



# SOVEREIGN International Journal of Law

E-ISSN: 2721-8252

<https://sovereignjournal.penerbitsign.com/index.php/sijl/article/view/v6n3-4-2>

---

Vol. 6 No. 3-4: July - December 2024

Published Online: December 17, 2024

---

## Article Title

### **Reconstruction as an Investigation Process for Homicide: Assessing Functions and Impediments at Takalar Resort Police**

## Author

**Irsan Kurniawan**

*Universitas Muslim Indonesia, Indonesia*

---

## How to cite:

Kurniawan, I. (2024). Reconstruction as an Investigation Process for Homicide: Assessing Functions and Impediments at Takalar Resort Police. *Sovereign: International Journal of Law*, 6(3-4), 88-101. <https://doi.org/10.37276/sijl.v6i3-4.52>

---



This work is licensed under a [CC BY-4.0 License](https://creativecommons.org/licenses/by/4.0/)

## **ABSTRACT**

*This research aims to assess the functions of reconstruction and the impediments encountered in its application within the investigation process for homicide cases. Employing a qualitative descriptive approach, this research utilizes both normative and empirical legal research methods. The research was conducted within the legal jurisdiction of the Takalar Resort Police. Data collection techniques included interviews, documentation, and literature study. The collected data were analyzed using qualitative data analysis techniques. Research findings reveal that the function of reconstruction in homicide investigations is to substantiate existing evidence, encompassing witness testimony through to the suspect's statement, thereby bolstering investigator certainty in identifying the suspect. However, several impediments impede the execution of reconstruction, notably the limited operational funds available, especially for conducting reconstructions at the crime scene. Additionally, the volatile emotional state of the community can disrupt the reconstruction process and endanger the suspect. Furthermore, uncooperative suspects can also impede its execution. Clarification within Law Number 8 of 1981 is necessary regarding the status of the reconstruction report as admissible legal evidence. Moreover, police investigators are expected to exhibit professionalism when conducting the evidentiary process within homicide investigations.*

**Keywords:** *Evidentiary Process; Homicide; Investigation; Reconstruction.*

---

## **INTRODUCTION**

The realization of a state based on the Rule of Law must adhere to Pancasila and the 1945 Constitution. This necessitates a framework of Laws and Regulations to uphold human rights and guarantee the rights of all citizens, acknowledging their equal standing before the law and government, which they are obligated to uphold without exception (Setiaji & Ibrahim, 2018).

Human rights require upholding, as fundamentally every individual possesses rights inherent from birth, which are inalienable and must not be violated by anyone (Selian & Melina, 2018). One mechanism through which the state guarantees human rights is by enacting legislation that ensures law enforcement, particularly within the domain of criminal procedure law (Begem et al., 2019).

The state must stipulate the rights and obligations of parties involved in a criminal case, including suspects/defendants and their families, as well as law enforcement officials (Arnita, 2013). In executing their duties, law enforcement officials must operate within their respective functions and authorities to uphold the law, justice, and protect human dignity, thereby fostering public order and ensuring legal certainty (Rahim, 2012). Furthermore, criminal procedure law serves to protect the rights of suspects and defendants from arbitrary actions by law enforcement officials (Philona & Yanuardi, 2019). Criminal procedure law is intrinsically linked to substantive criminal law, signifying their interdependence; substantive criminal law requires criminal procedure law to enact its provisions, and conversely, criminal procedure law cannot function without substantive criminal law (Prastowo, 2006).

Law Number 8 of 1981 regulates the rights and obligations of suspects/defendants, convicted persons, and law enforcement officials. The General Elucidation of Law Number 8 of 1981 outlines ten principles concerning the rights of citizens involved in the criminal justice process:

1. Equal treatment before the law without any discrimination;
2. The presumption of innocence;
3. The right to obtain compensation (restitution) and rehabilitation;
4. The right to receive legal assistance;
5. The right of the defendant to be present during court proceedings;
6. An independent judiciary and proceedings conducted swiftly and simply;
7. Trials open to the public;
8. Violations of individual rights (arrest, detention, search, and seizure) must be based on statute and executed under a written order;
9. The right of a suspect to be informed of the suspicions and charges against them; and
10. The judiciary's obligation to oversee the execution of its judgments.

