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Juridical Analysis of the Position of Crown Witness for the Crime of Theft in the Criminal Procedure Law (Study of Decision Number 263/PID.B/ 2019/PN. Tng.)

Abstract
Crown witnesses are defendants who are used as witnesses to prove a criminal act committed together with the separation of case files first. So that the defendants can testify to each other reciprocally. In decision number 263/PID. B/2019/PN.Tng, Nurupi who is also a defendant in a separate case file was made a crown witness, due to the lack of evidence in the form of witnesses in the criminal case. This research is an empirical normative research, with an analytical descriptive nature. The results showed that the use of crown witnesses in the case was still effective. The obstacle to the use of crown witnesses is if the prosecution trusts crown witnesses too much. The researcher suggested that the public prosecution add other evidence so that the testimony given by crown witnesses is consistent and the evidence is accurate and accurate.

Keywords: Crown witness, Prove, Criminal offense of theft.

I. Introduction

Proof is a crucial issue in the procedure of the examination process in court hearings. The truth of an event is proven through proof so that the truth can be well accepted by reason (Syahputra et al., 2021). The formulation of proof was compiled through Law Number 8 of 1981 concerning the Criminal Procedure Code (KUHAP) as a system that has a position as a public legal instrument. The Criminal Code also functions as a support for the implementation and implementation of material criminal law. The goal to be achieved through the formulation is to seek and obtain the material truth or the real truth (Departemen Kehakiman Republik Indonesia, 1982).

Proof is all efforts to convince the judge of the fact of the crime committed by the defendant (Sasangka & Rosita, 2003). The fate of the defendant is determined through the evidence carried out, whether the defendant's guilt deserves to be punished or not (Sunarmi, Mahmud Mulyadi, 2021). The implementation of proof must be in line with the principles in the criminal justice process, such as the principle of equality before the law (Anjarwati et al., 2023), the principle of presumption of innocence, and the principle of accumulators (Radjan, 2008). In the event that the defendant becomes a subject at every stage of the examination by not being given the obligation to prove it is a form of applying the principle of presumption of innocence (Harahap, 2007). This includes being given the right to defend himself from the Public Prosecutor's (JPU) indictment against him (Prinst, 1998).

The prosecutor is someone who is tasked with proving the guilt of the defendant based on the criminal justice system in Indonesia. In his authority, especially at the stage of the examination carried out, proof is a decisive factor for the judge to be able to have confidence

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as the basis for decision-making (Basuki, 2021). This is returned to the mandate of Article 183 of the Criminal Procedure Code regarding the imposition of a criminal sentence by a judge against the defendant must be based on at least two valid evidence. From here, the judge can have confidence that it is true that the criminal act was committed by the defendant concerned, as proven through the existing evidence and valid legally (Prodjohamidjojo, 1990).

Testimony given by a witness is part of the evidence. Article 185 paragraph (1) states that "witness testimony containing an explanation of what he heard, saw, or experienced himself about a criminal event can only be equated with evidence if the information is stated in a court session" (Bukhari, 2018). One part of the evidence of witness testimony is the crown witness, which often appears in several criminal trial agendas. The use of crown witnesses is carried out when the evidence in the trial is considered insufficient. The case that uses the crown witness is a criminal case in the form of participation and has been divided from the investigation level (Dewi et al., 2023).

There are several previous studies that examined crown witnesses, namely the first research from Muhammad Syahputra, Muhammad Hatta, and Zulfan with the title "Crown Witnesses in Criminal Proof of Narcotics Cases (Research Study at the Lhokseumawe District Court)" (Syahputra et al., 2021). Furthermore, the research by Intan Lestari Harita with the title "The Position of Crown Witnesses in Proving the Crime of Premeditated Murder" (Harita, 2022). Finally, there is also research from Ida Ayu Kade Cinthia Dewi, Anak Agung Sagung Laksmi Dewi, I Made Minggu Widyantara with the title "The Position of Crown Witnesses in the Process of Proof of Criminal Acts in Indonesia" (Dewi et al., 2023).

