

# The Role of Prosecutor's Investigators in Handling Corruption Crimes of Family Planning Operational Assistance Fund Embezzlement in Tanggamus Regency

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## ABSTRACT

Corruption remains a heavy burden for Indonesia in its quality as an extraordinary crime since it has very broad implications for aspects of governance, development, and public trust in state institutions. This study aims to analyze the role of prosecutor's investigators in handling corruption cases related to the illegal deduction of Family Planning Operational Assistance (BOKB) funds in Tanggamus Regency. The research methodology used normative and empirical juridical approaches with primary data collected through interviews with law enforcement officials and secondary data sourced from statutory provisions, case files, and scientific literature. The Tanggamus District Prosecutor's Office carried out the main tasks at the stages of investigation, indictment, and prosecution. In case Number PDS/02/TGMS/07/2022, investigators revealed a systematic scheme where 17.5% was deducted from every fund disbursement causing state financial losses amounting to approximately IDR 1.55 billion. Several barriers were faced during the investigation; witness testimonies were inconsistent, facilities and infrastructure were inadequate, and forensic audits to calculate state losses faced delays. Increasing inter-institutional coordination between prosecutors and related agencies as well as improving infrastructural capacity is necessary to increase both legitimacy and effectiveness in corruption eradication.

## ABSTRAK

Korupsi tetap menjadi tantangan serius di Indonesia dan dikategorikan sebagai kejahatan luar biasa mengingat dampak sistemiknya terhadap tata kelola pemerintahan, pembangunan ekonomi, dan kepercayaan publik pada institusi negara. Penelitian ini mengkaji bagaimana penyidik kejaksaan menangani kasus korupsi, khususnya pemotongan ilegal dana Bantuan Operasional Keluarga Berencana (BOKB) di Kabupaten Tanggamus. Menggunakan pendekatan yuridis normatif dan empiris, penelitian ini mengandalkan data primer dari wawancara dengan aparat penegak hukum serta data sekunder dari ketentuan perundang-undangan, berkas perkara, dan literatur akademik. Kejaksaan Negeri Tanggamus menjalankan fungsi vital dalam tahapan penyidikan, penuntutan, dan pembuktian di persidangan. Pada perkara Nomor PDS/02/TGMS/07/2022, penyidik berhasil membongkar skema sistematis berupa pemotongan 17,5% dari setiap pencairan dana yang mengakibatkan kerugian keuangan negara sekitar Rp1,55 miliar. Proses penyidikan menghadapi sejumlah kendala: kesaksian saksi yang tidak konsisten, sarana dan prasarana yang terbatas, serta keterlambatan audit forensik untuk mengkalkulasi kerugian negara. Penguatan koordinasi antarlembaga antara kejaksaan dan instansi terkait, disertai peningkatan kapasitas infrastruktur, menjadi kebutuhan mendesak untuk memperkuat legitimasi dan efektivitas pemberantasan korupsi.

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## 1. Introduction

Corruption has long been accepted as a special crime that can destroy the quality of governance, economic development, and public trust (Puanandini *et al.*, 2024). Its method continues to develop in more complicated ways. Law enforcement against corruption in Indonesia has often been criticized as selective and inconsistent (Wedel, 2012). The courts, which should be the protector of justice, are often seen as hesitant and unable to give equitable answers to high-profile corruption cases. This condition is a reflection of systemic weakness in combating corruption that has been deeply rooted in Indonesian public institutions for decades. Corruption investigations have not traditionally belonged only to the police. Prosecutors have also acted in some cases as investigators into acts of corruption under certain legal mandates (Akbar, 2019). However, this prosecutorial investigative authority has been questioned since the implementation of the Indonesian Criminal Procedure Code (KUHAP) and continues to be debated until today. Article 30 of Law No. 16 Year 2004 gives prosecutors the power to investigate special criminal cases including corruption; however, there are opposing interpretations that it may result in overlapping functions, institutional rivalry, and inefficiency. This controversy raises a fundamental legal-institutional issue: whether prosecutors should limit their function only to prosecution or whether they have a legitimate and necessary role as investigators in corruption crimes?.

The fact that corruption still exists in Indonesia is shocking. Different types of corruption from bribery, misuse of power, markup on goods and services procurement, and gratification still continue to surface even though there are attempts made to stop them (Jancsics & Jávora, 2012). Corruption involves not only state officials but also private persons and corporations thereby forming an interest network which makes eradication efforts very complicated (Ayuningtyas, 2025). Gratification as regulated under Article 12B of Law No. 20 of 2001 shows how corruption can be both subtly and systemically manifested; most often disguised as gifts favors or unofficial payments. Such practices blur the line between legal and illegal benefits further eroding the integrity of public service delivery. At the national level, eradication has been a constitutional mandate embodied in MPR Decree No. XI/MPR/1998 on clean government free from corruption plus enactment Anti-Corruption Law yet despite these legal instruments international assessments rank Indonesia most corrupt country in the world with law enforcement institutions themselves often implicated in corrupt practices. This paradox underscores urgency strengthening mechanisms particularly at investigation prosecution level.