Law Number 8 of 1981 authorizes the Police, Prosecutors, Judges, and Correctional Institutions to exercise their respective duties and authorities. The effective implementation of Law Number 8 of 1981 necessitates the active engagement of law enforcement officials to fulfill the mandate stipulated within this legislation.

One core function of law enforcement involves the examination process, which is executed by various subsystems within the criminal justice system according to a procedural design (Widodo, 2012). This system typically comprises three stages:

1. The preliminary investigation and investigation stage;
2. The prosecution stage; and
3. The trial stage.

Within this procedural framework, the defendant and their defense counsel may find themselves in a disadvantageous position. This is because the evidence, witness testimonies, and the defendant's statement concerning the alleged criminal act are typically assessed by the judge in comparison to the case presented by the public prosecutor, which, in turn, is primarily based on the results of the investigation conducted by the police.

Determining whether a defendant committed the charged criminal act necessitates legal evidence, as stipulated in Article 184 section (1) of Law Number 8 of 1981, which recognizes the following forms of legal evidence: witness testimony; expert testimony; documentary evidence; indicative evidence; and the defendant's

statement. Investigators gather this evidence through the examination of witnesses, suspects, experts, and documents, the findings of which are formalized in an investigation report (Noho, 2017).

Within the framework of law enforcement, the police serve as the frontline agency directly engaging with alleged offenders (Gaussyah, 2010). Consequently, capable personnel are essential for effectively uncovering criminal acts that have occurred (Efendy & Siregar, 2017). This involves policing activities focused on securing evidence of criminal acts, guided by principles of supervision and control. According to Article 83 of Head of the State Police Regulation Number 14 of 2012, methods for supervising and controlling preliminary investigation and investigation activities include: report examination; internal supervision; guidance and direction; supervision; and case exposition. This regulation serves as an implementing provision for Law Number 2 of 2002. Consequently, reconstruction emerges as an investigation technique applicable for uncovering criminal acts, particularly in homicide cases where establishing the facts or identifying the perpetrator proves challenging.

During trial proceedings, reconstruction can significantly aid prosecutors in substantiating their case (Silaen, 2015). Likewise, it can enhance the judge's certainty when adjudicating a case, as judges are required to be careful, meticulous, and thorough when assessing and considering evidentiary value. A judge's conviction must not stem from circumstances external to the court proceedings but must be founded upon admissible evidence presented during the trial, in accordance with legal requirements. To ascertain the material truth to the fullest extent possible, particularly in the adjudication of specific types of cases, the results of a reconstruction can be utilized by the judge as part of the evidence, serving to bolster judicial conviction.

Based on the foregoing discussion, this research aims to assess the functions of reconstruction, as well as the impediments encountered in its application, within the investigation process for homicide cases.

## **METHOD**

This study constitutes empirical legal research, defined as research viewing law within its social context (Sampara & Husen, 2016), focusing on the function of reconstruction within the investigation process for uncovering the crime of homicide. The research was conducted within the legal jurisdiction of the Takalar Resort Police, based on the consideration that this jurisdiction has handled several homicide cases. The study population included personnel from the Police, the Prosecutor's Office, and the Courts, Advocates involved in handling homicide cases, and individuals implicated in homicide offenses.

The types of data utilized in this study were as follows (Irwansyah, 2020):

1. Primary Data: This comprises data obtained directly from experts and authorized individuals within institutions relevant to the issues under investigation.
2. Secondary Data: This consists of data gathered through the review of legal literature and sources, including laws and regulations, academic references, legal scientific journals, legal encyclopedias, and official texts or publications. The primary legal materials sourced as secondary data in this research included: Law Number 8 of 1981; Law Number 2 of 2002; Government Regulation Number 58 of 2010; and Head of the State Police Regulation Number 14 of 2012.

The data required for this study were gathered using the following collection techniques (Qamar & Rezah, 2020):

1. Interviews: Direct interviews were conducted with informants knowledgeable about the issues under investigation.
2. Documentation: This involved formally requesting relevant documents pertaining to the research.
3. Literature Study: This entailed compiling and analyzing legal literature relevant to the research problem.

The gathered data were subsequently analyzed using qualitative descriptive methods. The analysis involved systematically identifying primary data and correlating it with the relevant primary legal materials.

