

Law Enforcement Policy on Fictitious Official Travel Orders Involving DPRD Employees in Riau Province

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Abstract

An Official Travel Order (SPPD) is an administrative document used as the basis for official travel by government employees. However, fictitious SPPDs are often misused to disburse travel funds without actual activities, resulting in state financial losses. This study aims to analyze legal policies in investigating fictitious SPPD corruption within the Riau Provincial DPRD and assess their conformity with the principles of justice, legal certainty, and legal benefit. The research employs a normative legal method using statutory, conceptual, and case approaches. Data were collected through literature and document studies and analyzed qualitatively. The findings reveal that the fictitious SPPD scheme was conducted systematically through forged airline tickets, fabricated Fund Disbursement Notes (NPDs), falsified receipts, counterfeit stamps, and forged signatures. Investigations by the Riau Regional Police uncovered tens of thousands of fictitious travel documents, causing state losses estimated at Rp195.9 billion. Although the investigation process has generally complied with criminal procedure and anti-corruption laws, challenges remain, including complex perpetrator networks, weak internal supervision, and delays in legal proceedings. Strengthening inter-agency coordination, enhancing internal control systems, and implementing transparent digital travel administration are necessary to prevent similar corruption practices in the future.

Keywords

Legal Policy; Corruption; Fictitious SPPD; Investigation, Riau Provincial DPRD



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INTRODUCTION

The eradication of corruption is closely linked to law enforcement, which encompasses legal substance, legal structure, and legal culture, as posited by Lawrence M. Friedman. In addition to the role of law enforcement agencies, public participation is essential to ensure that law enforcement operates effectively. One form of corruption that inflicts financial losses on the state is the case of fictitious

Official Travel Orders (Surat Perintah Perjalanan Dinas / SPPD) involving employees of the Regional House of Representatives (DPRD) of Riau Province. Fictitious SPPD constitutes a practice of disbursing travel budgets through document forgery or administrative manipulation, despite the travel never having taken place. This practice demonstrates an abuse of authority, as well as weak oversight and regional financial governance.

This phenomenon disrupts the principles of clean and accountable governance, hinders regional development, and diminishes public trust in government institutions. Consequently, an effective law enforcement policy is required through repressive, preventive, and restorative approaches. From the perspective of criminalization theory, an act can be declared a criminal offense if it meets the elements of unlawfulness and contradicts the living legal values within society. According to Moeljatno, criminal law functions to determine prohibited acts, the conditions for criminal liability, and the procedures for execution. Criminalization must adhere to three core principles: the principle of legality, the principle of subsidiarity, and the principle of equality before the law.[1] The application of the principle of legality in the fictitious SPPD case asserts that perpetrators can only be prosecuted under prevailing regulations, specifically Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 on the Eradication of Corruption. The principle of subsidiarity positions criminal law as a last resort (**ultimum remedium**) when administrative or civil remedies prove ineffective. Meanwhile, the principle of equality before the law requires every perpetrator to be prosecuted regardless of their position or status.

In addition to criminalization theory, law enforcement against fictitious SPPD can also be analyzed through retributive theory. This theory emphasizes that perpetrators must receive a punishment proportionate to their wrongdoing.[2] In corruption cases, retributive principles are manifested through the imposition of proportional sanctions according to the level of the perpetrator's involvement and the extent of state losses, while concurrently providing a deterrent effect for both the offender and the public. On the other hand, restorative justice theory offers an approach oriented toward loss recovery and the restoration of social relations. Its implementation can be achieved through the restitution of state financial losses, resolution mechanisms involving relevant parties, and guidance to enhance transparency and accountability in budget management. However, the application of this approach must still respect the public interest and the sense of justice.

