPs) for the use of alternative evidence

One of the challenges in proving sexual violence cases is the lack of clear SOPs regarding the use of non-physical evidence. Friedman's Legal Effectiveness Theory (1975) emphasizes that the effectiveness of law is strongly influenced by a well-defined legal structure. Therefore, the police must:

- a. Establish SOPs regulating the process of obtaining psychiatric forensic reports so that psychological evaluations can be legally recognized as valid evidence.
- b. Develop a tracking and documentation system for electronic evidence to prevent digital recordings from being manipulated or deleted.
- c. Create collaboration mechanisms with relevant stakeholders, such as hospitals, forensic psychologists, and digital forensic institutions, to ensure that non-physical evidence is collected according to standards acceptable in court.

3. Investigator training in the use of non-physical evidence

The effectiveness of an organization heavily depends on the quality of its human resources. In this regard, the police need to enhance investigators' competencies in:

- a. Trauma-informed interviewing. Training investigators to obtain victim statements without exacerbating their trauma.
- b. Digital forensic analysis. Strengthening skills in collecting, verifying, and securing electronic evidence, such as CCTV footage and text messages.
- c. Understanding psychiatric forensic reports. Training investigators to comprehend and utilize psychiatric forensic reports in investigations.

According to Performance Management Theory, continuous training improves both individual and institutional effectiveness in performing their duties.

4. Establishing a special task force for sexual violence cases

A clear division of tasks enhances institutional performance. Therefore, the police can establish a special task force for sexual violence cases responsible for:

- a. Developing investigative methods that are more sensitive to victim trauma.
- b. Ensuring that the collection of non-physical evidence follows established procedures.
- c. Directly coordinating with relevant stakeholders to ensure each case is handled efficiently and effectively.

5. Utilizing technology for investigation and evidence protection

Technology plays a significant role in enhancing the effectiveness of investigations. Therefore, the police must:

- a. Implement a digital evidence management system. This ensures that electronic evidence is not lost or contaminated.
- b. Develop a forensic psychologist database. A system that allows investigators to easily locate psychologists authorized to issue psychiatric forensic reports for victims.
- c. Use artificial intelligence (AI) in digital forensic analysis. AI can assist in analyzing digital communication patterns, such as text messages or emails used by perpetrators to manipulate victims.

6. Increasing public awareness and trust

The success of a legal policy also depends on public support. Therefore, the police must:

- a. Promote awareness about the importance of psychiatric forensic reports and electronic evidence as valid proof in sexual violence cases.
- b. Encourage victims to report cases without fear of social stigma.
- c. Engage civil society organizations to support sexual violence victims.

To ensure the effective collection and use of alternative evidence in sexual violence cases, the police must establish strong coordination with various stakeholders. Based on Good Governance Theory and Soerjono Soekanto's Law Enforcement Theory, the strategies implemented include establishing a formal coordination system, developing clear SOPs, enhancing investigator capacity, utilizing technology in investigations, and increasing public awareness. Formal coordination is conducted with LPSK, forensic psychologists, P2TP2A, digital forensic institutions, and the judiciary to ensure that evidence such as psychiatric forensic reports and electronic proof is accepted in legal proceedings. Developing clear SOPs is essential for regulating the procedures for obtaining and tracking non-physical evidence, while investigator training in trauma-informed interviewing, digital forensic analysis, and understanding psychiatric forensic reports aims to improve investigative effectiveness.

Additionally, the police can form a special task force for sexual violence cases to accelerate inter-agency coordination. The use of digital technology, such as a digital evidence management system and artificial intelligence (AI), is also necessary to enhance the accuracy and security of evidence. Finally, the police need to increase public awareness so that victims feel safe reporting cases and understand that non-physical evidence holds strong probative value. By implementing these strategies, the police can optimize their role in ensuring that sexual violence cases are handled professionally and fairly.

4.2. Discussion

The findings of this study highlight the critical role of the police in gathering alternative evidence in sexual violence cases where gynecological *visum et repertum* is unavailable. The reliance on non-physical evidence, such as psychiatric forensic reports, electronic records, and

forensic psychological testimony, proves essential in constructing a strong case against perpetrators. This shift in investigative methods reflects an adaptation to the legal and procedural challenges that arise when physical evidence is absent.

The study emphasizes that police investigators must enhance their skills in trauma-informed interviewing and digital forensic analysis. These competencies enable them to collect and analyze electronic evidence effectively, ensuring that such proof is admissible in court. The increasing importance of digital forensics in sexual violence investigations underscores the evolving nature of crime and the need for law enforcement to keep pace with technological advancements.

Despite the progress in alternative evidence collection, this study also identifies key obstacles, such as regulatory limitations, technical constraints in digital forensics, and socio-cultural factors that discourage victims from reporting. The absence of standardized operating procedures (SOPs) and a lack of legal precedents for non-physical evidence hinder its acceptance in judicial proceedings. Additionally, the reluctance of victims to undergo psychiatric evaluations and the societal stigma surrounding sexual violence further complicate the investigation process.

Inter-agency coordination emerges as a vital factor in ensuring the effective use of alternative evidence. This study underscores the importance of collaboration between the police and institutions such as the Witness and Victim Protection Agency (LPSK), forensic psychologists, and digital forensic experts. Formalizing these partnerships and developing clear protocols can significantly enhance the efficiency of evidence collection and case processing.

The findings also point to the necessity of modernizing investigative procedures. Establishing a special task force for handling sexual violence cases, integrating artificial intelligence (AI) in digital forensic analysis, and developing a centralized database for forensic psychologists are among the recommendations to improve law enforcement effectiveness. Moreover, public outreach programs can play a crucial role in educating society on the legitimacy and importance of non-physical evidence in sexual violence cases.