In its application, the use of crown witnesses has become a discussion and debate. Where on the one hand the use of crown witnesses is still often used in trials, and on the other hand it causes uncertainty about the position of crown witnesses. In addition, the proof with the crown witness cannot be fully justified because it is considered contrary to the human rights and justice possessed by the defendant (Soetjipto, 2007). Based on the description above, the researcher intends to examine the effectiveness of the use of crown witnesses in trials and the obstacles faced in the use of crown witnesses based on a case study of Decision Number 263/PID. B/PN. Tng.

II. Research Method

The methodology in research essentially provides guidelines regarding the scientific field, studying, analyzing, and providing an understanding of the problems to be studied. This research is an empirical normative research, in other words it is a research conducted using literature and field methods (Sonata, 2014). The nature of this research is descriptive analytical, namely describing or providing a clear and careful description of the things in question. A description of the problem is obtained in the community which then the results will be analyzed and a conclusion that can be accounted for will be drawn.

The data used in this study are in the form of primary data and secondary data (Pratiwi, 2017). Primary data collection is carried out at the Tangerang City District Attorney's Office to obtain clear data through informants and competent sources in their fields. Then secondary data is obtained using reading, recording, and studying laws and regulations, literature, scientific works, and searching for data through the internet related to problems in research.

III. Result and Discussion

1. Factors for the Crown Witness

The Public Prosecutor (JPU) is part of the law enforcement instrument that has the authority to split the case file (splitting) the criminal case being handled. In separating the case file, the prosecutor has the belief that the case must be separated, because there are two people who are guilty and the charges are different but in the same incident in order to have

accurate evidence and must be based on the right reasons (Harahap, 2007).

There are several reasons that are the basis for the prosecutor's consideration to separate the case file. Among the reasons in question are that the case in question still lacks witnesses, in order to prove the defendant's guilt in the trial, and the status between the defendants is different (Ismawati, 2023). The following are the stages of the process of handling a case in the judiciary that are interrelated, namely:

a. The investigation stage is carried out based on Article 1 paragraph (5) of the Criminal Code. The implementation of this investigation is carried out by investigators according to the provisions of Article 1 paragraph (2) of the Criminal Code.
b. The pre-prosecution stage is carried out based on Article 14 letter (b). Then the prosecution stage is carried out based on Article 1 paragraph (7) of the Criminal Code. These two stages are carried out by JPU.
c. The examination stage is carried out based on Article 1 paragraph (9) of the Criminal Procedure Code, carried out by the chief judge in court or at the time of trial.
d. The stages of execution of the judge's decision are carried out by the prosecutor based on Article 1 paragraph (11) of the Criminal Code.
e. Execution of punishment carried out by the judge (Pangaribuan, 2013).

The purpose of separating the case file is to facilitate the prosecution of a criminal case in the form of inclusion that lacks evidence, and to enforce legal certainty which is the obligation of the JPU (Lesmana & Latif, 2024). The prosecutor in deciding whether a case file is separated or not, is in the pre-prosecution process. The flow or administration of a case file is separated until the case process runs. This administrative provision is contained in the "Decree of the Attorney General Number: Kep-132/Ja/11/1994 concerning Amendments to the Decree of the Attorney General of the Republic of Indonesia Number Kep-120/Ja/12/1992 concerning the Administration of Criminal Cases" as follows:

a. At this stage, investigators from the police send a Warrant for the commencement of the Investigation Notice (SPDP) which is then sent to the local District Attorney's Office. This is the first step in the course of a case through coordination between investigators and public prosecutors. If this SPDP has been issued, then the suspect can be determined.
b. Furthermore, the P-16 prosecutor examined the person concerned, studied and examined the case file as a development of the investigation.
c. The public prosecutor coordinates with the investigator on the issue of whether a case is feasible or not to be submitted to the prosecution stage for trial.
d. After that, the investigator must make a case file that will be sent to the public prosecutor.
e. The public prosecutor checks any requirements, either formal or material, to be transferred to the court for 7 (seven days) from the time the public prosecutor receives the file. After that, analyze whether the file was decided to be merged or separated related to the handling of cases against perpetrators who committed criminal acts. So after that, a notification letter of the results of the investigation of the case is complete (P21) is issued.
f. If the case file is decided to be separated, then the old file is withdrawn. And if the file is separated, then the prosecutor returns the case file to the Investigator for additional evidence (P-19). In accordance with the provisions of Article 110 paragraph 2 and Article 138 paragraph (2) of the Criminal Procedure Code, in order to fulfill the investigation within a period of 14 (fourteen) days from the time the file is received by the investigator.
g. If all the instructions and shortcomings requested by the P-16 Prosecutor are complete, then the file is used as a basis to be submitted to the court for prosecution and making an indictment (P-29).

