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LABELING THEORY ON THE LEGAL EXPRESSION OF POLICE CLEARANCE CERTIFICATE

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Abstract

Through state-owned equipment, the police are empowered to issue a Police Clearance Certificate (SKCK). However, SKCK cannot label someone if someone is evil or not. Whereas written legal norms are characterized by legal certainty, in other words, law without certainty values will lose its meaning because it can no longer be used as a code of conduct for everyone. By reviewing references or literature related to criminal acts, prevention of crime, legal certainty and authority. SKCK is a preventive action carried out by the police institution as the State institution that has the authority over security and order. The responsibility for crime prevention is carried out by the National Police and the public by carrying out pre-emptive and preventive tasks, namely making community members obey and obey the law. Polri is responsible for approximately 20% of activities while 80% of other activities are the responsibility of the community which consists of various elements. The most important thing is that the label of criminal not criminal is the authority of the court. So that SKCK is not based on crime prevention but is based on the concept of labeling.

Keyword: Police; Legal Certainty; Labeling

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A. INTRODUCTION

One of the main tasks of the POLRI in providing protection, protection and services to the community is the service of making a Police Record Certificate (SKCK). Based on KAPOLRI Decree No. Pol: SKEP/816/IX/2003 Police Record Certificate (SKCK) is: An official certificate given by the POLRI at the request of a person because he/she needs to fulfill one of the requirements set out in relation to work or other activities. SKCK contains a record of whether or not the person concerned committed or committed a criminal act and or violated social norms or was registered as a member of a banned organization. The prohibited organization here means the separatist movement, the Indonesian Communist Party, and terrorism.

The function of SKCK (Police Record Certificate) is as evidence that a person has a good attitude, behavior and does not commit any illegal actions. This letter is often submitted by job seekers in institutions, government agencies and also certain companies. The SKCK (Police Record Certificate) contains the name, address, date of birth, and records of criminal acts during a certain period. If you get an SKCK (Police Record Certificate), the community has received an admission of not having a criminal record from the police.

SKCK (Police Record Certificate) are issued by Polres (Resort Police), Polsek (Sector Police) and Polda (Regional Police) each have different functions. PNS and private companies as well as to continue to higher education or change of residence, while the Polda level is intended for Mayor candidates. SKCK has a validity period of up to 6 months from the date of issuance.

The procedures for issuing SKCK are in accordance with the provisions of KAPOLRI Decree No. Pol: SKEP/816/IX/2003 Certificate of Police Notes (SKCK) are as follows:

1. Preparation contains:

- a) Pulbaket/inventory of criminal offenders residing/domiciled in their area of criminal cases that are currently in the process of legal handling at the level of investigation, prosecution, court and correctional facilities.
 - b) Pulbaket/inventory of people who reside/domicile in their territory who have been and/or are currently involved in banned organizations (list OT. G.30.S./PKI and other prohibited movements).
2. Request for issuance of request for publication contains:
- a) Any member of the public can submit requests for SKCK issuance.
 - b) The request letter must be accompanied by: 1). A statement letter from the Head of the RT (community leader) stating that the applicant has been in his citizenship period in the certain community for how long and whether there is a record of behavior that deviates / is not against the prevailing social norms, legalized by the RW and Lurah/Village Head and the local Camat; 2). Photocopy of KTP (national ID) and Family Card or other identity cards for those who do not meet the requirements for obtaining KTP.
3. Recording contains:
- a) Agenda serial number.
 - b) Application letter number and date.
 - c) Name (first name / surname and / or alias).
 - d) Place and date of birth.
 - e) Address.
 - f) Profession.
 - g) Application requirements.

h) Other information.

4. Identification contains:

- a) Fingerprint capture and fingerprint form filling.
- b) Making individual Kratutik.
- c) Request to obtain for personal photo size 4 x 6 cm in color, face and ears, as many as 6 (six) pieces.