In the end, this study highlights the pressing need for a paradigm shift in the investigation and prosecution of sexual violence cases. In this case, strengthening investigator training, improving inter-agency collaboration, and leveraging technology, law enforcement can ensure justice for victims without solely relying on physical evidence. The adoption of these strategies will not only enhance police capabilities but also contribute to a more victim-centered approach in handling sexual violence cases.

5. Conclusion

The role of the police in the jurisdiction of Polda Metro Jaya in gathering alternative evidence in sexual violence cases without a gynecological forensic report is crucial to ensuring that cases can still be legally processed. By utilizing non-physical evidence such as psychiatric forensic reports, electronic evidence, forensic psychologist testimony, and CCTV recordings, the police can build a strong case despite the absence of physical evidence. Additionally, the police play a role in enhancing investigators' skills in trauma-informed interviewing and digital forensic investigation. By optimizing a more modern and non-physical evidence-based investigative approach, the police can ensure justice for victims without relying solely on a gynecological forensic report.

The police in the jurisdiction of Polda Metro Jaya face various challenges in collecting and utilizing non-physical evidence in sexual violence cases. These challenges include

incomplete regulatory support, technical difficulties in digital forensics, socio-cultural barriers that discourage victims from reporting, lack of inter-agency coordination, and limited resources and training for investigators. To make investigations more effective, it is necessary to improve investigators' capacity in trauma-informed interviewing, digital forensic technology, and coordination with forensic psychologists and digital service providers. Additionally, regulatory improvements and increased awareness within the judicial system are required to ensure that non-physical evidence is widely accepted in court proceedings.

To ensure the effective collection and use of alternative evidence in sexual violence cases, the police must establish strong coordination with various stakeholders. Based on Good Governance Theory and Soerjono Soekanto's Law Enforcement Theory, the strategies implemented include establishing a formal coordination system, developing clear SOPs, enhancing investigator capacity, utilizing technology in investigations, and raising public awareness. Formal coordination should be conducted with the Witness and Victim Protection Agency (LPSK), forensic psychologists, P2TP2A, digital forensic institutions, and judicial authorities to ensure that evidence such as psychiatric forensic reports and electronic proof is accepted in legal proceedings. Clear SOPs must be developed to regulate the procedures for obtaining and tracking non-physical evidence, while investigator training in trauma-informed interviewing, digital forensic analysis, and understanding psychiatric forensic reports aims to improve investigative effectiveness.

6. References

- Christina, O. K. F., Elias, R. F., & Bawole, H. (2024). Analisis Yuridis Atas Penggunaan Visum Et Repertum Dalam Mengungkap Tindak Pidana Pembunuhan. *Lex Administratum*, 12(3). <https://ejournal.unsrat.ac.id/v3/index.php/administratum/article/view/55649>
- Dixon, L., & Gill, B. (2002). Changes in the standards for admitting expert evidence in federal civil cases since the Daubert decision. *Psychology, Public Policy, and Law*, 8(3), 251.
- Friedman, L. M. (1975). *The legal system: A social science perspective*. Russell Sage Foundation.
- Gehl, R., & Plecas, D. (2017). *Introduction to criminal investigation: Processes, practices and thinking*. Justice Institute of British Columbia.
- Hasibuan, M. S. P. (2017). *Manajemen Sumber Daya Manusia*. Bumi Aksara.
- Kasper, A., & Laurits, E. (2016). Challenges in collecting digital evidence: a legal perspective. *The Future of Law and ETechnologies*, 195–233.
- Leona, A. P. (2021). Ancaman Privasi Data Pribadi dan Literasi Digital Sebagai Solusi. In *PEREMPUAN DAN LITERASI DIGITAL: ANTARA PROBLEM, HAMBATAN, DAN ARAH PEMBERDAYAAN*. UGM PRESS.
- Lorenz, K., Dewald, S., & Venema, R. (2021). "I Was Worried I Wouldn't Be Believed": Sexual Assault Victims' Perceptions of the Police in the Decision to Not Report. *Violence and Victims*, 36(3), 455–476.
- Maharani, M., Budiarti, A. I., Puteri, B. P. T., & Arianto, G. N. (2024). Community-Based Paralegals for Access to Justice in Indonesia. *Journal of Contemporary Sociological Issues*, 4(2).
- Rothwell, W. J., & Kazanas, H. C. (1994). Planned management development is effective management development. *Performance+ Instruction*, 33(7), 36–42.
- Savitri, N. (2020). Pembuktian Dalam Tindak Pidana Kekerasan Seksual Terhadap Anak. *Jurnal Bina Mulia Hukum*, 4(2), 276–293.
- Smith, O., & Skinner, T. (2017). How rape myths are used and challenged in rape and sexual assault trials. *Social & Legal Studies*, 26(4), 441–466.

- Soekanto, S. (2008). *Factors Affecting Law Enforcement*, Jakarta: PT. *King Grafindo Persada*, 8.
- Sukmayoga Wiweka, G. R., Ari Atu Dewi, A. A. I., Arya Sumertayasa, P. G., & Bagiastra, I. N. (2024). Settlement of Sexual Violence Against Children Based on Balinese Customary Law. *Policy, Law, Notary and Regulatory Issues (POLRI)*, 3(2), 240–251. <https://doi.org/10.55047/polri.v3i2.1120>
- Torang, S. (2016). *Organization & Management (Behavior, Structure, Culture & Organizational Change)*. Bandung: Alfabeta.
- Wahid, A., Irfan, M., & Hasan, M. T. (2001). *Perlindungan terhadap korban kekerasan seksual: advokasi atas hak asasi perempuan*. Refika Aditama.