



CRIMINAL LIABILITY OF INVESTIGATORS IN CASES OF ERROR IN PERSONA ACCOMPANIED BY VIOLENCE: A CASE STUDY OF THE WRONGFUL ARREST OF A SNAIL COLLECTOR IN GROBOGAN

Zaenu Agil Ramadhani

Faculty of Law, Universitas Negeri Semarang, Indonesia
ramadhanizaenu@students.unnes.ac.id

Benny Sumardiana

Faculty of Law, Universitas Negeri Semarang, Indonesia
benny.sumardiana@mail.unnes.ac.id

Abstract

Indonesia, as a state based on the rule of law (*rechtsstaat*), places the supremacy of law and the protection of human rights (HAM) as fundamental pillars in governance and law enforcement. However, in practice, serious violations that undermine these principles still frequently occur, including incidents of error in persona or wrongful arrest accompanied by acts of violence perpetrated by law enforcement officers. The wrongful arrest of a snail collector in Grobogan Regency serves as a concrete example of abuse of power by investigators, which contravenes the principles of due process of law and human rights. This study aims to analyze the criminal liability of investigators who commit wrongful arrest (error in persona) accompanied by violence and to elaborate on the legal remedies available for restoring the rights of victims, using the Wrongful Arrest of a Snail Collector in Grobogan as the case study. The research employs a normative legal method with a legal principles approach, examining statutory regulations (KUHP, KUHP) and relevant doctrines concerning criminal liability, abuse of authority, and human rights protections. The results of the study show that the actions of investigators who carried out wrongful arrests accompanied by violence not only constitute a violation of the code of ethics, but also fulfill the elements of a criminal offense.

Keywords : Criminal Liability, Error In Persona, Wrongful Arrest

INTRODUCTION

Indonesia is a state founded upon the rule of law, as stipulated in the 1945 Constitution of the Republic of Indonesia, Article 1 paragraph (3). As a legal state grounded in Pancasila, the nation's philosophical foundation and ideological basis Indonesia upholds Pancasila as the source of all laws and regulations governing the country (Atok, 2016). As a *rechtsstaat*, every action carried out by both the government and citizens must be based on law to ensure justice and legal certainty.

Central to this concept is the protection of Human Rights (HAM), which serves as the fundamental pillar of the criminal justice system. This protection guarantees that legal processes are conducted fairly and with dignity, ensuring that the rights of every individual, including suspects, are respected and not violated. The Indonesian National Police (POLRI), as an institution entrusted with governmental duties and functions, must carry out its role and authority in accordance with prevailing legal provisions. The

primary role of the police is to enforce the law and provide services for the public interest. Consequently, the responsibilities of the police encompass both crime prevention efforts and the protection of citizens. The police are perceived as the embodiment of dynamic law enforcement; through their conduct and presence, the principles and objectives of law in maintaining public order and safety are realized in practice (Yakup et al, 2021). Policing, therefore, refers to all matters related to the role and institutional functions of the police as regulated in statutory provisions (Soeroso, 2011). In practice, the police are responsible for maintaining public security and order, in accordance with the institutional functions they uphold.

The criminal justice system is fundamentally a series of processes in enforcing criminal law, closely tied to the provisions set forth in criminal legislation. In Indonesia, the criminal justice system comprises four main stages: investigation, prosecution, trial, and the execution of punishment through correctional institutions. The system involves four main components: police, prosecutors, courts, and correctional institutions that work together to administer justice for individuals suspected of committing criminal acts. According to the Criminal Procedure Code (KUHAP), this system aims to ensure the realization of justice, legal certainty, and the protection of human rights while upholding the presumption of innocence (Salsabila et al, 2025). In the investigation stage, the authority lies with the Indonesian National Police. This investigative process

must align with the principle of due process of law, which guarantees that any individual suspected of committing a criminal offense is entitled to a fair and procedurally correct investigative process in accordance with criminal procedural law (Sibarani, 2018).

Although the investigative authority of the police is significant, it also carries a high risk of misuse of power. Without adequate oversight, coercive measures may be exercised arbitrarily—for instance, arrests conducted without sufficient legal grounds or as tools of intimidation. Cases of wrongful arrest (error in persona) remain prevalent in Indonesia. Cases of wrongful arrest (error in persona) have been widely discussed in various legal literature, with most previous studies tending to focus on administrative dimensions or institutional compensation through pretrial mechanisms. The author conducts an in-depth analysis of errors in the identification of legal subjects (error in persona) accompanied by physical violence as a form of criminal act committed by officials.