5. Research contains:

- a) Research on letter material.
- b) Authentication.
- c) Photocopy of KTP, Family Card and Pas photo is matched with the original.
- d) In the event that the attachment letter material is incomplete and does not match the actual conditions the application is returned to be completed and / or corrected.

6. Decision making

7. Every request will still be issued by the Kapolres SKCK, by including the police records for the person concerned.

8. Publishing contains:

- a) SKCK is issued in 2 (two) copies
- b) For the purposes of administration and data collection, recording is carried out in the publication agenda book.
- c) Issuance administration process: 1). Fill out the form with materials or fields according to the research results; 2). SKCK model issued by Polres; 3). The determination of SKCK validity period is at least 3 months and no later than 6 months; 4). Signed by the Kasat INTELKAM on behalf of the Kapolres

Based on the background of the above problems, the purpose of this study is to prove that a police record certificate contradicts the labeling theory and can the police guarantee that someone who has received a police record certificate will not commit a criminal act after the issuance of the letter?

B. METHODS

The research method used in this research is normative legal research, so primary legal materials are needed, namely legislation, official records or treatises in making legislation and haim decisions related to problem formulation. In addition to primary legal materials, secondary legal materials are also needed from secondary sources, namely all publications on law that are not official documents, publications on law which include text books, legal dictionaries, legal journals and ministries on court decisions, namely books of legal literature and other legal writings related to the formulation of problems.

Meanwhile, the legal research is in the form of a comprehensive study of primary and secondary legal materials, and then the results of the study are presented in a complete and systematic manner.

C. RESULTS AND DISCUSSION

1. Definition of Crime

Crime is a concept related to evil behavior or actions committed by a person or group of people. This is as stated by Kartono (2007) that crime is an act of wrong doing or if a crime can be interpreted as a criminal act, then a crime can be interpreted as a criminal act. Johnson (in Kartono (2007)) a crime is an act committed deliberately and negligently, and also has violated criminal law and therefore is subject to punishment. Criminal behavior is behavior that violates or conflicts with or deviates from normative rules. The prototype

of deviant behavior in the general definition is crime such as stealing, extorting, injuring others and so on.

Evilish act is an eternal problem, meaning that as long as there are humans who inhabit the earth, there must be evil. This is the understanding of crime put forward by experts. *First*, Frank Tannebaum: Evil is something that must exist in society, it is felt impossible if the slogan reforms, eliminates evilish act. But at least the slogan is to reduce the number of crimes. *Second*, D. Taft: Crime is a violation of the criminal law which must mean violating the criminal provisions that have been formulated now that do not violate the criminal law, not a crime. This refers to the principles in Criminal Law. *Third*, Van Bamelan: Crime is any behavior which is immoral and harmful, which causes so much displeasure in a given society,

From this understanding, it can be concluded that the criminal problem is a human problem in the form of a social reality whose causes are often poorly understood, because they do not see the problem according to the actual proportions in a dimensional manner. urban and rural areas are causally relative and interactive. Developments within and outside of a particular human being affect his tendency and ability to engage in criminal behavior.

2. Factors Occurrence of Crime

There are several factors causing crime, as stated by Kartono (2007) that the causes of crime can be found in various factors. One factor can give rise to certain crimes, while other factors can cause other crimes. Kartono (2007) divides these factors into 2, namely, factors that come from within the individual and factors that come from outside the individual. Factors that come from within the individual are related to special characteristics within the individual such as emotional power, low mental, age, sex (gender), education and so on. While environmental factors, are factors outside of the individual. This environment is a bio-physics-psycho-social

environment that affects the individual every day, from conception to the end of his life.

Meanwhile Berdy Despar Magrhobi (2014) in a study at the Lowok Waru Prison, Malang found that the factors of crime are divided into 2, namely internal factors and external factors. Internal factors consist of individuals and education, while external factors include the economy, law enforcement, the environment and global developments. The explanation is below

a. Internal factors

1). Educational Factor

The education factor is one of the driving factors for a person to commit a criminal act of theft. This is due to their lack of knowledge on matters such as the rules in the way of life in society. The level of education is considered as one of the factors that influence someone to do evil (stealing), education is a means for someone to know what is good and what is bad. And by doing an act does the act have a certain benefit or even creates certain problems / losses.

