

Legal Review of Traffic Accidents Resulting in Death

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Abstract. *Traffic accidents often occur in various places throughout Indonesia. Traffic accident victims are of several groups, whether minor, severe, or death. In this study, the author would like to describe the legal review of traffic accidents that result in fatalities. In this study, the approach method used is: sociological legal approach or approach by direct review in the field. The research specification used is Analytical Descriptive, which is an effort to analyze and explain legal problems related to objects with a comprehensive and systematic description of all matters related to the legal review of traffic accidents resulting in fatalities. The author believes that it is important to enforce and protect the law against victims and perpetrators who experience traffic accidents. This aims to ensure that victims and perpetrators are processed in accordance with applicable laws and receive their rights accordingly.*

Keywords: *Law Enforcement; Traffic Accidents; Victims.*

1. Introduction

In a state of law, law is the main pillar in moving the joints of social, national, and state life. One of the main characteristics of a state of law lies in its tendency to assess actions taken by society on the basis of legal regulations. This means that a state with the concept of a state of law always regulates every action and behavior of its people based on applicable laws.

This is done to create, maintain and defend peace in social life in accordance with what is mandated in Pancasila and the 1945 Constitution, namely that every citizen has the right to feel safe and free from all forms of crime.

Criminal law as a tool or means to solve problems in community life. The existence of criminal law can provide justice and appropriate solutions for the community. Because criminal law is a set of regulations that regulate actions, both ordering to do or do something, or prohibiting to do or do something that is regulated in the law with criminal sanctions for those who violate.¹Meanwhile, the criminal law applicable in Indonesia can be divided into two types, criminal law known in the Criminal Code (KUHP) and Special Criminal

¹Rahman Syamsuddin, 2014, Knitting Law in Indonesia, Mitra Wacana Media, Jakarta, p. 192

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Law regulated outside the Criminal Code.²

Criminal law does not only provide an understanding of acts prohibited by a legal rule, which prohibition is accompanied by a threat (sanction) in the form of a certain penalty for anyone who violates the prohibition, but also includes matters relating to the imposition of criminal penalties and how the penalty can be implemented. The prohibition is directed at an act, a condition or incident caused by a person's behavior or actions. The threat of criminal penalties or sanctions are directed at the perpetrator who commits a criminal act, usually referred to as "whoever", namely the perpetrator of the criminal act as a legal subject, namely the supporter of rights and obligations in the legal field.³ So that criminal acts are one of the parts studied in criminal law.

So that all community activities must be based on the laws that apply in society. A regulation is said to be good if it can be applied legally, sociologically and philosophically, as well as regarding traffic regulations. Traffic is a vital facility, because it is directly related to transportation. Traffic is one of the means of community communication that plays a vital role in facilitating the development that we carry out. Because with the existence of this traffic, it facilitates access for the community to carry out their activities to fulfill their economy. The importance of transportation is reflected in the increasing need for transportation services for the mobility of people and goods from and to all corners of the country, even from and to abroad. In addition, transportation also plays a role as a supporter, driver, and driver for the growth of potential regions.⁴

Developments in the field of traffic can provide both positive and negative influences on people's lives. With the development of motorized vehicles circulating in society from year to year increasing, it has an impact on traffic safety.

Behind the benefits of traffic, there are also various problems related to the use of highways. The large number of highway users every day, it is impossible to escape from traffic problems. One of the problems in traffic is what is called a traffic accident. Traffic accidents are caused by many factors such as vehicle damage, pedestrians who are not careful, not obeying traffic signs, and the most common accidents are due to negligence by the driver.

Law and its function to regulate all aspects of national and state life can provide maximum contribution to the implementation if law enforcement officers and all levels of society submit to and obey legal norms. In the event of a traffic accident (lakalantas) must be separated between violations and crimes. Because to carry out prosecution before the law, the incident that occurs must be a crime, while in a traffic accident the crime that occurs is an unintentional crime or due to negligence or negligence.