In criminal procedure law, error in persona refers to mistaken identity, whereby an innocent individual is arrested or prosecuted under the assumption that they are the actual perpetrator of a crime. Such an error occurs when there is a mismatch between the person intended by investigators and the individual actually arrested. Wrongful arrests often extend beyond procedural mistakes that merely cause inconvenience. In practice, they may involve acts of physical violence committed by investigators

against the victim. Instead of receiving protection as citizens, innocent individuals may experience violence, intimidation, or torture during interrogation because they are perceived as lying or withholding information. A relevant example is the wrongful arrest of a snail collector in Grobogan, who was accused of stealing a diesel engine and subsequently subjected to violence by a police officer. This incident illustrates a systemic failure to uphold human rights and the principles of a state founded on the rule of law.

RESEARCH QUESTIONS

1. How is the criminal liability of investigators who commit error in persona accompanied by violence regulated under Indonesian law? (A Case Study of the Wrongful Arrest of a Snail Collector in Grobogan)?
2. What actions can victims take in cases of error in persona committed by investigators accompanied by acts of violence? (A Case Study of the Wrongful Arrest of a Snail Collector in Grobogan)?

RESEARCH METHOD

This study employs a normative legal research method, focusing on the analysis of legal norms, statutory regulations, and relevant legal doctrines. The approach used includes a legal principles approach to explore the fundamental principles of criminal liability related to wrongful arrest accompanied by violence, as well as

the legal remedies available to victims and the recovery mechanisms applicable in cases of wrongful arrest specifically the wrongful arrest of a snail collector in Grobogan.

The data sources consist of legal documents, statutory regulations, and relevant literature such as books, scholarly articles, and academic journals. Data collection techniques were carried out through a literature study, examining materials related to wrongful arrest accompanied by violence, with particular emphasis on the case study of the wrongful arrest of a snail collector in Grobogan.

RESULTS AND DISCUSSION

Criminal Liability of Investigators Who Commit Error in Persona Accompanied by Violence Under Indonesian Law

An action is categorized as a legal act when it produces consequences that can be legally accounted for or are recognized by the state (Sumardiana, 2018). From such actions arises the concept of criminal liability. Criminal liability requires that any individual who commits an unlawful act must bear the legal consequences of their conduct, regardless of whether the act was committed intentionally or unintentionally (Haniyah, 2024). In a state governed by the rule of law such as Indonesia, any person proven guilty of a criminal offense is subject to punishment in accordance with the law. A legal state fundamentally refers to a system in which both the government and

citizens operate within a legal framework, ensuring that actions are guided by established legal principles and preventing arbitrary decisions by any party (Sumardiana et al, 2024).

The Indonesian National Police (POLRI), in carrying out its law enforcement responsibilities, must adhere to the procedures prescribed by statutory regulations. Law enforcement actions by the police—such as arresting, detaining, and handcuffing—are not considered human rights violations as long as they are conducted in accordance with lawful procedures and within the limits of their authority. These actions are deemed part of the legitimate duties of law enforcement officials. In the criminal justice process, the investigative stage aims to determine the existence of an alleged criminal act. If sufficient evidence supports the allegation, the process continues to the investigation stage, during which the suspect may be arrested based on adequate preliminary evidence (Pratama et al, 2022). Article 93 of the Criminal Procedure Code (KUHAP) stipulates that arrests may only be conducted by investigators, or by investigators' order. Article 94 further requires that an arrest may only be conducted against a suspect strongly suspected of committing a crime, supported by sufficient preliminary evidence. When conducting an arrest, police officers must carry an assignment letter and provide an arrest warrant to the suspect. This warrant must contain clear identifying information, reasons for arrest, and a brief description of the alleged offense. Accurate identification is essential to prevent wrongful arrest (error in

persona). An exception applies in in flagrante delicto cases, where an arrest may be made without a warrant; however, the suspect and evidence must immediately be handed over to the nearest investigator. These provisions, regulated under Article 5(2) KUHAP, form the legal basis for police arrests.