Investigators and the panel of judges cannot give a verdict regarding a case to be merged or separated against it. The authority in this matter is the authority of the Public Prosecutor

based on Article 30 paragraph (1) letter a of "Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia". So that in its implementation, investigators and the panel of judges only followed. As a result of the separation of the case file during the trial, there was a crown witness, namely the defendant who became a witness for other defendants who committed criminal acts together. Crown witness statements are intended to facilitate evidence at trial, prosecution and also as additional evidence if there is no other evidence (Utomo, 2019).

2. The Effectiveness of the Use of Crown Witnesses in the Trial is Based on Decision Number 263/PID. B/2019/PN.Tng.

The proof that we know in the evidentiary system is proof that is based on the existence of evidence determined by law. In addition to the provisions of the law, the judge's confidence is also a consideration in making the final decision. The mention of this system of proof is called negative proof which is not only based on the law. This proof is also familiarly called material proof (Hamzah, 2017).

Truth is the main thing that is the purpose of proof (Lesmana, 2024). The evidentiary system itself regulates the types of evidence, decomposition, including how and how the evidence is used. Through this, the judge must be able to form a belief (Sasangka & Rosita, 2003). The provisions of Article 183 of the Criminal Procedure Code affirm that "the judge may only impose a criminal sentence on the defendant if the conditions related to valid evidence are met and against him there is confidence that a criminal act actually occurred and was committed by the defendant concerned."

Regarding the provisions of evidence recognized by law, it is stated in "Article 184 paragraph (1) of the Criminal Code". The evidence in question is witness statements, expert statements, letters, instructions, and statements of the defendant. Furthermore, "Article 1 paragraph (27) of the Criminal Procedure Code" provides a statement regarding witnesses, namely witnesses based on the Criminal Procedure Code and witnesses outside the Criminal Procedure Code. Regarding witnesses outside the Criminal Code, the ones in question are those we know as crown witnesses. The term crown witness itself is used for suspects or defendants who are used as witnesses in the case of other suspects or defendants. The definition of a crown witness is carried out by the Supreme Court (MA) through the "Supreme Court Decision Number 2347/K/Pid.Sus/2011".

The granting of the term crown is related to the privilege or specificity given to the right of witnesses who have the status of defendants which can be given in the form of the elimination of prosecution or relief of charges against the case directed against him and forgiveness for the mistakes that have been made. This was affirmed in "Supreme Court Jurisprudence Number 1986K/Pid/1989" that "the prosecutor may propose a friend of the defendant who participated in the crime as a witness on the condition that it is not included in the first defendant's file" (Kurnia, 2019).

In addition, the circular letter of the Attorney General's Office of the Republic of Indonesia related to the proof of criminal cases also provides an explanation about crown witnesses who are not defined in the Criminal Code. However, since before the Criminal Procedure Code came into effect, crown witnesses have been commonly used or submitted as evidence. This is strengthened by "Circular Letter Number B-69/E02/1997 point 2a" (Tim Publikasi Hukumonline, 2016). From the above explanation, if we summarize, crown witness is a term for a witness who is also one of the suspects or defendants who also committed or jointly committed a criminal act. This witness has the privilege of being able to be mitigated or even forgiven for the mistakes he has made.