## **RESULTS AND DISCUSSION**

Reconstruction constitutes one examination technique within the framework of an investigation, as explained in the implementation guidelines for the examination of suspects and witnesses (Pratama, 2019). This raises the question regarding the process by which investigators execute reconstruction to uncover a case of homicide. This question will be addressed using research findings derived from both interviews and questionnaires administered to investigators and assistant investigators who have conducted reconstructions in handling homicide cases.

### **A. The Reconstruction Implementation Process**

The legal basis for conducting reconstruction within the Indonesian National Police environment is Head of the State Police Regulation Number 14 of 2012, as detailed in the preceding discussion. However, this Police Regulation does not specify the exact process for reconstruction implementation; it merely outlines the following aspects:

- a. The objective of conducting a reconstruction is to provide a depiction of how a crime of homicide occurred by re-enacting the manner in which the suspect committed the crime, aiming to further convince the examiner of the veracity of the suspect's or witness's statements;
- b. Reconstruction can be conducted at the crime scene;
- c. Photographs should be taken of each re-enactment, and the course of the re-enactment must be documented in an Official Report;
- d. The results of the reconstruction should be analyzed, particularly focusing on the similarities and discrepancies compared to the content of the investigation report.

To clarify, the regulation provides only broad outlines. However, it implies that reconstruction can be conducted not only at the crime scene but also at another location deemed suitable by the investigator as a substitute location. During reconstruction, it is also permitted to take photographs of the scenes, and the results are subsequently compared with the statements previously provided by the suspect and witnesses in the investigation report.

Based on interviews conducted with police investigators regarding the technical directives or procedures for reconstruction, investigators primarily adhere to Head of the State Police Regulation Number 14 of 2012. The specific execution, however, is delegated to the respective police units (such as Sector Police, Resort Police, or Regional Police) to conduct investigations according to applicable regulations and directives from superiors.

Nevertheless, research findings obtained from investigators in Takalar have provided information on the reconstruction procedure or process employed by the Takalar Police in homicide cases, which includes the following stages:

1. The first step involves preparation, encompassing the appointment of reconstruction officers. Article 2 of Government Regulation Number 58 of 2010 stipulates that Investigators are: Officials of the Indonesian National Police; and Specific civil servant officials. The structure of Police officials involved in reconstruction includes, among others:
  - 1) Investigator/Detective: According to Article 2A section (1) of Government Regulation Number 58 of 2010, to be appointed as an investigator official of the Indonesian National Police, a candidate must meet the following requirements: Hold a minimum rank of Police Second Inspector and possess a minimum education level of a bachelor's degree or equivalent; Have served in an investigative function field for at least 2 (two) years; Have attended and passed specialized development education for criminal

- investigation functions; Be physically and mentally healthy, as proven by a doctor's certificate; and Possess high capability and moral integrity.
- 2) Assistant Investigator: According to Article 3 section (1) of Government Regulation Number 58 of 2010, an assistant investigator is an official of the Indonesian National Police who meets the following requirements: Hold a minimum rank of Police Second Brigadier; Have attended and passed specialized development education for criminal investigation functions; Have served in an investigative function field for at least 2 (two) years; Be physically and mentally healthy, as proven by a doctor's certificate; and Possess high capability and moral integrity.
  - 3) Sabhara (Samapta Bhayangkara) Unit: This unit is tasked with providing security at the reconstruction location, as members of the public often attend to witness the process. The inclusion of Sabhara aims to maintain order so that the reconstruction is not disrupted by the public presence. Additionally, Sabhara is responsible for guarding and supervising the suspect and witnesses throughout the reconstruction process.
  - 4) Traffic Police (Lantas) Officers: During the reconstruction, these officers manage traffic flow around the location, especially if the reconstruction takes place near a main road. Road closures may even be implemented if necessary to ensure the smooth running of the reconstruction.
  - 5) Community Guidance (Binmas) Unit: Personnel from this unit typically arrive before the reconstruction begins to conduct guidance activities, provide notification, and simultaneously request permission from the Head of the Neighborhood Association (RT) or respected community leaders to hold the reconstruction in that area. The objective is to encourage community members to refrain from actions that could disrupt the proceedings.
  - 6) Police Intelligence: Intelligence officers are tasked with monitoring the public present around the reconstruction site. This monitoring aims to gather any new information related to the homicide case being reconstructed or simply to assess whether there are potential movements from residents that might disrupt the process. Furthermore, the pre-reconstruction tasks of Police Intelligence include:
    - a. Determining the time and place for the reconstruction. If Police Intelligence observation indicates that conducting the reconstruction at the crime scene is not feasible, it may be relocated to another site. This measure is taken to ensure the safety of the suspect and witnesses, as well as the smooth progression of the reconstruction. For instance, if the homicide victim was a person highly respected in the community near the crime scene, holding the reconstruction there could provoke public anger towards the suspect, thereby disrupting the process.