The rapid development of transportation technology has increased traffic accidents. On the one hand, it has caused the reach and range of transportation to be wider, on the other hand, it has become a very serious cause of death in recent decades. Traffic problems are one of the national scale problems that have developed in line with the development of

²Rodliyah, 2017, Special Criminal Law, Elements and Criminal Sanctions, First Edition, PT. Raja Grafindo Persada, Jakarta, p. 1

³Chairul Huda, 2006, From No Crime Without Fault Towards No Criminal Responsibility Without Fault, Kencana Prenada Media, Jakarta, p. 127

⁴CST Kansil, et al., Traffic Discipline on Highways, PT Rineka Cipta, Jakarta, 1995, page 4

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society. The problem faced today is the still high number of traffic accidents on the highway⁵. Meanwhile in Indonesia, every year around 9,000 lives are lost in vain due to traffic accidents on the highway. The data shows that twenty-five people die every day or one person dies on the highway every fifty-seven minutes.

In legal studies to declare someone guilty, it must consider the issue of criminal responsibility for someone who due to his negligence causes the death of another person. Criminal responsibility is related to a person's mistake, the mistake referred to here is a mistake caused by intention (intention/opzet/dolus) and negligence (negligence or schuld).⁶

Article 310 of Law No. 22 of 2009 concerning Traffic and Road Transportation or the LLAJ Law regulates the punishment for drivers who cause traffic accidents resulting in injuries or deaths. In addition to the law on traffic, the Criminal Code also regulates criminal acts related to errors, namely the crime of "causing death due to negligence" which is stated in Article 359 of the Criminal Code which reads in full: "Anyone who due to his negligence causes the death of a person shall be punished with imprisonment for a maximum of five years or imprisonment for a maximum of one year".

Often the public views that traffic accidents that cause death, the fault is always on the driver of the vehicle concerned. While according to the applicable legal theory that a person's fault is seen from the actual incident factors, what factors caused the traffic accident. This can be expressed from the chronology of the incident and the eyewitnesses who saw the accident. In the case of traffic accidents that cause fatalities, it is very complex to determine the perpetrator of the crime and not just a normative matter. However, rather than that, a legal study with a juridical review is very important to examine the working of positive law in Indonesia in overcoming traffic problems in the form of accidents that result in fatalities for a legal process.

2. Research Methods

In accordance with the title and problems that will be discussed in this researchAndIn order to provide useful results, this research was conducted using normative legal research (normative legal research method). The normative legal research method is legal research.literaturewhich is done by examining library materials or secondary data only. This research is conducted in order to obtain materials in the form of: theories, concepts, legal principles and legal regulations related to the subject matter.⁷

3. Results and Discussion

3.1. Implementation of Positive Indonesian Law on Traffic Accidents Resulting in Death

The existence of the crime of traffic accidents in the Criminal Code can be understood based on Article 103 of the Criminal Code which states, "The provisions of the first eight chapters of this book also apply to acts that can be punished according to other laws, unless there is a

⁵Agio V. Sangki, Criminal Responsibility of Vehicle Drivers Causing Death in Traffic Accidents, Sam Ratulangi University, Law Journal, Lex Crimen, Vol. 1, January-March 2012, p. 34

⁶Leden Marpaung, Principles of Criminal Law Practice Theory, Sinar Grafika, Jakarta, 2005, p.

⁷Soerjono Soekanto and Sri Mahmudji, Normative Legal Research, A Brief Review, (Jakarta: Raja Grafindo Persada, 2003), p. 13.

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law (wet) general action of the Government (Algemene maatngelen van bestuur) or ordinance that determines other regulations". In legal science, what is regulated in Article 103 above is known as the principle of *lex specialis derogat legi generalis* or special legal provisions override general legal provisions. In the Criminal Code, this is regulated in Article 338 which states that anyone who intentionally takes the life of another person, is punished for capital treason, with a maximum prison sentence of fifteen years. In Law Number 22 of 2009 concerning Traffic and Road Transportation, it is regulated in Article 311. For this matter, the application in criminal acts of traffic accidents, then what is used is Article 311 of Law Number 22 of 2009 concerning Traffic and Road Transportation (which is *lex specialis*) and not Article 338 of the Criminal Code (which is *generalist*)

The law specifically regulating traffic is Law Number 22 of 2009 concerning Traffic and Road Transportation. The issuance of this law aims to ensure that traffic and road transportation have a strategic role in supporting national development and integrity as part of efforts to advance public welfare as mandated by the Constitution of the Republic of Indonesia and is also part of the national transportation system whose potential and role must be developed to realize security, safety, order, and smooth traffic.

Traffic Accidents according to Law Number 22 of 2009 concerning Traffic and Road Transportation Article 1 point (24) are an unexpected and unintentional incident on the road involving vehicles with or without other road users resulting in human casualties and/or property losses. In traffic accidents that occur, the victims often do not receive full legal protection in accordance with the rights that accident victims should receive and have.