The term error in persona, commonly referred to as wrongful arrest, is not explicitly regulated in KUHAP or any Indonesian legislation. Nevertheless, its definition can be found in legal doctrines and scholarly opinions (Asyarafi, 2024). Literally, wrongful arrest refers to an error in identifying a person, in which an individual is arrested not because they are the true perpetrator, but due to mistakes in the law enforcement process. According to Yahya Harahap, such mistaken arrests fall under the concept of disqualification in person, meaning the person arrested is in fact the wrong individual. The person typically explains that they are innocent and should not have been arrested (Harahap, 2000).

Wrongful arrests remain frequent in Indonesia. Procedural violations and misidentification continue to occur due to a lack of professionalism among some police officers. Negligence and misdiagnosis may lead to mistaken identification of offenders, resulting in false arrests (Hartono et al, 2022). The tendency of police officers to prioritize instant investigation resolutions without thoroughness can lead to procedural negligence. This focus on time efficiency at the expense of accuracy poses a significant risk of human rights

violations, particularly through the wrongful arrest of innocent individuals. Such actions not only directly harm the community, but also degrade the dignity and image of the National Police in the eyes of the public (Moritz, 2015). A recent example widely circulated through social media, as reported by Kompas.com, is the case of Kusyanto a snail collector from Dimoro Village, Toroh District, Grobogan Regency who was wrongfully arrested and accused of stealing a diesel engine. Beyond being wrongfully arrested, he was subjected to violence and coerced by a police officer to confess.

The Indonesian criminal justice system frequently encounters serious violations during various stages of investigation. These violations range from procedural or administrative errors to more severe misconduct such as fabrication of witnesses or evidence. One common violation is the use of excessive coercive measures—violence, threats, and torture—by investigators to obtain confessions (Rohman et al, 2020). During interrogation, investigators employ various techniques to obtain information from suspects. However, suspects sometimes provide evasive or inconsistent statements, hindering the investigation. In such situations, investigators may resort to violence or torture in an attempt to extract confessions (Adiguna, 2022). Any confession obtained through threats, torture, or physical and psychological abuse is invalid. Such confessions may be fabricated and cannot be accepted as legal evidence (Efendi et al, 2021). In the case involving Kusyanto, footage circulated

showing him sitting on a chair with his hands tied while being threatened with death if he did not confess. The victim also reported being struck on the head while being taken to the Geyer Police Sector. After intimidation and humiliation, subsequent investigation by the Geyer Criminal Unit confirmed that he was not guilty of stealing the water pump. The victim and his family sought only a sincere apology from the perpetrator, Aipda IR. In addition to issuing an apology, Aipda IR was detained by the Internal Affairs Division (Propam) and sanctioned under the Police Ethics Code pursuant to Law No. 2 of 2022 on the Indonesian National Police.

Police officers, including investigators who commit offenses against personal liberty—such as wrongful arrest—may be subjected to criminal sanctions. Based on the actions taken by Aipda IR, he committed actual acts in the form of active investigative actions that resulted in wrongful arrest. These active actions included physical violence such as hitting the victim on the head, tying his hands, and threatening to kill him in order to force a confession. In addition, the actions taken by Aipda IR were contrary to positive law, as there were no justifiable reasons for committing these acts. Such acts constitute human rights violations, particularly the right to liberty and the right to live with physical and mental well-being (Lutfia et al, 2023). In the aforementioned case, Aipda IR should not only receive ethical sanctions, but also criminal sanctions, because his conduct involved not only wrongful arrest but also violence and death threats.

Article 156 of the Indonesian Criminal Code (KUHP) defines violence as an act—whether accompanied by physical force or not—that endangers a person’s body or life. Such acts may cause physical, sexual, or psychological suffering, deprive a person of liberty, or render them unconscious or helpless. Based on the case, Kusyanto suffered acts of violence, including being struck on the head and having his hands tied. Under Indonesian substantive criminal law, the wrongful arrest committed by Aipda IR fulfills the elements of serious criminal offenses. Threats of murder, physical assault involving blows to the head, binding, and coercive transportation may fall under Article 483(1), which states

“Any person who commits threats shall be punished with imprisonment of up to four (4) years or a fine of up to Category IV.”

Article 466 of the KUHP provides

“Any person who commits assault shall be punished with imprisonment of up to two (2) years and six (6) months or a fine of up to Category III.”