The case of unlawful deductions from Family Planning Operational Assistance (BOKB) funds in Tanggamus Regency shows just how serious this problem is at the local level. Here, Yordas Efendi, who was in charge of family planning counselors, was found guilty of enriching himself and others through systematic fund deductions that harmed state finances. The prosecutorial investigation has revealed a scheme with illegal cuts amounting to 17.5% of the disbursed funds, leading to losses estimated at IDR 1.55 billion. The involvement of prosecutors as investigators in this case highlights both their key role in uncovering corruption and the difficulties they face in carrying out effective investigations. From a criminological perspective, corruption is characterized by its secrecy, collective involvement, reciprocity, and betrayal of trust. Chaerudin emphasizes that corruption almost always involves more than one actor, often operating covertly and justified under the guise of legal or bureaucratic procedures. Such characteristics make corruption particularly difficult to detect and prosecute; specialized investigative approaches are required. In this sense, prosecutors acting as investigators must navigate complex evidentiary challenges, institutional constraints, and external pressures.

This study therefore focuses on examining the role of prosecutorial investigators in handling corruption cases specifically regarding BOKB fund deductions in Tanggamus Regency. The main questions guiding this research are: (1) how do prosecutors perform their investigative role in corruption crimes? and (2) what factors can possibly hinder such investigations from being effective? By answering these questions, this research aims to engage with academic debates surrounding issues of authority and effectiveness relating to prosecutorial investigations while providing practical insights toward strengthening efforts at eradicating corruption within Indonesia.

## 2. Methodology

This study used normative and empirical juridical approaches. The normative approach used statutory regulations, particularly Law No. 8 of 1981 on the Criminal Procedure Code, Law No. 31 of 1999 as amended by Law No. 20 of 2001 concerning the Eradication of Corruption, and Law No. 16 of 2004 concerning the Attorney General's Office. The empirical approach was conducted through field research at the Tanggamus District Prosecutor's Office using semi-structured interviews with the prosecutor, investigator, and other related parties. The data sources used are primary materials in the form of interviews and case records, as well as secondary materials in the form of laws, legal literature, and previous studies. The data collected were then edited, classified, and systematized so that qualitative analysis could be carried out to find out how legal norms function in actual corruption investigations. This study has fulfilled ethical aspects by maintaining confidentiality and obtaining consent from interviewees.

## 3. Results

The investigation of corruption involving the unlawful deduction of Family Planning Operational Assistance (BOKB) funds in Tanggamus Regency demonstrates the vital role of prosecutors in handling corruption crimes. The case began when irregularities were discovered in the allocation of BOKB funds, which were intended to support family planning programs at the regency level. The Tanggamus District Prosecutor's Office, acting in its dual function as both investigator and prosecutor, initiated a full investigation. Case findings revealed that Yordas Efendi, the coordinator of family planning counselors in Tanggamus, conducted systematic deductions of 17.5% from every BOKB disbursement. The practice, carried out over multiple budget cycles, caused state losses estimated at IDR 1.55 billion. The prosecutorial investigation involved several key stages: (a) Pre-investigation (*penyelidikan*): gathering preliminary information from reports and conducting interviews with key informants; (b) Formal investigation (*penyidikan*): collecting evidence, examining witnesses, and seizing relevant financial documents; (c) Audit coordination: working with the Financial and Development Supervisory Agency (BPKP) to formally assess and confirm the amount of state losses; and (d) Case construction: drafting the indictment and preparing the case file for submission to the District Court of Tanggamus.

Throughout these stages, prosecutors acted not only as law enforcers but also as coordinators, bridging institutional cooperation between auditors, law enforcement agencies, and government offices. The outcome was the successful prosecution of Yordas Efendi, who was charged with violating provisions of Law No. 31 of 1999 jo. Law No. 20 of 2001 on the Eradication of Corruption, and held criminally responsible for enriching himself unlawfully at the expense of the state. However, the investigative process encountered several obstacles: (a) Witness inconsistency: Many witnesses

retracted, modified, or contradicted earlier statements due to external pressures, intimidation, or loyalty conflicts; (b) Institutional limitations: The Tanggamus Prosecutor's Office faced constraints in human resources, with only a limited number of investigators handling multiple complex cases simultaneously; (c) Infrastructure inadequacies: A lack of advanced forensic technology, limited access to digital evidence tools, and insufficient support facilities slowed down the evidence collection process; (d) Audit delays: Determining state losses required formal verification by BPKP, but the audit process was often delayed due to bureaucratic and procedural constraints; and (e) Socio-political pressures: Investigations faced implicit resistance from individuals and institutions with vested interests, which further complicated prosecutorial work. These challenges directly impacted the efficiency, timeliness, and perceived credibility of the prosecutorial investigation.