Crown witnesses are often used in the evidentiary process at trial. The appearance or use of crown witnesses is carried out for several reasons justified by the provisions of laws and regulations. The adage that is very well known in the criminal law "*unus testis nullus testis*"

means that one witness is not a witness. Therefore, at least two witnesses are needed so that the provisions regarding witness evidence can be fulfilled. It is further described in Article 1 paragraph (26) of the Criminal Code that a witness is a person who conveys information about an event that he sees, hears, and experiences himself to fulfill judicial interests (Tahitu, 2015).

The mechanism of separating the case files carried out by the prosecutor causes the defendants to be used as witnesses on a reciprocal basis which will be burdensome between the defendants themselves. The prosecutor separates the case file based on Article 142 of the Criminal Procedure Code which states that "if in the receipt of the public prosecutor's file receives a case file containing several criminal acts committed by several suspects outside the provisions of Article 141 of the Criminal Procedure Code, in this case the prosecution can be carried out separately by the public prosecutor."

As in case number "263/PID. B/2019/PN.Tng", when the theft occurred, there was one person who knew directly and experienced a criminal event, namely Nurupi Alias Balok. He is also a defendant in the case of "Decision Number: 235/PID. B/2019/PN.Tng" who jointly committed the crime of theft. And when the incident occurred, there were no other witnesses who knew about it. In this case, Nurupi als Balok Bin Alus was used as a crown witness in the case with the defendant on behalf of Muhammad Menggalang als Galang Bin Mursid.

According to "Article 141 of the Criminal Procedure Code", the merger of cases can also be carried out by the Public Prosecutor which will then give implications related to the indictment will be unified if the receipt of the file is carried out at the same time or almost simultaneously in the following matters:

a. The same person committed several criminal acts, so to facilitate the investigation process, case files can be merged.
b. There are several criminal acts that are related to each other.
c. There are several criminal acts that are not related to each other but are related, so it is necessary to merge them for the sake of investigation (Hidayat, 2022).

According to the explanatory part of "Article 141 letter (b) of the Criminal Code", the sentence "criminal acts are considered to have a relationship with each other" is if the criminal act is committed by: (Prodjodikoro, 1977)

a. More than one person at different times and places working together and doing it at the same time.
b. More than one person at a different time and place yet it was an evil execution and covenant made by them before.
c. One or more persons with the aim of obtaining equipment to commit another criminal act or to avoid punishment for a criminal act.

The prosecutor can use a crown witness to uncover a criminal act. The use of the crown witness as evidence greatly facilitates the evidentiary process for the public prosecutor, because he is a defendant who under oath he is required to convey true information to reveal the facts at trial (Mulyadi, 2007). In practice, the existence of a crown witness occurs when the defendant in a case and then the case is separated, each other gives testimony as witnesses for the other. We can implicitly see the regulation in Article 168 letter b of the Criminal Code.

However, there is a particular view for the defendant, that his use as a crown witness can be considered a violation of his human rights, because the defendant cannot be criminally prosecuted solely on the basis of the information he provides. If a defendant is used as a crown witness to show the criminal acts charged against other defendants in the same case, then he must admit his guilt, therefore he makes himself in crime.

Linked to Aristotle's theory of Legal Certainty, requiring the suspect or defendant to provide a confession related to the acts and/or crimes committed is considered contrary to the purpose of the law. A justice can be created if a relationship is established that does not attach importance to personal interests and does not only benefit the interests of other parties

(Lesmana, 2019). The most important aspect is that the existence of equality in this context gives birth to a principle, namely that all people have the same position before the law and the principle of giving everyone what is their right (Tanya et al., 2013).

As part of valid evidence, the existence of a crown witness is important in the process of proving a case, especially in criminal cases. Although there are still conditions that must be met when using a crown witness as evidence. The condition in question is that the case file has been separated between the witness and the defendant, the criminal act committed is an act of participation, and there is a lack of evidence that makes the evidence hampered.

In addition to the information provided by the crown witness, the addition of other evidence in the evidentiary process at the trial is still necessary so that the evidentiary requirements can be met. The fulfillment of this requirement is intended to be known for sure that a criminal act has indeed occurred. The use of crown witnesses is reviewed in terms of its usefulness and is very effective and helpful in the evidentiary process, because crown witnesses are witnesses taken from the defendant who participated in committing the crime, so it can be ascertained that he experienced the criminal event itself.