- b. Preparing the necessary equipment for the reconstruction, such as props (e.g., knives, wooden objects, toy guns, and other equipment resembling the originals) and identification markers or easily readable signs to be worn by the participants.
  2. The second step is the reconstruction implementation phase, which includes:
    - a. Providing a strict escort for the suspect and witnesses to the reconstruction location.
    - b. Executing the reconstruction sequentially, scene by scene, according to the scenario compiled from the statements (accounts) of the suspect and witnesses documented in the investigation report. During the reconstruction, the suspect re-enacts the events, covering the preparation for committing the homicide, the execution of the act, and the actions taken afterward. It is possible that during the reconstruction, new findings emerge that were not revealed during the initial examination of the suspect and witnesses; such findings are recorded by the reconstruction officers.
    - c. Photographing every scene of the reconstruction. The purpose is to ascertain precisely how the suspect committed the homicide.
    - d. Upon completion of the reconstruction, the investigator prepares the reconstruction report. This report is then read out, and the scene photographs are shown to the suspect to request confirmation regarding the accuracy of the re-enacted scenes. Subsequently, the report is signed by the suspect and the investigator.
  3. The third step is the filing stage, which involves including the reconstruction report in the case file.

The procedure described above is not a rigidly standardized practice within the police institution, as there are no specific, detailed guidelines for conducting reconstructions. Consequently, there is a lack of uniformity in its implementation across different police units; execution often depends on the specific situation, conditions, and perceived needs of each unit at the time. Despite this lack of uniformity, the standard reference must remain Head of the State Police Regulation Number 14 of 2012. The explanation provided offers an overview of how reconstruction is carried out to ensure a homicide case is clearly elucidated, the perpetrator is definitively identified, and any remaining doubts within the investigation are eliminated.

Police reconstructions can be employed to uncover evidence in criminal cases where proof is challenging to establish. This difficulty may stem from several factors, including the death of the victim, a scarcity of direct evidence, or significant public attention surrounding the case.

To achieve optimal results in an investigation, reconstruction presents a primary method for ensuring investigators remain objective and refrain from employing reprehensible tactics such as coercion, threats, or deception. The use of such methods would signify a disregard for the principle of an independent judiciary, free from undue influence. Therefore, reconstruction serves as a valuable tool to assist investigators in identifying the perpetrator of the homicide.

The reconstruction conducted by investigators must be based on the scenario provided by the suspect themselves, without interference from other parties. The term 'scenario' here refers to the suspect's own account, derived from their past experiences related to the homicide under investigation. The narrative enacted by the suspect during the reconstruction scenes must directly relate to the event being investigated to ensure the reliability and justifiability of the resulting output.

Reconstruction can be categorized as an episodic unit because its execution involves repeated re-enactments detailing how the suspect committed the crime, under what circumstances, the motives, the individuals involved, and so forth. One theory posits that a narrative demonstrates the interconnectedness between events when those events are causally related, based on principles of relevance and sufficiency. A narrative organizes these episodic units. More broadly, reconstruction represents a narrative unit within the overall evidentiary process.

Considering the described implementation process, it is advisable for the police institution to develop a specific, standardized format for the procedure of conducting reconstructions. This would prevent discrepancies in methods and mechanisms between units, thereby ensuring uniformity across all police entities when carrying out reconstructions. This standardization is important, noting that current practices in both conducting reconstructions and preparing the corresponding reports vary between units. Therefore, Head of the State Police Regulation Number 14 of 2012 warrants specific implementing guidelines or, at a minimum, dedicated directives concerning reconstruction procedures.