2). Individual Factors

A person whose behavior is good will result in that someone getting respect from society, but on the other hand, if someone behaves badly then that person will cause chaos in society. Those who can control and develop a positive personality will be able to produce many benefits both for themselves and for others.

Meanwhile, those who cannot control their personality and tend to be swayed by developments will continue to be dragged by the current where it will flow. Whether it's good or bad they will stick with it. There is also a cause for someone to commit a criminal act, that human desire is something that has no limit.

b. External Factors

1). Economic Factors

Poverty is a phenomenon that cannot be denied in every country. Until now there is no way out to solve this phenomenon. Plato argues that in every country where there are many poor people, with secretly there are many criminals, religious offenders and criminals of various styles, almost every year the price of basic necessities continues to increase, while the income of each individual is not necessarily able to meet the increase. So that this results in a reason for someone to commit a criminal act.

2). Environmental Factor.

Apart from economic factors, environmental factors are one of the factors that have an influence on theft. Someone who lives/lives in an environment that is conducive to theft, then one day he will also commit the theft. Many things make the environment a factor in the occurrence of a crime (theft). For example, the need for associating with peers, lack of control from the environment and association with someone who has a job as a thief.

Parents are responsible for what their children do. There is a saying that "the fruit does not fall far from the tree". Therefore, the behavior patterns/habits of the parents in the household determine the nature of a child in his interactions.

3). Global Development Factors

Global development has a positive impact on the progress of a country, while for individuals, global development is a means to show that they are someone who is able to meet their needs in this era of global development. Besides that, someone who has something (property) is more considered a successful person, this of course makes everyone in society compete with each other to show that he is the most superior. And it cannot be denied that previously incapable people will compete even though they use the wrong methods.

Most of them prefer the practical way rather than having to work harder without thinking about the risks they will receive in the future for the actions they have done.

Advances in technology, especially the mass media, also influence someone to do evil. The mass media provide stimulation to a person's thoughts in social life. In fact, it is not uncommon for television shows to provide examples of committing criminal acts, such as motor vehicle theft, although basically these shows do not intend to provide an example. The thoughts and perceptiveness of each individual must also differ, therefore, television shows. Although it has been explained above regarding the factors that cause a person to commit a criminal act of motor vehicle theft, it does not rule out the emergence of new factors that are increasingly complex given the developments in all fields themselves.

According to the chaos theory, the factors that cause a person to commit a crime are the influence of small changes (economic conditions, physical conditions, social conditions, beliefs, etc.) that occur around the perpetrator. These small changes have an effect on a person's personality (the perpetrator) over time. If the person consciously and can anticipate these small changes, then that person will be released from the bad effects brought about by these small changes. On the other hand, if a person cannot anticipate and without any readiness for these changes, then that person will continue to be dragged by the flow of changes and will give him the influence that allows him to do evil.

The factors that have been mentioned above are the main influence of a person committing a crime, apart from these factors it is necessary to know that there is something more fundamental to the occurrence of a crime, namely the opportunity.

2. Crime Prevention

According to the National Crime Prevention Council (USA), Crime prevention is a pattern of attitude and behaviors

directed at reducing the threat of crime and enhancing the sense of safety and security, to positively influence the quality of life in our society and to develop environments where crime cannot flourish. (1990) (Prevention of crime is a pattern of attitudes and behaviors directed at reducing the threat of crime and increasing a sense of security).

According to the United Nation Office on Drugs and Crime/UNODC (2002) in the Guidelines for *Crime prevention is defined as comprising: strategies and measures that seek to reduce the risk crimes occurring and their potential harmful effect on individuals and society, including fear or crime, by intervening to influence their multiple causes* (Crime prevention consists of strategies and actions to reduce the risk of crime and its potential harm to individuals and society including fear of crime by intervening to influence its various causes). Furthermore, it states that: the enforcement of laws, sentences and corrections, while also performing preventive functions, fall outside the guidelines.