3. Obstacles Faced in the Use of Crown Witnesses Based on Case Decision Number 263/PID. B/PN. Tng.

The role of witnesses as one of the evidences mentioned in the provisions of laws and regulations has a crucial position in the evidentiary stage at the trial in all realms of the case (Ramlan, 2022). The basic provision that makes him able to give evidence as a witness is if he sees, hears, and/or experiences the event or occurrence that is being examined in the trial. The consequence of the provision of false information or statements from witnesses is the imposition of sanctions against the person concerned (Arini & Sujarwo, 2021).

The provisions regarding who can be a witness are all people without exception in accordance with the provisions in Article 168 of the Criminal Procedure Code. In this case, the defendant is also allowed to be a witness. However, the information provided by the defendant can only be valid and limited to him, according to the provisions of Article 189 paragraph (3) of the Criminal Code. As when the defendant is a crown witness, the information or testimony given must be no different from Article 142 of the Criminal Code, namely the separation of the case file so that the trial process between the defendants is carried out separately or individually (Pandu Fajar Buana, 2016).

The separation of case files is the authority of the JPU. As a result of the separation of the case file, a crown witness appeared. So that the defendants have a case file that stands alone between one defendant and the other, causing one defendant to be used as a witness for the other defendant reciprocatingly. The basis for the separation of this file is part of the authority owned by the Public Prosecutor which is based on Article 142 of the Criminal Code. Where in its implementation, after the prosecutor examined and examined the case file, it was decided to split. Furthermore, the case file was immediately handed back to the investigators to be immediately completed and additional investigations were carried out in the form of instructions from the JPU (Pandu Fajar Buana, 2016).

Obstacles in the use of crown witnesses can occur if the prosecutor believes in the crown witness and there is no other evidence, so it is feared when the defendant or the crown witness delivers a false confession or lies. Although he had been sworn when he was a witness, at the time of the trial he did not admit his deeds and covered up each other during the trial. If this happens, the proof process is considered to be a failure. False testimony given by crown witnesses at trial could have occurred because of a sense of solidarity between the defendants. The defendants certainly have a sense of friendship, because they have committed criminal acts together.

It is true that the information given or disclosed by the crown witness can be used in the evidentiary stage of the trial. But it would be nice if the use of this crown witness is the last

option in terms of the evidence available is quite minimal. And it should still be supported by other evidence so that the proof requirements are met perfectly. The mention of the crown in question is related to the conviction of the defendant as a witness to be able to be granted leniency in terms of punishment to the possibility of granting conditional freedom, remission, or other things that are adjusted from the consideration of the panel of judges.

IV. Conclusion

The existence of the crown witness is recognized as long as the witness statement is related to other evidence. The regulation regarding crown witnesses is not clearly done in the Criminal Code. However, there are several arrangements that recognize and affirm the existence of the crown witness itself, such as in the "Supreme Court Decision Number 2437/K/Pid.Sus/2011", then also in the "Supreme Court Jurisprudence Number 1986 K/Pid/1989", and the "Circular Letter of the Attorney General's Office of the Republic of Indonesia Number B-69/E/02/1997 of 1997".

The use of crown witnesses from the point of view of proof is very effective. Because this crown witness is a fellow defendant, who can be sure that they witnessed each other's criminal acts. As for the obstacles to the use of crown witnesses, it can occur if the prosecutor believes in the crown witness and there is no other evidence, so it is feared when the defendant or crown witness delivers a false or false confession. Although when he was a witness he was sworn in, but at the trial he did not admit his deeds and covered up each other. If this happens, the proof process is considered a failure.

As a state administrator, the government should make clear arrangements regarding the status, position, and related matters regarding crown witnesses as a whole. With clear, firm, and complete legal arrangements and foundations, the purpose of the enactment of the law itself is expected to be achieved and can fulfill the sense of justice in society in general. In addition, problems and misunderstandings among law enforcement regarding the view of the existence of crown witnesses no longer occur and law enforcement can proceed as it should.