Based on the foregoing discussion, the function of reconstruction in the investigation of homicide is to strengthen the existing evidence, ranging from witness testimonies to the suspect's statement, thereby eliminating any remaining doubts for the investigator regarding the homicide that occurred.

## **B. Impediments in Reconstruction Implementation**

The execution of an investigation does not always proceed smoothly; similarly, the implementation of reconstruction encounters impediments, originating both from within the Police institution and from external sources. Factors classified

as internal impediments include the limited availability of operational funds for uncovering a case, particularly those requiring reconstruction for evidentiary purposes. Meanwhile, external hindering factors stem from the public and the suspect themselves. For instance, community members whose emotions remain heightened due to the suspect's actions could potentially become enraged if the reconstruction proceeds at the crime scene, thereby endangering the suspect and ultimately impeding the reconstruction process. Therefore, if conducting the reconstruction at the crime scene is not feasible, it may be relocated elsewhere. Additionally, uncooperative suspects can also hinder the implementation of reconstruction.

The foregoing discussion illustrates that in homicide cases which are particularly challenging to solve, reconstruction is generally conducted by investigators before the case file and the suspect are transferred to the prosecutor, aiming to provide further certainty that the suspect indeed committed the act.

The results of this study identified several homicide cases where the proof utilized the results of reconstructions conducted by investigators, documented in the form of reconstruction reports. The party primarily utilizing the reconstruction report to support the evidence in homicide cases is the public prosecutor, who may present it during the trial as either documentary evidence or indicative evidence. Furthermore, the reconstruction report is often included in the judge's considerations as documented in the final verdict. Thus, when examined theoretically and practically, differences of opinion commonly arise regarding the admissibility of reconstruction as a formal means of evidence, although its potential use is implicitly suggested by Article 75 section (1) point k of Law Number 8 of 1981, which states that "*An official report shall be made for every action concerning... the implementation of other actions in accordance with the provisions of this law.*" This implies the investigator possesses the right to conduct reconstruction for homicide offenses, falling under their discretionary authority or inherent function.

Referring back to the negative system of proof theory under Law Number 8 of 1981, the law grants judges the discretion to assess the evidence presented by the public prosecutor. In this context, reconstruction can contribute to generating judicial conviction when deciding a case that has been brought to trial.

An Investigator stated that:<sup>1</sup>

*"The reconstruction report can serve as documentary evidence. This was applied by the investigator when handling a homicide case, based on Article 187 point d of Law Number 8 of 1981, which stipulates 'other*

---

<sup>1</sup>Interview with an Investigating Officer, Takalar Resort Police (2019).

*documents that are only valid if related to the content of other means of evidence,' in conjunction with Article 84 section (1) of Law Number 8 of 1981, which states that 'The district court has the authority to adjudicate all cases concerning criminal acts committed within its jurisdiction.'"*

Furthermore, a Public Prosecutor stated that:<sup>2</sup>

*"Reconstruction is essentially part of the suspect's extra-judicial statement, as ideally, the investigator should obtain the suspect's consent before conducting it. Consequently, this indirectly implies an admission of guilt by the suspect. Nevertheless, law enforcement officials must consistently uphold the principle of the presumption of innocence, which also attaches to the suspect."*

However, the concept of a suspect's confession is no longer formally recognized as standalone evidence under Law Number 8 of 1981, although it was under the previous *Herzien Inlandsch Reglement* (HIR). What Law Number 8 of 1981 recognizes is the defendant's statement during trial. Article 187 point b of Law Number 8 of 1981 stipulates the validity of:

*"A document prepared according to statutory provisions or a document made by an official concerning matters falling within the scope of their official duties and responsibilities, intended for proving a matter or circumstance."*

From this provision, it can be inferred that an investigation report, and potentially a reconstruction report as a specific form of official report, falls under the category of documentary evidence as recognized by Article 184 Section (1) point c of Law Number 8 of 1981, which states that *"legal evidence includes documents."*

Research findings indicate that the provisions often cited as the basis for a reconstruction report potentially qualifying as documentary evidence include Article 75 section (1) point k of Law Number 8 of 1981 and Article 16 section (1) point i of Law Number 2 of 2002. The latter states that:

*"In the context of performing duties... in the field of criminal procedure, the Indonesian National Police is authorized to... submit the case file to the public prosecutor."*

Based on the provision above, the reconstruction report, being part of the investigator's process documented for the case, can be considered an integral component of the case file submitted to the prosecutor.