The UNODC definition differs from the first definition because it emphasizes strategies and actions to reduce the occurrence and negative impacts and intervene to influence the causes. The definitions used in these guidelines also limit the definition of crime prevention and do not include the function of law enforcement.

According to the Australian Institute of Criminology (2014): Crime prevention refer to the range of strategies that are implemented by individual, communities, business, non government organizations and all level of government to target the various social and environmental factors that increase of crime, disorder and victimization (AIC 2003; ECOSOC 20002; IPC 2008; Van Dijk & De Waard 1991) (prevention of crime is a variety of strategies implemented by individuals, communities, companies, NGOs/NGOs and all levels of government organizations targeting various social and environmental factors increase the risk of crime, disorder and victims).

According to Awaloedin (2015: 55) The responsibility for preventing crime is carried out by the Police and the

community by carrying out pre-emptive and preventive tasks, namely making community members obey and obey the law. Polri is responsible for approximately 20% of activities while 80% of other activities are the responsibility of the community which consists of various elements. Meanwhile, in the context of preventive tasks, the National Police is responsible for approximately 50% of the activities, while 50% of other activities are the responsibility of the community which is mainly carried out by various forms of independent security established by the community itself.

According to Awaloedin (2015) there are three types of crime prevention, namely:

a. Primary prevention

Namely, changing the physical conditions of the environment and the social environment which will provide an opportunity for crime to occur. This is done in the immediate and specific (short term) environment. These activities are carried out by the community at the RT / RW level by carrying out security, village patrols and installing portals with the aim of limiting access to the residential complex. The same is done by various companies with the use of more sophisticated technology such as CCTV, guardrails, locks or keys and so on. The 25 situational crime prevention techniques developed by Cornish and Clarke fall into this category.

b. Secondary prevention

Namely as early as possible identifying potential perpetrators and intervening before the perpetrators become involved in crime. These activities include various forms of community development for youth, drug addicts and former criminals. These activities are the task and are mainly carried out by the police community development unit as well as various government, religious and other social organizations.

3. Tertiary Prevention (Prevention Tertiary)

Namely activities aimed at taking action against perpetrators after the occurrence of a crime, namely the process of investigation, investigation, prosecution and punishment of perpetrators of crimes by the criminal justice system.

Other than that according to Rational Choice Theory which is one of the theories in criminology, crime is something rational. Criminal behavior is seen as rational and coherent, not spontaneous or impulsive. The core premise of Rational Choice Theory is that people choose crime when the circumstances are right. Although the consequences can be painful, detrimental, and embarrassing, choosing evil for some is actually an easy decision to make.

In connection with Rational Choice Theory, in the book *Criminology Theories, Patterns, and Typologies* by Larry j. Siegel, stated that the decision to commit a criminal act is not only based on an assessment of personal needs and abilities but also on a rational assessment of the situation. Decisions have to be made about what, where, when, and who to target.

However, there are limitations in the Rational Choice Theory, where most crimes occur because the perpetrator is someone who has a mental disorder who is also possible to have irrational thoughts such as Kleptomania, Schizophrenia or ADHD.

4. Legal certainty

Written legal norms are characterized by legal certainty, in other words, laws without a certainty value lose their meaning because they can no longer be used as a code of conduct for everyone. Certainty itself is called one of the goals of law. If viewed historically, the discussion about legal certainty is a conversation that has emerged since the idea of separation of powers from Montesquieu.

In order to clearly understand legal certainty itself, the following will describe the understanding of legal certainty from several experts. Gustav Radbruch stated 4 (four) fundamental things related to the meaning of legal certainty, namely:

First, that law is positive, meaning that positive law is legislation. Second, that law is based on facts, meaning that it is based on reality. Third, those facts must be formulated in a clear manner so as to avoid mistakes in meaning, as well as being easy to implement. Fourth, positive law cannot be easily changed.