Based on Article 310 of Law Number 22 of 2009 concerning Traffic and Road Transportation, the following forms of sanctions for traffic accidents have been determined:

1. Any person who drives a motor vehicle who, due to his negligence, causes a traffic accident with damage to the vehicle and/or goods as referred to in Article 229 paragraph (2), shall be punished with imprisonment for a maximum of 6 (six) months and/or a maximum fine of IDR 1,000,000.00 (one million rupiah).
2. Any person who drives a motor vehicle who, due to his negligence, causes a traffic accident resulting in minor injuries and damage to the vehicle and/or goods as referred to in Article 229 paragraph (3), shall be punished with imprisonment for a maximum of 1 (one) year and/or a maximum fine of IDR 2,000,000.00 (two million rupiah).
3. Any person who drives a motor vehicle who, due to his negligence, causes a traffic accident resulting in serious injuries as referred to in Article 229 paragraph (4), shall be punished with a maximum prison sentence of 5 (five) years and/or a maximum fine of IDR 10,000,000.00 (ten million rupiah).
4. In the case of an accident as referred to in paragraph (3) which results in the death of another person, the perpetrator shall be punished with imprisonment for a maximum of 6 (six) years and/or a maximum fine of Rp12,000,000.00 (twelve million rupiah). Providing compensation, assistance, assistance to victims is a customary practice in society. This is done voluntarily and is accepted in society without looking at whether it is true or not in the case of a traffic accident. Drivers who commit a crime that causes harm to the victim are required to be responsible for replacing the loss in accordance with Article 1365 of the Civil Code. However, this is often ignored by drivers to replace the losses experienced by the

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victim.

In the provisions of Article 231 Paragraph (1) of Law Number 22 of 2009 concerning Traffic and Road Transportation, it discusses the obligations and responsibilities of Motor Vehicle Drivers involved in Traffic Accidents, who are required to:

1. stop the vehicle he is driving;
2. provide assistance to victims;
3. report the accident to the nearest Indonesian National Police; and
4. provide information related to the accident.

The sanctions that can be received by drivers who are negligent in driving are not only in the form of criminal penalties, but there is also accountability in the form of providing assistance to heirs in the form of medical expenses and/or funeral expenses. This is regulated in Article 235 of the Traffic and Road Transportation Law which reads:

1. "If the victim dies as a result of a traffic accident as referred to in Article 229 paragraph (1) letter c, the driver, owner and/or public transportation company are required to provide assistance to the victim's heirs in the form of medical expenses and/or funeral expenses without dropping the criminal case charges.
2. If an injury occurs to the victim's body or health as a result of a Traffic Accident as referred to in Article 229 paragraph (1) letters b and c, the driver, owner and/or Public Transportation Company are obliged to provide assistance to the victim in the form of medical expenses without dropping the criminal case charges."

The article above states that "it does not dismiss the criminal case", meaning that even though the party who hit the victim has paid a sum of money or compensation to the victim as compensation for medical expenses at the hospital or provided compensation for the deceased victim, it does not affect the criminal case, in other words, the legal process must continue to completion. This is because the criminal act regulated in Law Number 22 of 2009 concerning Traffic and Road Transportation, known as the crime of traffic accidents, is not a complaint offense, but rather an ordinary crime, so that even if there is a payment made by the driver or the person who hit the victim's family, this will not eliminate the element of the criminal act committed or will not stop the investigation and/or prosecution process carried out for the crime of traffic accidents in question.

In addition to criminal liability that can be imposed with the threat of criminal penalties, both principal and additional penalties as described above, the driver or the person who hit the vehicle can be subject to civil liability in the form of a claim for compensation as also regulated in Article 314 of Law Number 22 of 2009 concerning Traffic and Road Transportation. Civil liability is carried out by filing a lawsuit for unlawful acts (*onrechtmatige daad*) as regulated in Article 1365 and Article 1366 of the Civil Code which stipulates:

The provisions of Article 1365 of the Civil Code state: "Every act that violates the law and causes loss to another person, requires the person who caused the loss due to his/her fault to replace the loss." Furthermore, Article 1366 of the Civil Code stipulates that every person is responsible, not only for losses caused by actions, but also for losses caused by his/her negligence or recklessness.