---

<sup>2</sup>Interview with a Public Prosecutor, Takalar District Court (2019).

## **CONCLUSIONS AND SUGGESTIONS**

Based on the analysis of the research results and discussion, the vital function of reconstruction within the investigation process for homicide is to substantiate the existing chain of evidence, encompassing witness testimonies through to the suspect's statements, ultimately aiming to eliminate investigator doubt in conclusively identifying the perpetrator. Nevertheless, the effective execution of reconstruction is frequently constrained by significant impediments. Internally, limited operational funding can restrict its implementation, while external factors include potential disruptions arising from the volatile emotional state of the community near the crime scene, which may endanger the suspect, alongside the potential for non-cooperation from the suspect, further hindering the process.

In light of the crucial function of reconstruction, the identified impediments, and the existing debate surrounding its evidentiary status, legislative clarification within Law Number 8 of 1981 is warranted to explicitly affirm the standing of the reconstruction report as admissible legal evidence, thereby bolstering legal certainty regarding its application. Furthermore, to mitigate the identified impediments and uphold the integrity of the evidentiary process in homicide investigations, the consistent adherence to professionalism by police investigators throughout all stages of the investigation, including the execution of reconstruction, is strongly emphasized.

## **REFERENCES**

- The 1945 Constitution of the Republic of Indonesia. <https://peraturan.go.id/id/uud-1945>
- Arnita, I. N. (2013). Perlindungan Hak-Hak Tersangka dalam Penahanan Ditinjau dari Aspek Hak Asasi Manusia. *Jurnal Hukum Unsrat*, 21(3), 43-53. Retrieved from <https://ejournal.unsrat.ac.id/index.php/jurnalhukumunsrat/article/view/1145>
- Begem, S. S., Qamar, N., & Baharuddin, H. (2019). Sistem Hukum Penyelesaian Pelanggaran Hak Asasi Manusia (HAM) Berat Melalui Mahkamah Pidana Internasional. *SIGn Jurnal Hukum*, 1(1), 1-17. <https://doi.org/10.37276/sjh.v1i1.28>
- Colonial Regulations, *Staatsblad* Number 496 of 1926 on the *Herzien Inlandsch Reglement*. <https://jdih.mahkamahagung.go.id/legal-product/herzien-inlandsch-reglement-hir/detail>
- Efendy, R., & Siregar, A. A. (2017). Pertimbangan Hukum Hakim dalam Putusan Tindak Pidana Asusila Anak di Bawah Umur. *Tazkir: Jurnal Penelitian Ilmu-ilmu Sosial dan Keislaman*, 3(1), 49-68. <https://doi.org/10.24952/tazkir.v3i1.719>
- Gaussyah, M. (2010). Peranan dan Fungsi Polda NAD di Bidang Kamtibmas dalam Kerangka Otonomi Khusus di Provinsi Aceh. *Kanun: Jurnal Ilmu Hukum*, 12(2), 367-394. Retrieved from <https://jurnal.usk.ac.id/kanun/article/view/6301>
-