Gustav Radbruch's opinion is based on his view that legal certainty is certainty about the law itself. Legal certainty is a product of law or more specifically from legislation. Based on this opinion, according to Gustav Radbruch, positive law regulates human interests in society must always be obeyed even though the positive law is not fair.

An opinion regarding legal certainty was also expressed by Jan M. Otto as quoted by Sidharta (2006: 85), namely that legal certainty in certain situations requires the following:

- a) There are clear or clear, consistent and accessible legal rules issued by the state power;
- b) Whereas the ruling (government) institutions apply the said legal rules consistently and also obey and obey them;
- c) Whereas the majority of citizens in principle agree with the content and accordingly adjust their behavior towards these rules;
- d) Whereas independent and impartial judges (judiciary) apply these legal rules consistently when they resolve legal disputes; and
- e) That the judicial decisions are concretely implemented.

The five conditions put forward by Jan M. Otto show that legal certainty can be achieved if the legal substance is in accordance with the needs of the community. The legal rule

that is able to create legal certainty is law that is born from and reflects the culture of the community. Legal certainty like this is called legal certainty. which is real (realistic legal certainty), which requires the existence of harmony between the state and the people in the orientation and understanding of the legal system.

According to Sudikno Mertokusumo (2007: 160), legal certainty is a guarantee that the law is carried out, that those who are entitled according to law can obtain their rights and that decisions can be implemented. Although legal certainty is closely related to justice, law is not synonymous with justice. Law is general, binds everyone, is generalizing, while justice is subjective, individualistic, and not generalized.

Legal certainty is the implementation of the law according to its sound so that the public can ensure that the law is implemented. In understanding the value of legal certainty that must be considered is that this value has a close relationship with positive legal instruments and the role of the state in actualizing it in positive law (Fernando M. Manullang, 2007: 95).

Nusrhasan Ismail (2006: 39-41) argues that the creation of legal compliance in statutory regulations requires requirements relating to the internal structure of the legal norm itself. The internal requirements are as follows: First, the clarity of the concepts used. Legal norms contain descriptions of certain behaviors which are then integrated into certain concepts. Second, the clarity of the hierarchy of authority of the statutory institutions. Clarity of this hierarchy is important because it involves whether it is legal or not and binding or not the laws and regulations it makes. Clarity of hierarchy will provide direction for lawmakers who have the authority to form certain laws and regulations. Third, there is consistency in statutory legal norms. This means that the provisions of a number of laws and regulations relating to one particular subject do not conflict with one another.

Legal certainty requires efforts to regulate the law in legislation made by an authorized and authoritative party, so that the rules have a juridical aspect that can ensure certainty that the law functions as a regulation that must be obeyed.

Lon Fuller in his book *the Morality of Law* (1971: 54-58) proposes 8 (eight) principles that must be fulfilled by law, which if not fulfilled, then the law will fail to be called law, or in other words there must be legal certainty. The eight principles are as follows:

- 1) A legal system that consists of regulations, not based on heretical decisions for certain matters;
- 2) The regulation is announced to the public;
- 3) Not retroactive, because it will damage the integrity of the system;
- 4) Made in a formula understood by the public;
- 5) There should be no conflicting regulations;
- 6) Must not demand an action that exceeds what can be done;
- 7) Should not be changed frequently;
- 8) There must be conformity between regulations and day-to-day implementation.

Lon Fuller's opinion above can be said that there must be certainty between regulations and their implementation, thus entering the realm of action, behavior, and the factors that influence how positive law is carried out.

Legal certainty is a legal instrument of a country that contains clarity, does not cause multiple interpretations, does not create contradictions, and can be implemented, which can guarantee the rights and obligations of every citizen in accordance with the existing culture of society.