According to Robert Klitgaard, corruption occurs due to the monopoly of power, broad discretion, and weak accountability. Susan Rose-Ackerman adds that corruption frequently involves networks of cooperation among various actors.[1] Meanwhile, Syamsuddin Haris states that corruption in Indonesia tends to be systematic and involves various bureaucratic and political elements. This condition is evident in the practice of fictitious SPPD, which is carried out through the abuse of authority and administrative manipulation. Previous research indicates that fictitious SPPD is a form of abuse of power that can be categorized as a criminal act of corruption. Various studies also underscore the importance of criminal liability, effective evidence gathering, and the imposition of fair sanctions against perpetrators who commit corruption jointly. Based on this background, this research focuses on the law enforcement of corruption in the case of fictitious SPPD involving employees of the Riau Province DPRD, with the scope of research limited to the investigation stage by law enforcement agencies. This study aims to examine law enforcement policies in uncovering networks of perpetrators, identify the roles of each party, and assess the effectiveness of law enforcement efforts in preventing the recurrence of corruption in the future.

METHODS

To obtain data supporting this research, the following steps are taken. The type of research utilized in this thesis is normative legal research. Normative legal research encompasses studies on (a) legal principles, such as research on the living legal norms within society; (b) the systematization of law, which is conducted by analyzing the fundamental concepts of law contained within statutory legislation; (c) legal synchronization, which aims to reveal the extent to which specific legislation is consistent both vertically and horizontally, provided that the laws are of equal hierarchy and regulate the same field; (d) comparative law, which is research aimed at identifying and analyzing the differences that exist among various legal systems. Legal history research, which endeavors to identify the stages of legal development the scope of which can be narrowed down to the history of legislation is a scientific activity aimed at structuring the chronological development of law or legislation.

FINDINGS AND DISCUSSION

Law Enforcement in the Investigation of Fictitious SPPD Corruption in Riau Province

The inquiry and investigation processes into the case of fictitious Official Travel Orders (Surat Perintah Perjalanan Dinas / SPPD) constitute an essential part of law enforcement against corruption within the government environment. Fictitious SPPD occurs when travel documents are fabricated to appear as though the official travel activities were genuinely executed, whereas in reality, no such travel took place. This act is generally accompanied by document manipulation, forgery of tickets, receipts, accountability reports, signatures, or other supporting documents to disburse the official travel budget. The first stage is inquiry (*penyelidikan*). Pursuant to Article 1 number 5 of the Criminal Procedure Code (KUHAP), an inquiry is a series of actions by an inquirer to seek and identify an event suspected of being a criminal offense in order to determine whether an investigation can be initiated. In the case of fictitious SPPD, the inquiry is conducted by tracing public reports, audit results, internal findings, or indications of irregularities in the utilization of the travel budget. At this stage, law enforcement agencies examine preliminary documents, cross-reference travel data with empirical evidence, and request statements from relevant parties.

The subsequent stage is investigation (*penyidikan*). Pursuant to Article 1 number 2 of the KUHAP, an investigation is a series of actions by an investigator to seek and collect evidence in order to clarify the criminal offense and identify the suspect. In fictitious SPPD cases, investigators examine witnesses, seize documents, request expert testimonies, conduct state loss audits, and trace cash flows. The evidence collected may include SPPDs, travel tickets, boarding passes, hotel receipts, fund disbursement notes, accountability reports, and other financial documents. Academically, an inquiry is defined not merely as a search for preliminary facts, but also as a process of clarifying the nexus between documents, administrative actions, and the potential emergence of state financial losses.

1. The Inquiring Agency (The High Prosecutor's Office of Riau / The Regional Police of Riau)

If the inquiry is conducted by the Riau Regional Police (Polda Riau), this role is executed through the Directorate of Special Criminal Investigation (Ditreskrimsus), specifically the sub-directorate handling corruption crimes. In this capacity, the police are authorized to conduct a series of initial actions, including gathering statements, reviewing documents, clarifying matters with officials and related parties, and tracing budget utilization patterns suspected of deviation. At this stage, the police are tasked with constructing the initial legal framework regarding the alleged criminal event.