What has been regulated in Article 1365 of the Civil Code is an unlawful act that is done

intentionally. Whereas if the act is not done intentionally but due to negligence or carelessness, then a lawsuit for unlawful acts is filed based on Article 1366 of the Civil Code. Filing a civil lawsuit based on Article 1365 and/or Article 1366 of the Civil Code is based on the legal principle that criminal liability will never eliminate civil liability. In other words, by convicting someone, this will not preclude the filing of a civil lawsuit for damages based on a lawsuit for unlawful acts.

Law Number 22 of 2009 concerning Traffic and Road Transportation contains high criminal provisions. The provisions of Article 310 are articles related to negligence in traffic that causes death.

The provisions of Article 310 Paragraph (4) are articles that are closely related to traffic negligence that causes death. To fulfill the requirements for a crime in Article 310 Paragraph (4) above, the following elements must be met:⁸

1. Each person
2. The person driving the motor vehicle
3. Due to his negligence, a traffic accident resulted in the death of another person.

Thus, drivers who commit criminal acts of traffic negligence resulting in death are threatened with a maximum prison sentence of 6 (six) years or a fine of Rp. 12,000,000.00 based on the provisions of Article 310 Paragraph (4) of Law Number 22 of 2009 concerning Traffic and Road Transportation. Article 311 of Law Number 22 of 2009 concerning Traffic and Road Transportation regulates traffic accidents caused by people deliberately driving motor vehicles in conditions that endanger other people.

In addition, in the provisions of Article 314 of Law Number 22 of 2009 concerning Traffic and Road Transportation, it states that: "In addition to imprisonment, detention, or fines, perpetrators of Traffic crimes can be subject to additional penalties in the form of revocation of a Driving License or compensation for losses caused by the traffic crime." With the enactment of Law Number 22 of 2009 concerning Traffic and Road Transportation, Article 359 of the Criminal Code has been made unusable in the application of sanctions for negligence that causes death. This is related to the use of the principle of *Lex Specialis Derogat Legi Generalis*, which means that special laws override general laws.

3.2. Obstacles in the Process of Handling Traffic Accidents That Cause Death

The implementation of the legal process for criminal acts of driver negligence that cause traffic accidents and result in fatalities, is undeniably hampered by obstacles that affect the legal process for the case. From the results of the research conducted by the author, it is explained that these obstacles arise from various factors.

1. Investigator personnel availability factor

Police investigators in conducting evidence related to the suspicion that the suspect committed negligence are carried out by looking at the crime scene investigation. Not only the crime scene investigation, investigators also see whether the driver has used the principle of caution or not. In this case, investigators conduct crime scene investigation to be

⁸Ruslan Renggong, 2016, *Special Criminal Law: Understanding Offenses Outside the Criminal Code*, Prenadamedia Group, Jakarta, p. 311.

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able to determine how the accident occurred by providing a mark at the place where the victim and evidence were found. After the marking, the crime scene was measured and police lines were installed. To facilitate the investigation, investigators made a sketch of the accident and conducted a fabrication of events. However, in this case, the implementation of the investigation had a few obstacles due to the availability of a minimal number of investigator personnel and affected the speed of performance in investigating a traffic accident case that caused the victim to die.

2. Lack of Witnesses

not all accident cases have witnesses because of time factors which if it occurs at night or early morning with limited quantity of people outside and the location where the location occurs in a place that is indeed undeniable such as a road along the forest where there are no people in place or where there happens to be no other drivers who witness the incident will have an impact on the difficulty of obtaining information because of an accident. This is homework for the police in this case the traffic accident unit to overcome obstacles in the technical implementation of the investigation.

3. The substance of positive Indonesian law is not yet just

The view from the side of law enforcement sees the many judges' decisions that give far from the maximum sentence causing a turmoil of dissatisfaction from various parties, especially seeing the negligence factor itself, which the police always find is the driver's negligence that causes fatalities in accidents caused by fatal errors by drivers regarding vehicle equipment elements that are not equipped, which is already a legal obligation and must be obeyed. This has an impact that trivializes the importance of vehicle equipment for the entire community and the results of punishment that are considered by the community to be still light for a criminal sentence. This greatly encourages the increase in the number of road accidents that originate from the stigma of society towards vehicle equipment that is considered trivial. Coupled with judges' decisions that often do not balance justice with consideration for the victim's family.