- Government Regulation of the Republic of Indonesia Number 27 of 1983 on Implementation Regulation of the Code of Criminal Procedure (State Gazette of the Republic of Indonesia of 1983 Number 36, Supplement to the State Gazette of the Republic of Indonesia Number 3258). <https://peraturan.go.id/id/pp-no-27-tahun-1983>
- Government Regulation of the Republic of Indonesia Number 58 of 2010 on Amendment to Government Regulation Number 27 of 1983 on Implementation Regulation of the Code of Criminal Procedure (State Gazette of the Republic of Indonesia of 2010 Number 90, Supplement to the State Gazette of the Republic of Indonesia Number 5145). <https://peraturan.go.id/id/pp-no-58-tahun-2010>
- Government Regulation of the Republic of Indonesia Number 92 of 2015 on the Second Amendment to Government Regulation Number 27 of 1983 on Implementation Regulation of the Code of Criminal Procedure (State Gazette of the Republic of Indonesia of 2015 Number 290, Supplement to the State Gazette of the Republic of Indonesia Number 5772). <https://peraturan.go.id/id/pp-no-92-tahun-2015>
- Irwansyah. (2020). *Penelitian Hukum: Pilihan Metode & Praktik Penulisan Artikel*. Mirra Buana Media.
- Law of the Republic of Indonesia Number 8 of 1981 on the Code of Criminal Procedure (State Gazette of the Republic of Indonesia of 1981 Number 76, Supplement to the State Gazette of the Republic of Indonesia Number 3209). <https://www.dpr.go.id/dokumen/jdih/undang-undang/detail/755>
- Law of the Republic of Indonesia Number 2 of 2002 on the State Police of the Republic of Indonesia (State Gazette of the Republic of Indonesia of 2002 Number 2, Supplement to the State Gazette of the Republic of Indonesia Number 4168). <https://www.dpr.go.id/dokumen/jdih/undang-undang/detail/299>
- Noho, R. (2017). Akibat Hukum Penolakan Penandatangan Berita Acara Pemeriksaan oleh Tersangka dalam Perkara Pidana. *Lex Crimen: Jurnal Elektronik Bagian Hukum Pidana*, 6(6), 155-160. Retrieved from <https://ejournal.unsrat.ac.id/index.php/lexcrimen/article/view/17030>
- Philona, R., & Yanuardi, R. (2019). Kedudukan Praperadilan sebagai Lembaga Kontrol dalam Penegakkan Hukum Pidana di Indonesia Berdasarkan KUHAP (Kitab Undang-Undang Hukum Acara Pidana). *JIH Amanah* 45, 1(1), 1-15.
- Prastowo, R. B. B. (2006). Delik Formil/Materiil, Sifat Melawan Hukum Formil/Materiil dan Pertanggungjawaban Pidana dalam Tindak Pidana Korupsi. *Pro Justitia*, 24(3), 212-226. Retrieved from <https://journal.unpar.ac.id/index.php/projustitia/article/view/1157>
- Pratama, W. A. (2019). Penegakan Hukuman Mati terhadap Pembunuhan Berencana. *SIGn Jurnal Hukum*, 1(1), 29-41. <https://doi.org/10.37276/sjh.v1i1.34>
- Qamar, N., & Rezah, F. S. (2020). *Metode Penelitian Hukum: Doktrinal dan Non-Doktrinal*. CV. Social Politic Genius (SIGn).

Rahim, A. (2012). Praperadilan sebagai Control Profesionalisme Kinerja Penyidik. *Jurnal Pelangi Ilmu*, 5(1), 1-14. Retrieved from <https://ejurnal.ung.ac.id/index.php/JPI/article/view/901>

Regulation of the Head of the State Police of the Republic of Indonesia Number 14 of 2012 on Criminal Investigation Management (Bulletin Gazette of the Republic of Indonesia of 2012 Number 686). <https://peraturan.go.id/id/peraturan-polri-no-14-tahun-2012>

Sampara, S., & Husen, L. O. (2016). *Metode Penelitian Hukum*. Kretakupa Print.

Selian, D. L., & Melina, C. (2018). Kebebasan Berekspresi di Era Demokrasi: Catatan Penegakan Hak Asasi Manusia. *Lex Scientia Law Review*, 2(2), 189-198. <https://doi.org/10.15294/lesrev.v2i2.27589>

Setiaji, M. L., & Ibrahim, A. (2018). Kajian Hak Asasi Manusia dalam Negara *the Rule of Law*: Antara Hukum Progresif dan Hukum Positif. *Lex Scientia Law Review*, 2(2), 123-138. <https://doi.org/10.15294/lesrev.v2i2.27580>

Silaen, M. C. (2015). Eksistensi Rekonstruksi dalam Pembuktian Perkara Pidana. *Katalogis*, 3(10), 196-206. Retrieved from <https://jurnal.untad.ac.id/jurnal/index.php/Katalogis/article/view/6453>

Widodo, J. P. (2012). Reformasi Sistem Peradilan Pidana dalam Rangka Penanggulangan Mafia Peradilan. *Jurnal Dinamika Hukum*, 12(1), 108-120. <https://doi.org/10.20884/1.jdh.2012.12.1.200>