In addition to the provisions above, Aipda IR may also be charged under Article 529 of the KUHP concerning coercion and acts of torture committed by public officials accompanied by violence, which states:

“A public official who, in a criminal case, forces a person to confess or provide a statement shall be punished with imprisonment of up to four (4) years.”

Criminal liability for investigators in cases of error in persona (wrongful arrest) may also be based on KUHP through the mechanism of legal sanctions. This form of liability is manifested in the obligation to provide compensation and rehabilitation to victims of wrongful arrest. Compensation and rehabilitation serve as legal remedies regulated under Articles 173 to 186 of KUHP, aimed at restoring the material and immaterial losses as well as the reputation of victims who have suffered due to unlawful or erroneous actions committed by law enforcement officers. In essence, KUHP underscores the institutional responsibility of the state to rectify injustices experienced by individuals as a result of errors in the law enforcement process.

Legal Remedies for Victims of Error in Persona by Investigators Accompanied by Violence? (A Case Study of the Wrongful Arrest of a Snail Seeker in Grobogan)

Incidents of wrongful arrest, commonly referred to as error in persona, constitute serious violations of human rights, particularly when accompanied by acts of physical or psychological violence perpetrated by investigators. The wrongful arrest of a snail seeker in Grobogan reflects both procedural and substantive violations in the criminal justice system (Maylani, 2025). The misidentification committed by the investigator not only resulted in an unlawful arrest but also inflicted suffering that fulfills the elements of criminal assault as regulated in Article 466 and Article 529 of the Indonesian Criminal Code (KUHP).

Article 466 KUHP stipulates that any person who commits assault may be punished with a maximum imprisonment of 2 years and 6 months or a fine of up to Category III. Article 529 KUHP further provides that a public official who, in a criminal case, coerces someone to confess or provide information may be subject to imprisonment for up to 4 years. Therefore, the violent acts committed by the investigator in this case cannot be viewed as mere disciplinary infractions; rather, they constitute criminal offenses that give rise to individual criminal liability on the part of Aipda IR.

Furthermore, when violence is used to obtain a confession, punish, or exert pressure on an individual, such conduct constitutes torture as strictly prohibited under the Convention Against Torture (CAT). Indonesia ratified CAT through Law No. 5 of 1998, thereby assuming obligations to prevent, investigate, and punish all acts of torture committed by public officials or persons acting in an official capacity (Paparang, 2015). Thus, the investigator's actions in the Grobogan case clearly amount to grave human rights violations and contravene Indonesia's international legal commitments.

From a normative legal perspective, when a procedural error by law enforcement results in an unlawful arrest (error in persona), legal remedies must be pursued to ensure that the suspect who in this context becomes the victim receives full restoration of their rights (Putri et al, 2025). Under national law, victims of wrongful arrest are provided with several avenues of legal redress.

These remedies are intended to guarantee protection for innocent individuals who are mistakenly or unlawfully arrested by law enforcement officers. The constitutional foundation for such protection is found in Article 28D paragraph (1) of the 1945 Constitution, which affirms every person's right to recognition, guarantees, protection, and fair legal certainty as well as equal treatment before the law (Setyawan et al, 2025). First, the victim may file a criminal complaint against the investigator who committed the violent acts. This measure aims to enforce individual criminal liability on the perpetrator, based on *lex generalis* Article 466 of the Indonesian Criminal Code (KUHP) and *lex specialis* provisions on human rights contained in Law No. 39 of 1999 on Human Rights. In addition, the victim may lodge a report with the Professional and Security Division (Propam) of the Indonesian National Police, which is responsible for handling violations of the code of ethics and disciplinary rules applicable to police officers. Ethical proceedings are crucial to ensuring institutional accountability, as wrongful arrest and the use of violence constitute forms of abuse of power that not only harm the victim but also undermine public trust in the police as an institution (Syah 2019).

Second, the victim may also file a complaint with the National Human Rights Commission (Komnas HAM) if the violence inflicted falls within the category of torture or constitutes inhuman or degrading treatment. Pursuant to its mandate, Komnas HAM is authorized to conduct investigations, summon

relevant parties, and issue recommendations to the government or law enforcement agencies regarding appropriate remedial measures. Such a complaint not only strengthens the victim's position as a systemically harmed party but also opens avenues for broader public advocacy to prevent the recurrence of similar incidents in the future.