5. Authority

Indroharto, put forward three kinds of authority which originate from the laws and regulations. The authority includes:

attribution; delegation; and mandate. Attribution is the granting of authority by the legislators themselves to an organ of government, either existing or completely new. Delegation is the transfer of authority that belongs to another organ of government to another organ. Delegation contains surrender, namely what was originally the authority of person A, which subsequently becomes the authority of person B. Mandate, there does not occur a new authorization or delegation of authority and one administrative body or official to another. The responsibility for authority based on the mandate still rests with the mandate.

6. Labeling

Labeling theory emerged in the early 1960's and was heavily influenced by the Chicago school. Compared to other theories, the labeling theory has several specifications, namely: Labeling theory is a branch of the previous theory. However, this theory uses a new perspective in the study of crime and criminals: Labeling theory uses a new method to detect the existence of crime by using a self-report study, namely interviews of criminals who are not caught/unknown to the police.

Labeling theory is always associated with the book *Crime and the Community* by Frank Tannenbaum (1938). Howard S Becker then developed it in *The Outsider* (1963), followed by Kai T. Erikson in *Notes on the Sociology of Deviance* (1964). This is also interesting Edwin Lemert who wrote in the book *Human Deviance Social Problem and Social Control* (1967) and Edwin Schur (*Labeling Deviant Behavior*, 1971).

Howard S. Becker in the study of label theory emphasizes two aspects, namely:

- a) Explain why and how certain people are labeled or labeled.
- b) The effect/effect of the label as a consequence of behavioral deviations.

Thus, people's reactions to a behavior can lead to evil behavior. Then EM Lemert, related to the problem of crimes committed, distinguishes three forms of deviations, namely: Individual deviation where the occurrence of deviations is caused by psychological pressure from within the Situational deviation, as a result of stress or pressure from circumstances and Systematic deviation, as patterns of organized crime behavior in sub -sub culture or system of behavior.

Lemert also distinguishes between primary deviance and secondary deviance, namely: Primary deviance occurs in social, cultural and highly variable contexts and only has a side effect on the physical structure of an individual. In principle, primary deviations do not result in symbolic reorganization at the level of self-attitudes and social roles. Secondary deviations are deviant behaviors or social roles based on primary deviations. Label theorists argue that secondary deviation is the most important, because it is a process of interaction between the person being labeled with the labeler and this approach is often called interaction theory.

According to Howard S. Becker, there must be a distinction between lawbreakers and criminals. Violation of the law is behavior, while crime is a reaction to others against that behavior. Labeling of a person occurs at the time/time when carrying out an action, who is doing it and who is the victim as well as public perception of the consequences of the action.

When described, gradually the basic assumptions of labeling theory include the following aspects:

- a) There is no single act of a criminal nature.
- b) The formulation of crimes is carried out by a dominant or powerful group.
- c) The application of rules regarding crimes is carried out in the interests of those in power;
- d) People do not become criminals because they break the law, but because they are decreed by the authorities.

- e) Basically everyone has committed a crime, so it is inappropriate to make two categories, namely evil and non-evil people.

Basically everyone has committed a crime, so it is inappropriate to make two categories, namely evil and non-evil people.

According to this school, crime is formed due to environmental regulations, individualistic nature, and people's reactions to crime. Because there is a public reaction to a behavior, it can lead to evil behavior.

That the labeling is the cause of a person to be evil. There are two things that need to be considered in the labeling process: The existence of a label will cause public attention to the person being labeled. This will cause the surrounding community to pay attention to the person being labeled continuously, so in our opinion, a partial attachment will be formed. The existence of a label may be accepted by the individual and tries to convey it as the label placed on him.

The birth of labeling theory, inspired by the perspective of symbolic interactions and has developed in such a way with research and testing in various fields such as criminologists, mental health, health and education. Labeling theory was pioneered by Lemert and symbolic interactions from Herbert Mead (in Sunarto, 2004 Then developed by Howard Becker in 1963. Labeling can also be referred to as a nickname / labeling. Initially, according to Structural Theory, deviant or deviation was understood as existing behavior and a character that is opposite to social norms. Deviant is a form of behavior.

Labeling is a definition that when given to someone will become the identity of that person, and describe the type of person he is. By giving labels to a person, we tend to look at them as a whole, and not at their individual behavior.