2. The Onset of Reports / Findings Triggering the Inquiry

The onset of the inquiry into the fictitious SPPD case can be understood as the result of interaction among public control, administrative oversight, and internal institutional dynamics. These three sources complement one another in establishing the initial baseline for law enforcement agencies to assess whether an event reasonably suspected of being a corruption crime has occurred.

3. Inquiry Techniques and Methods Utilized

Inquiry methods in fictitious SPPD cases focus not only on data collection, but also on establishing a logical correlation among documents, witness testimonies, audit results, and the actual execution of activities. This approach is necessary so that the alleged deviations do not merely stop at administrative assumptions, but can instead evolve into a robust legal construction.

4. Inquiry Results: The Basis for Discovering a Criminal Event (Case Exposition)

The inquiry process into the alleged corruption of fictitious SPPD at the Secretariat of the Regional House of Representatives (DPRD) of Riau Province indicates that uncovering corruption cases requires a comprehensive and systematic approach. The inquiry aims not only to detect administrative irregularities, but also to assess whether such irregularities possess a criminal dimension. Through the identification of the inquiring parties, tracing the sources of initial information, utilizing document and witness examination techniques, and coordinating state loss audits, law enforcement agencies build a preliminary evidentiary basis that is subsequently tested through a case exposition.

Investigators of Polda Riau began investigating the case of alleged corruption related to fictitious SPPD at the Secretariat of the Riau DPRD (Setwan) since 2023 following allegations of corruption regarding employee travel expenditures. [3] In this initial phase, the inquiry was conducted internally by Sub-Directorate III of the Ditreskrimsus Polda Riau by examining dozens of witnesses, ranging from Setwan employees to airline representatives. The commencement of an open inquiry by Ditreskrimsus Polda Riau in June 2024 regarding the alleged corruption of fictitious SPPD at the Riau DPRD Secretariat for the 2020–2021 Fiscal Year indicates an increase in the intensity of case handling from the initial stage to a more formal legal process. The summons of the former Secretary of the Council (Sekwan) of the Riau DPRD, Muflihun, was part of the investigators' efforts to gather statements to strengthen the evidence.

The case of alleged corruption of fictitious SPPD at the Riau DPRD Secretariat was upgraded from an inquiry to an investigation after Ditreskrimsus Polda Riau

investigators conducted a case exposition. The Director of Special Criminal Investigation of Polda Riau, Senior Commissioner Nasriadi, stated that following the case exposition, Sub-Directorate III for Anti-Corruption of Ditreskrimsus Polda Riau upgraded the status from inquiry to investigation, and subsequently, investigators would send a Notice of the Commencement of Investigation (SPDP) to the High Prosecutor's Office of Riau[4]. The summons of the leadership of the Riau Province DPRD by Ditreskrimsus Polda Riau investigators, including the Speaker and Deputy Speakers of the DPRD, was part of the investigation process aimed at confirming and verifying the truth of the statements provided by other parties, in this case, the Secretary of the DPRD. This step is imperative to construct a complete legal framework and to ensure consistency among testimonies in the alleged corruption case.

The presence of the audit team from the Riau Financial and Development Supervisory Agency (BPKP) at the Polda Riau Headquarters on September 25, 2024, to examine the documents seized by investigators constitutes a vital part of the evidentiary process in corruption crimes, specifically within the framework of calculating state financial losses. The examination of these documents was conducted to ensure the existence of actual and measurable state losses as one of the primary elements in a corruption crime. The execution of a case exposition by Ditreskrimsus Polda Riau at the National Police Headquarters (Mabes Polri) is an important part of the law enforcement process for corruption crimes, particularly in the case of alleged fictitious SPPD corruption within the Secretariat of the Riau DPRD for the 2020–2021 Fiscal Year. This case exposition aimed to obtain a comprehensive legal conclusion based on the evidence gathered during the investigation phase before the determination of suspects.