Law enforcement in all elements of criminal acts always creates obstacles that affect the implementation of law enforcement. However, every problem in law enforcement will always be solved with various aspects to overcome obstacles to the implementation of law enforcement.

Regarding the obstacles that occur, there needs to be an effort to resolve them, whether by increasing the number of investigators, providing CCTV on the road and/or reviewing the applicable laws.

4. Conclusion

The author concluded several things related to the research results, including: 1. The application of positive law on traffic accidents that cause death in legal science has been regulated in Article 103 which is known as the principle of *lex specialis derogat legi generalis* or special legal provisions override general legal provisions. In the Criminal Code, this is regulated in Article 338 which stipulates that anyone who intentionally takes the life of another person, is punished for capital treason, with a maximum prison sentence of fifteen years. In Law Number 22 of 2009 concerning Traffic and Road Transportation, it is regulated

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in Article 311. For this matter, its application in criminal acts of traffic accidents, then what is used is Article 311 of Law Number 22 of 2009 concerning Traffic and Road Transportation (which is *lex specialis*) and not Article 338 of the Criminal Code (which is *generalist*). 2. Obstacles that occur in handling traffic accidents that cause death occur due to several factors, namely investigative personnel, witnesses, and the law itself.

5. References

Journals:

- Agio V. Sangki, *Tanggung Jawab Pidana Pengemudi Kendaraan Yang Mengakibatkan Kematian Dalam Kecelakaan Lalu Lintas*, Universitas Sam Ratulangi, Jurnal Hukum, Lex Crimen, Voli No.1, Januari-Maret 2012
- Atu Karomah, *Pandangan Hukum Islam Tentang Korban Kejahatan Dalam Konteks Hukum Positif Indonesia*, Banten: Jurnal Hukum Dan Politik, Al-Qisthas, 2017
- Ferry Irawan Febriansyah, *Keadilan Berdasarkan Pancasila Sebagai Dasar Filosofis Dan Ideologis Bangsa*, Dih Jurnal Hukum, Vol 13 . No 25 ,Februari 2017
- Marsudi Utoyo Dkk, 2020, *Sengaja Dan Tidak Sengaja Dalam Hukum Pidana Indonesia*, Lex Librum: Jurnal Ilmu Hukum

Books:

- Adam Chazawi, 2014, *Percobaan Dan Penyertaan Pelajaran Hukum Pidana*, Rajawali Press, Jakarta
- Abd. Al-Qadir Al-„Audah, *Al-Tasyri“ Al-Jinaiy Al-Islamiy*, (Beirut: Al-Muassah Alrisalah, Juz Ke-2)
- Arif Gosita. (1993). *Masalah Korban Kejahatan Kumpulankarangan*. Jakarta: Akademika Pressindo
- C.S.T, Kansil, Warpani Dkk, 1995, *Disiplin Berlalu Lintas Di Jalan Raya*, PT Rineka Cipta, Jakarta.
- C.S.T. Kansil, Dkk, *Disiplin Berlalu Lintas Di Jalan Raya*, PT Rineka Cipta, Jakarta, 1995
- Chairul Huda, 2006, *Dari Tiada Pidana Tanpa Kesalahan Menuju Kepada Tiada Pertanggungjawaban Pidana Tanpa Kesalahan*, Kencana Prenada Media, Jakarta
- CV. NUANSA AULIA, Undang-Undang Republik Indonesia Nomor 22 Tahun 2009 Tentang Lalu Lintas Angkutan Jalan (LLAJ), Bandung, 2009
- Daimatul Ihsan, *Pandangan Hukum Islam Terhadap Perlindungan Saksi Dan Korban Dalam Perkara Pidana Di Indonesia*, (Kajian Terhadap Pasal (1) UU No. 13 Tahun 2006), (Jakarta: Skripsi UIN Jakarta, 2010)
- Evi Hartanti, 2012, *Tindak Pidana Korupsi : Edisi Kedua*, Sinar Grafika, Jakarta
- Ezzat A. Fattah, Dalam C. Maya Indah S. (2014). *Perlindungan Korban: Suatu Perspektif Viktiomologi Dan Kriminologi*. Jakarta: Kencana Prenadamedia Group
- Ezzat A. Fattah, Dalam C. Maya Indah S. (2014). *Perlindungan Korban: Suatu Perspektif Viktiomologi Dan Kriminologi*. Jakarta: Kencana Prenadamedia Group