Beyond ethical and human rights mechanisms, the Criminal Procedure Code (KUHAP) provides victims with the right to claim compensation (*ganti rugi*) and rehabilitation. Compensation is a right guaranteed under KUHAP for suspects, defendants, or convicted persons who have experienced arrest, detention, prosecution, trial, or any other legal action without clear legal grounds or as a result of mistaken identity (wrongful arrest) or the misapplication of legal provisions (Lukman Hakim et al, 2020). Under Articles 173 to 186 of KUHAP, individuals who are arrested, detained, prosecuted, or tried without lawful justification are entitled to financial compensation and restoration of their reputation. Such claims may be submitted through a pretrial motion (*praperadilan*) at the District Court. The pretrial mechanism serves as a supervisory tool to oversee the coercive measures taken by investigators or prosecutors, with the primary objective of preventing arbitrary actions by law enforcement officials. When a suspect or their family becomes the subject of unlawful law enforcement actions, including mistaken identity (*error in persona*) or incorrect legal application, they may file a petition for compensation and rehabilitation (Arisma et al,

2024). If the court rules that the actions of law enforcement were unlawful, the victim is entitled to financial compensation and rehabilitation as a form of state responsibility for the misconduct committed by its officials. In accordance with Article 95(1) KUHAP, a suspect or defendant has the right to obtain compensation when they are arrested, detained, or prosecuted without lawful grounds. In this context, a victim who has been arrested improperly by the police has the legal right to demand monetary compensation. The harm suffered by the victim may include material losses, physical injuries, and even psychological distress (Fitria et al, 2024). Furthermore, based on Article 1 paragraph (42) and paragraph 176 of KUHAP, rehabilitation is the right of an individual to obtain full restoration of their rights—including their abilities, status, dignity, and reputation. This right is granted at the stages of investigation, prosecution, or trial when the individual has been arrested, detained, prosecuted, or tried without legal grounds or due to mistaken identity (*error in persona*) or incorrect application of the law (Yepriadi, 2023). These provisions are further elaborated in Government Regulation No. 92 of 2015, which regulates the amount and procedures for granting compensation and rehabilitation to victims of wrongful arrest or wrongful detention.

In the wrongful arrest case involving the snail seekers in Grobogan, the legal measures described above are highly relevant, as they illustrate violations in two dimensions: procedural and substantive. Procedurally, the

investigators' act of arresting individuals without sufficient evidence constitutes a breach of the due process of law, as guaranteed under Article 28D paragraph (1) of the 1945 Constitution. Substantively, the use of violence during the investigative process represents a violation of non-derogable rights, namely rights that cannot be reduced under any circumstances, including the right to be free from torture. Consequently, officers found to have committed acts of violence must be legally processed through criminal, ethical, and human rights mechanisms, while victims are entitled to comprehensive compensation and rehabilitation.

The violence in this case of wrongful arrest cannot be viewed merely as the actions of individuals, but rather as a reflection of systemic weaknesses in the accountability mechanisms of law enforcement in Indonesia. The weak judicial scrutiny of coercive investigative actions and the militaristic culture that is still deeply rooted in the interrogation process show that police reform must address structural and legal culture issues, not just administrative sanctions. The State's obligation in such cases does not end with the provision of compensation alone; it also includes the responsibility to undertake institutional reforms to prevent the recurrence of wrongful arrests and acts of torture in the future. This aligns with the perspective of Fatmah Paparang, who emphasizes that the effectiveness of Indonesia's implementation of the Convention Against Torture depends on the establishment of clear national legal mechanisms, robust internal

oversight, and continuous training for law enforcement officials to prevent torture. Thus, the wrongful arrest incident in Grobogan serves as an important reflection that the protection of human rights must be a fundamental pillar in every investigative action. Only by doing so can the principles of accountability, proportionality, and respect for human dignity be genuinely realized in Indonesia's law enforcement practices.

CONCLUSION

The wrongful arrest of the snail seekers in Grobogan illustrates the weak implementation of the principles of the rule of law and human rights protection within Indonesia's law enforcement practices. The error in persona committed by investigators, accompanied by acts of violence, is not merely a procedural error; it constitutes a criminal act because it violates the fundamental right of individuals to be free from torture and inhumane treatment. Under Indonesian positive law, such actions may be subject to Article 466 of the Criminal Code (KUHP) concerning assault and Article 529 of the Criminal Code concerning torture by public officials, in addition to violating international norms under the Convention Against Torture, which Indonesia ratified through Law No. 5 of 1998.