Based on the results of research conducted by Martina Rini S. Tasmin, SPsi. In labeling theory there is one basic idea,

where this thought states "someone who is labeled as someone who is deviant and treated like someone who is deviant will become deviant". The application of this thinking would be something like the following "a child who is labeled recalcitrant, and treated like a naughty child, will become recalcitrant". Or another application of "a child who is labeled stupid, and treated like a stupid child, will become stupid". It could also be like this "Children who are labeled smart, and treated like smart children, will become smart". This is related to the basic thinking of labeling theory which usually happens, when we have labeled someone,

According to Biddulph, (2007) many experts agree that how a person sees and feels himself will be the basis for that person to adapt throughout his life. Children who see themselves as good will approach others with confidence and see the world as a safe place, and their needs will be met. Meanwhile, children who feel they are not valuable, unloved will tend to choose the easy path, do not dare to take risks and still do not achieve. Children who are labeled negative and agree with the label for themselves, tend to act according to the label attached to them. With her acting on her label, people will treat her according to her label. This becomes a circular cycle that repeats and reinforces one another over and over again.

In Indonesia this theory is often applied. One example is the stamp given by society to adolescents who are considered to have deviant behavior. What's worse, these adolescents also agree with such perceptions. So that their deviance patterns are tightened, this makes it impossible for them to escape from such deviant patterns. Once the teenagers have an image of themselves as a deviant, they will choose new friends who can strengthen their self-image. Whenever this self-concept becomes more entrenched, they are also willing to try new and worse deviations. Their growing sense of alienation is accompanied by expressions of disrespect and harshness towards legitimate representatives of society. This increasing disrespect also increases the negative outlook on society. All of

this supports the continuity of the whole process of their involvement in deviance. And as adolescence comes to an end, the prevalence of deviant behavior has become increasingly emphasized by police action and societal attitudes, so that their life path will be directed effectively towards careers consistent with their adolescent backgrounds.

According to labeling theorists, a lot of juvenile delinquency arises because of the reckless coping methods of the police, courts and other officers who unconsciously teach teenagers to view themselves as naughty children and behave like naughty children. This view may sound believable, but is it true? Matza states that the sequence of events is not a constant process; in other words, deviation is not forever like being thrown down without being able to do anything about it. The perverts still have options. This means that in the process of becoming a naughty person, that person alone determines the direction.

D. CONCLUSIONS

SKCK is one of the tools for the police and the community itself in the form of a certificate whether a person has a criminal background or not. Thus, in relation to the making of the SKCK, it can be said that the police took preventive measures and provided protection to the public by providing information or verification to the general public in the process of confirming the truth of a person's identity and criminal record. SKCK is not given to citizens who still have unresolved legal problems.

The process of making the SKCK cannot be separated from the fingerprinting of the SKCK applicant as the fulfillment of the applicant's identification data. In addition, fingerprint sampling is a mandatory procedure carried out by the police as complementary data for card making (Indonesia Automatic Fingerprint Identification System / INAFIS). INAFIS is a collection of Indonesian criminal and non-criminal fingerprint

information systems. INAFIS has data centers on an international scale including the International Police, the Federal Bureau of Investigation (FBI), the International Criminal Police Organization (INTERPOL) with a computerized system. INAFIS is basically a system that functions as a substitute for the police identification system.

Abroad, SKCK is known as a Police Certificate or Police Certificate, which is an official document issued as a result of a background check by the police or a government agency of a country to calculate the criminal records the applicant may have. Police certificates are required to apply for positions requiring a permit, obtain visas and passports and fulfill individual employer requests.

In Australia, individuals can request police hearings detailing disclosure of court results. All police inquiries must be carried out with the consent of the person being investigated, unless provided for by the relevant law. This means that a person cannot legally have a police check on another individual without that individual's permission. So from the above description, the Police Record Certificate (SKCK) is not based on criminal prevention but based on the concept of labeling.

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