References

Anjarwati, N., Lesmana, S. J., & Lestari, T. A. (2023). Analisis Yuridis Tentang Perlindungan Hukum Terhadap Anak Jalanan di Kabupaten Tangerang. *Jurnal Crepido*, *05*(02), 161–173. https://doi.org/10.14710/crepido.5.2.161-173

Arini, K. N., & Sujarwo, H. (2021). Kedudukan Saksi Ahli dalam Persidangan Perkara Pidana. *Syariati: Jurnal Studi Al-Qur'an Dan Hukum*, *7*(2), 245–256. https://doi.org/10.32699/syariati.v7i2.2244

Basuki, P. F. S. (2021). Keterangan Saksi dengan Gangguan Jiwa Sebagai Alat Bukti di Pengadilan. *Jurist-Diction*, *4*(5), 1937–1952. https://doi.org/10.20473/jd.v4i5.29827

Bukhari. (2018). *Hukum Pembuktian Menurut Hukum Acara Pidana*. Litigasi. https://litigasi.co.id/posts/hukum-pembuktian-menurut-hukum-acara-pidana

Departemen Kehakiman Republik Indonesia. (1982). *Pedoman Pelaksanaan Kitab Undang-Undang Hukum Acara Pidana*. Departemen Kehakiman.

Dewi, I. A. K. C., Dewi, A. A. S. L., & Widyantara, I. M. M. (2023). Kedudukan Saksi Mahkota Dalam Pembuktian Tindak Pidana di Indonesia. *Jurnal Preferensi Hukum*, *4*(2), 124–129.

Hamzah, A. (2017). *Hukum Acara Pidana Indonesia*. Sinar Grafika.

Harahap, M. Y. (2007). *Pembahasan Permasalahan dan Penerapan KUHAP Penyidikan dan Penuntutan*. Ghalia Indonesia.

Harita, I. L. (2022). Kedudukan Saksi Mahkota Dalam Pembuktian Tindak. *Jurnal Panah Hukum*, *1*(2), 98–110.

Hidayat, R. (2022). *Alasan Kejaksaan Gabungkan Dua Tindak Pidana Sambo dalam Satu*

Surat Dakwaan. Hukumonline.Com. https://www.hukumonline.com/berita/a/alasan-kejaksaan-gabungkan-dua-tindak-pidana-sambo-dalam-satu-surat-dakwaan-lt63351ac3960dd/

Ismawati, D. D. (2023). *Aspek Hukum Pertimbangan Jaksa Penuntut Umum Dalam Pemisahan Berkas Perkara Pidana Narkotika*. Universitas Islam Sultan Agung.

Kurnia, A. J. (2019). *Definisi Saksi Mahkota*. Hukumonline.Com. https://www.hukumonline.com/klinik/a/saksi-mahkota-lt4fbae50accb01/

Lesmana, S. J. (2019). Kajian Yuridis Atas Pelaksanaan Pengawasan Terhadap Jabatan Notaris Menurut Undang-Undang Nomor 2 Tahun 2014 di Kota Tangerang. *Supremasi Hukum*, *15*(1), 32–39. https://doi.org/10.33592/jsh.v15i1.244

Lesmana, S. J. (2024). *Hukum Indonesia (Indonesian Law)*. Berkah Aksara Cipta Karya.

Lesmana, S. J., & Latif, I. S. (2024). *Pengantar Ilmu Hukum (Inleiding Tot De Rechtwetenschap)*. Berkah Aksara Cipta Karya.

Mulyadi, L. (2007). *Putusan Hakim Dalam Hukum Acara Pidana: Teori, Praktik, Teknik Penyusunan, dan Permasalahannya*. Citra Aditya Bakti.

Pandu Fajar Buana, M. (2016). *Pemisahan Berkas Perkara Pidana (Splitsing) oleh Penuntut Umum Dalam Proses Pembuktian Suatu Tindak Pidana Dengan Delik Penyertaan (Studi Pada Kejaksaan Negeri Ambarawa)*. Universitas Negeri Semarang.