The available legal remedies for victims of wrongful arrest include criminal proceedings against the perpetrators, ethical and disciplinary measures through the Police Professional and Security Division (Propam), complaints submitted to

the National Human Rights Commission (Komnas HAM), as well as claims for compensation and rehabilitation through the pretrial (praperadilan) mechanism as provided under the Criminal Procedure Code (KUHP) and Government Regulation No. 92 of 2015. However, in practice, enforcement against perpetrators frequently ends with mere ethical sanctions, without adequate criminal accountability. Therefore, institutional reform within the Indonesian National Police (Polri) is necessary to strengthen internal oversight mechanisms and to ensure fair, just, and human-rights-oriented law enforcement.

In conclusion, the protection of human rights must be placed as the foundational principle in every investigative process. Law enforcement officers are obligated to carry out their duties professionally, proportionally, and accountably to prevent any recurrence of wrongful arrests and acts of torture, which not only undermine public trust in the police institution but also diminish the integrity of Indonesia's rule of law.

REFERENCE

- [1] Adiguna, J., & Rahaditya, R. (2022). *Sanksi Pidana Terhadap Penyidik Kepolisian Yang Melakukan Kekerasan Dalam Proses Pemeriksaan Tersangka*. *Jurnal Hukum Adigama*, 5(1), 1187-1209..
- [2] Aliya, A. M. (2024). *Batasan Kewenangan Penyidik Kepolisian Dalam Kaitan Terhadap Terjadinya Salah Penangkapan Atau Error In Persona*
- [3] Arisma, V. D., Mursid, A. F., & Hidayat, W. A. (2024). *Perlindungan Hukum Bagi Korban Salah Tangkap Dalam Kasus Pembunuhan Perspektif Hukum Pidana*. *Judge: Jurnal Hukum*, 5(02), 182-192. <https://doi.org/10.54209/judge.v5i02.691>.
- [4] Asyrafi, I. (2025). *Perlindungan Hukum Korban Salah Tangkap Dalam Tindak Pidana Pembunuhan (Studi Kasus Putusan Nomor 10/Pid. Pra/2024/PN Bdg)*. *Dinamika*, 31(2), 13119-13129.
- [5] Efendi, S., & Pancaningrum, R. K. (2021). *Perlindungan Hukum Terhadap Korban Salah Tangkap (Error in Persona)*. *Jurnal Education and Development*, 9(3), 591-598.
- [6] Fitria, I., & Ahlina, R. N. (2024). *Perlindungan Hukum terhadap Korban Salah Tangkap*. *Jurnal Laboratorium Syariah dan Hukum*, 5(4), 364-385. <https://doi.org/10.15642/mal.v5i4.359>.
- [7] Haniyah. (2024). *Rekonstruksi Hukum Kasus Error in Persona: Tantangan Penegakan Keadilan Berdasarkan Asas Due Process of Law*. *Jurnal Reformasi Hukum* Vol.28 No.:168–86. <https://doi.org/10.46257/jrh.v28i3.1039>.
- [8] Hartono, M. R., & Aditama, R. (2022). *Kajian Perlindungan Hukum Terhadap Seorang Tersangka Salah Tangkap Dalam Perspektif Hukum Acara Pidana*. *Legalitas: Jurnal Hukum*, 14(1), 106-114.