The Riau Regional Police Chief, Inspector General Herry Heryawan, mentioned that the case had entered a crucial phase, namely determining how many individuals would be named suspects, and the meeting agenda at the Anti-Corruption Core Task Force (Kortas Tipikor) in early January would thoroughly deliberate the number and parties to be designated as suspects, including the Secretary of the Council and subordinate officials[5]. Law enforcement in the investigation of fictitious SPPD corruption in Riau Province must be executed firmly, professionally, and in accordance with statutory regulations. Effective law enforcement will create legal certainty, provide a deterrent effect to corruption perpetrators, and enhance public trust in the government and law enforcement agencies.

Legal Policy in the Investigation of Fictitious SPPD Corruption in Riau Province

Based on indicators encompassing the compliance of policy with statutory regulations, policy clarity and consistency, as well as policy implementation in the field, the law enforcement policy against the corruption of fictitious Official Travel Orders (SPPD) at the Secretariat of the Riau Province DPRD essentially possesses a clear legal basis aligned with prevailing statutory provisions. This is evident from the application of Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 on the Eradication of Corruption, the KUHAP, the Criminal Code (KUHP), and various state financial administrative regulations within the investigation process of the fictitious SPPD corruption case.

From the aspect of field implementation, the execution of investigations still encounters several impediments, such as weak internal oversight, the complexity of perpetrator networks, and a bureaucratic culture that is permissive toward the misuse of travel budgets. Nonetheless, the implementation of legal policy has demonstrated concrete efforts by law enforcement agencies to uncover corrupt practices through administrative examinations, state financial audits, and the professional collection of evidence. Therefore, the implementation of law enforcement policies against fictitious SPPD cases in Riau Province needs to be continuously strengthened through enhancing the integrity of law enforcement personnel, strengthening internal oversight systems, and digitalizing travel administration to realize clean, transparent, and accountable governance.

Efforts to Optimize Legal Policy in the Investigation of Fictitious SPPD Corruption in Riau Province

Research findings indicate that the investigation of fictitious SPPD cases contributes significantly to the development of modern criminal law theory, particularly in the application of the principles of justice, legal certainty, and utility in enforcing corruption crimes based on travel expenditures. For local governments and the DPRD, the findings demonstrate the necessity of implementing an online digital SPPD system, digitalizing accountability documents, and integrating systems with the Regional Financial Management System (SIMDA) application to eliminate loopholes for manipulating travel evidence. A study by Setiyawan & Suryanto (2020) concluded that the digitalization of budget governance is an effective strategy to mitigate administrative fraud and enhance public accountability. Accordingly, this study provides concrete recommendations for internal policy reform, specifically in fostering an anti-corruption bureaucratic culture.

CONCLUSION

The investigation of fictitious SPPD corruption in Riau Province demonstrates that the manipulation of official travel expenditures constitutes a form of administrative corruption that occurs systematically through document engineering, forgery of travel evidence, and the manipulation of budget accountability procedures. The available legal frameworks—namely the Anti-Corruption Law, the Criminal Procedure Code (KUHAP), Regulations of the Minister of Finance/Minister of Home Affairs, and internal Standard Operating Procedures (SOPs)—are fundamentally adequate; however, their implementation remains inconsistent due to weak internal oversight, limitations in digital systems, and the influence of bureaucratic politics.

Law enforcement in this case has been oriented toward achieving justice, utility, and legal certainty, yet none of these objectives have been optimally realized. From the perspective of justice, the protracted process of designating suspects and the perception of selective enforcement have diminished public trust in legal institutions and the Regional House of Representatives (DPRD). Current law enforcement through fictitious SPPD investigations remains reactive—focusing on evidence gathering after state losses have incurred—rather than preventive in addressing the root causes of the deviation. This study underscores the critical need to transform law enforcement from mere case prosecution into structural governance reforms regarding official travel budget management.

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