Pangaribuan, L. M. P. (2013). *Hukum Acara Pidana: Surat Resmi Advokat di Pengadilan, Praperadilan, Eksepsi, Pledoi, Duplik, Memori Banding, Kasasi dan Peninjauan Kembali*. Papas Sinar Sinanti.

Pratiwi, N. I. (2017). Penggunaan Media Video Call Dalam Teknologi Komunikasi. *Jurnal Ilmiah Dinamika Sosial*, *1*(2), 202–224.

Prinst, D. (1998). *Hukum Acara Pidana Dalam Praktik*. Djambatan.

Prodjodikoro, R. W. (1977). *Hukum Acara Pidana di Indonesia*. Sumur Bandung.

Prodjohamidjojo, M. (1990). *Komentar Atas KUHAP, Kitab Undang-Undang Hukum Acara Pidana*. Pradnya Paramita.

Radjan, S. B. (2008). Hak Warga Negara Dalam Hukum Acara Pidana. In *Panduan Bantuan Hukum di Indonesia: Pedoman Anda Memahami dan Menyelesaikan Masalah Hukum*. Yayasan Lembaga Bantuan Hukum Indonesia.

Ramlan, P. G. (2022). *Mengenal Jenis Alat Bukti dalam Hukum Acara Perdata*. Kementrian Keuangan Republik Indonesia. https://www.djkn.kemenkeu.go.id/kpknl-lahat/baca-artikel/15189/Mengenal-Jenis-Alat-Bukti-dalam-Hukum-Acara-Perdata.html

Sasangka, H., & Rosita, L. (2003). *Hukum Pembuktian dalam Perkara Pidana: Untuk Mahasiswa dan Praktisi*. Mandar Maju.

Soetjipto, A. A. (2007). *Menyongsong dan Tunaikan Tugas Negara Sampai Akhir: Sebuah Memoar*. Granit.

Sonata, D. L. (2014). Metode Penelitian Hukum Normatif dan Empiris: Karakteristik Khas dari Metode Meneliti Hukum. *Fiat Justisia Jurnal Ilmu Hukum*, *8*(1), 15–35.

Sunarmi, Mahmud Mulyadi, I. M. D. K. M. A. (2021). Analisis Yuridis Bukti Digital (Digital Evidence) Dalam Pembuktian Perkara Tindak Pidana Ujaran Kebencian Pada Putusan Pengadilan Negeri Medan No. 3168/Pid.Sus/2018/Pn.Mdn. *Res Nullius Law Journal*, *3*(2), 98–117. https://doi.org/10.34010/rnlj.v3i2.3862

Syahputra, M., Hatta, M., & Z, Z. (2021). Saksi Mahkota Dalam Pembuktian Pidana Kasus Narkotika. *Jurnal Ilmiah Mahasiswa Fakultas Hukum Universitas Malikussaleh*, *2*(3), 1–20. https://doi.org/10.29103/jimfh.v4i2.4075

Tahitu, G. Z. (2015). Keberadaan Saksi Mahkota Dalam Sistem Peradilan Pidana Indonesia. *Lex Crimen*, *6*(1), 164–177.

Tanya, B. L., Simanjuntak, Y. N., & Hage, M. Y. (2013). *Teori Hukum: Strategi Tertib Manusia Lintas Ruang dan Generasi*. Genta Publishing.

Tim Publikasi Hukumonline. (2016). *Surat Edaran Kejaksaan Agung Nomor B-69/E/02/1997 Tahun 1997*. Hukumonline.Com. https://www.hukumonline.com/pusatdata/detail/v2/lt515eab38af5b7/surat-edaran-kejaksaan-agung-nomor-b-69-e-02-1997-tahun-1997/document

Utomo, A. (2019). *Saksi Memberatkan, Meringankan, Mahkota, dan Alibi*. Hukumonline.Com. https://www.hukumonline.com/klinik/a/saksi-memberatkan--meringankan--mahkota--dan-alibi-lt50c7ea823e57d/