- <http://dx.doi.org/10.33087/legalitas.v14i1.316>.
- [9] Fitria, N. I. (2023). *Perlindungan Hak-Hak Tersangka Error In Persona Dalam Tahap Penyidikan*. *Dinamika Jurnal Ilmiah Hukum* Vol.29 No.(193):6733–50.
- [10] Hakim, L., Paidjo, T. M. A. P., & Putra, T. M. A. (2020). *Perlindungan Hukum Korban Salah Tangkap Oleh Kepolisian Republik Indonesia*. *Jurnal Hukum Magnum Opus*, 3(1), 35-45. <https://doi.org/10.30996/jhmo.v3i1.2786>.
- [11] Moritz, J. (2015). *Pertanggungjawaban Penyidik Dalam Hal Terjadi Kesalahan Penangkapan*. *Lex et Societatis*, 3(1). <https://doi.org/10.35796/les.v3i1.7080>
- [12] Paparang, Fatmah. (2015). *Urgensi Ratifikasi Konvensi Menentang Penyiksaan Tahun 1984*. *Lex Administratum* 3(1):199–204.
- [13] Pratama, M. I. B., Borman, M. S., Soekorini, N., & Marwiyah, S. (2025). *Pertanggungjawaban Penyidik Polri Pada Terjadinya Salah Tangkap Atau Error In Persona*. *Journal of Innovation Research and Knowledge*, 5(2), 1213-1220. <https://doi.org/10.53625/jirk.v5i2.10596>.
- [14] Putri, A. Z., Siswanto, H., Fathonah, R., Rosidah, N., & Amrullah, R. (2025). *Analisis Upaya Hukum Yang Dapat Dilakukan Oleh Korban Salah Tangkap*. *Jurnal Mahasiswa Humanis*, 5(2), 1196-1209. <https://doi.org/10.37481/jmh.v5i2.1462>.
- [15] Rohman, S. A., & Rozah, U. (2020). *Kebijakan Kriminal Mengenai Pemberian Ganti Kerugian Terhadap Korban Salah Tangkap*. *Jurnal Pembangunan Hukum Indonesia*, 2(1), 117-128. <https://doi.org/10.14710/jphi.v2i1.117-128>.
- [16] Salsabila, K. A., & Sumardiana, B. (2025). *Analisis Terhadap Efektivitas Batas Waktu Penyidikan Dalam KUHP Kepada Perlindungan HAM Tersangka*. *Jurnal Analisis Hukum* 8(1):11–24. <https://doi.org/10.38043/jah.v8i1.60>
- [17] Setyawan, G. F., & Prasetyo, B. (2025). *Analisis Yuridis Perlindungan Hukum Bagi Korban Salah Tangkap Ditinjau Dari Ketentuan Hukum Positif Di Indonesia*. *USRAH: Jurnal Hukum Keluarga Islam*, 6(2), 237-246. <https://doi.org/10.46773/usrah.v6i2.2124>.
- [18] Sibarani, S. (2018). *Analisis Hukum Terhadap Korban Salah Tangkap (Error in Persona) Dalam Putusan No. 2161 K/Pid/2012*. *Justitia Et Pax: Jurnal Hukum*, 34. <https://doi.org/10.24002/jep.v34i2.1668>.
- [19] Sumardiana, B. (2018). *Analisis Yuridis Atas Hilangnya Hak Membela Diri Pada Persidangan Perkara Cepat Pelanggaran Lalu Lintas Studi Kasus Pengadilan Negeri Semarang*. *Jurnal Hukum Dan Masyarakat Madani* 8(1):15–26.

- <https://doi.org/10.26623/human.i.v8i1.1384>.
- [20] Sumardiana, B., Pujiyono, P., & Cahyaningtyas, I. (2024). *Reforming Justice: Unpacking the Prejudication and Post-Judicate Dynamics of the Sarpin Case in Law and Practice in Indonesia*. *Lex Scientia Law Review*, 8(2), 1089-1116. <https://doi.org/10.15294/lslr.v8i2.1367>.
- [21] Syah, K. (2019). *Politik Hukum Dalam Undang-Undang Nomor 5 Tahun 1998 Tentang Konvensi Menentang Penyiksaan Dan Erlakuan Atau Penghukuman Lain Yang Kejam, Tidak Manusiawi, Atau Merendahkan Martabat Manusia*. *Mole Law Journal* 3(228–238):148–62.
- <https://doi.org/10.56338/mlj.v3i2.950>.
- [22] Yakup, B. I., Putra, A. E., & Fajri, A. (2021). *Tanggung Jawab Penyidik Polri Dalam Hal Terjadi Error In Persona*. *SOL JUSTICIA*, 4(1), 105-118. <https://doi.org/10.54816/sj.v4i1.845>.
- [23] Yepriadi. (2023). *Penerapan Rehabilitasi dan ganti kerugian Bagi Korban Salah Tangkap dalam Tindak Pidana Pencurian*. *Jurnal Cakrawala Ilmiah* 2(10):3991–4014. <https://doi.org/10.53625/jcijurn.alcakrawalailmiah.v2i10.5959>.