Master of Law, UNISSULA

- G.A. Van Hamel. *Inleiding Tot De Studie Van Het Nederlandsche Strafrecht*, Dalamandi Hamzah. (2017). *Hukumpidana Indonesia*. Jakarta: Sinar Grafika
- Hamzah, Andi, *Hukum Acara Pidana Indonesia*, Jakarta: Sinar Grafika, 2005
- Hobbs, FD, 1995, *Perencanaan Dan Teknik Lalu Lintas*, Gadjah Mada University Press, Yogyakarta.
- Ibnu Rusyd, *Bidayatul Mujtahid Wa Nihayatul Muqtashid*, Jilid II Beirut: Dar Alfikr, 1981
- Kejaksaan Republik Indonesia, 2010, *Modul Azas-Azas Hukum Pidana*, Pusat Pendidikan Dan Pelatihan Kejaksaan Republik Indonesia, Jakarta
- Lawrence M. Friedman, *System Hukum Dalam Perspektif Ilmu Sosial, The Legal System: A Sosial Science Perspective*, Nusa Media, Bandung, 2009, Hlm 16. Diterjemahkan Dalam Buku Lawrence M. Friedman, 1969, *The Legal System: A Sosial Science Perspective*, Russel Soge Foundation, New York
- Leden Marpaung, *Asas Teori Praktik Hukum Pidana*, Sinar Grafika, Jakarta, 2005
- M. Agus Santoso, 2014, *Hukum, Moral & Keadilan Sebuah Kajian Filsafat*, Jakarta: Kencana
- Moeljatno, 2002, *Asas-Asas Hukum Pidana*, Penerbit Rineka Cipta, Jakarta
- Muladi. (1997). *Hak Asasi Manusia, Politik Dan Sistem Peradilan Pidana*. Semarang: Badan Penerbit Universitas Diponegoro
- Pengertian Tinjauan Yuridis_ [Http://Infopengertian.Biz/Pengertian-Yuridis-Da-Penerapan-Nya-Di-Masyarakat.Html](http://Infopengertian.Biz/Pengertian-Yuridis-Da-Penerapan-Nya-Di-Masyarakat.Html), Kabanjahe, Diakses Pada Tanggal 29 Oktober 2024
- Pengertian Tinjauan Yuridis_ [Http://Infopengertian.Biz/Pengertian-Yuridis-Da-Penerapan-Nya-Di-Masyarakat.Html](http://Infopengertian.Biz/Pengertian-Yuridis-Da-Penerapan-Nya-Di-Masyarakat.Html), Kabanjahe, Diakses Pada Tanggal 29 Oktober 2024
- Rahman Syamsuddin, 2014, *Merajut Hukum Di Indonesia*, Mitra Wacana Media, Jakarta
- Rahmat Hakim, *Hukum Pidana Islam, (Fiqh Jinayah)*, Bandung: CV Pustaka Setia, 2000
- Rodliyah, 2017, *Hukum Pidana Khusus Unsur Dan Sanksi Pidananya*, Cetakan. Ke-I, PT. Raja Grafindo Persada, Jakarta
- Rona Publishing, Undang-Undang Nomor.22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan, Surabaya, 2013, Surabaya
- Ruslan Renggong, 2016, *Hukum Pidana Khusus: Memahami Delik-Delik Di Luar KUHP*, Prenadamedia Group, Jakarta
- Surayin, Analisis Kamus Umum Bahasa Indonesia. Yrama Widya, Bandung, 2013
- Utrecht, 1986, *Hukum Pidana I*, Pustaka Tindak Mas, Surabaya
- Zainuddin Ali, *Hukum Pidana Islam*, Jakarta: Sinar Grafika, 2007
- Zvonimir Paul Separovic. Victimology Studies Of Victims, Dalam Dr. C. Maya Indah S. (2014). *Perlindungan Korban: Suatu Perspektif Viktiomologi Dan Kriminologi*. Jakarta: Kencana Prenadamedia Group
- Zvonimir Paul Separovic. Victimology Studies Of Victims, Dalam Dr. C. Maya Indah S. (2014). *Perlindungan Korban: Suatu Perspektif Viktiomologi Dan Kriminologi*. Jakarta: Kencana Prenadamedia Group

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Regulation:

Criminal Code (KUHP)

The 1945 Constitution of the Republic of Indonesia

Law Number 8 of 1981 concerning the Criminal Procedure Code