#### 4. Discussion

The case study affirms both the strategic value and structural vulnerability of prosecutors in corruption eradication. From a legal standpoint, the authority of prosecutors to act as investigators in corruption cases is explicitly recognized. Law No. 8 of 1981 on the Criminal Procedure Code establishes the procedural basis for investigations, while Law No. 16 of 2004 concerning the Attorney General's Office grants prosecutors the authority to investigate special crimes, including corruption. The framework legitimizes the prosecutorial role as investigator, particularly in extraordinary crimes that require specialized handling (Ulfah *et al.*, 2017). The Tanggamus case shows how prosecutors can utilize their authority to uncover systemic corruption practices at the regional government level. By exercising investigative powers directly, prosecutors ensure that corruption cases are pursued with continuity from investigation to prosecution, reducing the risk of cases being stalled or compromised during inter-agency transfers. Yet the obstacles faced also underline systemic weaknesses in the institutional design and practical functioning of prosecutorial investigations (Anwar *et al.*, 2021).

From a criminological perspective, corruption is a complex phenomenon characterized by secrecy, collusion, and betrayal of trust (Marbun & Ariani, 2022). Chaerudin emphasizes that corruption is rarely committed by a single actor but rather involves multiple participants acting collectively, often under the guise of legitimate bureaucratic processes. Such characteristics were evident in the BOKB case, where deductions were normalized through hierarchical structures, making it difficult to distinguish between lawful administrative practices and criminal acts. Investigators had to work against a backdrop of institutionalized corruption, where evidentiary trails were deliberately concealed. Sociologically, Soerjono Soekanto identifies that law enforcement effectiveness depends on five key factors: the law itself, law enforcement agencies, facilities and infrastructure, society, and culture (Zuhra *et al.*, 2025). In the Tanggamus case, weaknesses in at least three of these factors were evident: inadequate infrastructure, institutional weaknesses within the prosecution service, and cultural resistance among witnesses. The inconsistency of witness testimony illustrates how societal and cultural pressures—such as loyalty to superiors or fear of reprisals—can undermine legal processes.

Theoretically, the case also reveals tensions within the Indonesian legal system regarding role differentiation between police and prosecutors. Critics argue that overlapping investigative authority creates institutional rivalry and inefficiency (Ridwan Arifin *et al.*, 2023). Proponents, however, contend that prosecutorial investigations are necessary in corruption cases where independence and integrity must be prioritized. The BOKB case provides empirical evidence supporting the latter view: prosecutors'

direct involvement allowed the case to move forward despite potential resistance at the local level. At a broader level, the challenges identified in the Tanggamus case reflect structural issues in Indonesia's anti-corruption architecture. Investigations are often slowed by bureaucratic procedures, inadequate resources, and political interference. These systemic weaknesses not only reduce the effectiveness of investigations but also risk eroding public trust in anti-corruption institutions. Strengthening prosecutorial investigations requires reforms in three key areas: (a) Inter-agency cooperation: formalized coordination mechanisms between prosecutors, auditors, and police to prevent delays and jurisdictional conflicts; (b) Institutional capacity: increased investment in human resources, training, and technology to enable prosecutors to handle complex financial crimes effectively; and (c) Witness protection: robust legal and practical measures to shield witnesses from intimidation and ensure consistent testimony.

The conceptual framework developed in the study illustrates the relationship between legal authority, the role of prosecutors as investigators, the investigation process, obstacles encountered, and the overall effectiveness of anti-corruption law enforcement. At the foundation, legal authority is derived from Law No. 16 of 2004 concerning the Attorney General's Office and the Anti-Corruption Law (Law No. 31 of 1999 jo. Law No. 20 of 2001). These statutory provisions grant prosecutors the authority to act not only as public prosecutors but also as investigators in corruption cases. The legal foundation legitimizes their role and provides the normative justification for their dual function (Febriandiansyah *et al.*, 2025). Building upon the authority, prosecutors perform their role as investigators, which encompasses collecting evidence, questioning witnesses, coordinating with audit institutions, and preparing case files (Saputra *et al.*, 2022). In corruption cases such as the BOKB fund deduction in Tanggamus, prosecutors were directly responsible for uncovering the modus operandi and quantifying state losses. The investigation process itself involves practical steps such as the seizure of documents, financial analysis, and coordination with the Financial and Development Supervisory Agency (BPKP). These activities are necessary to ensure that the criminal nature of corruption is legally established before indictment and prosecution in court.

However, the framework also recognizes significant obstacles that hinder effectiveness, including pressure and intimidation faced by witnesses, limited human resources and investigative capacity within the prosecutor's office, inadequate forensic and technological infrastructure, and delays in official audits required to calculate state losses. Such obstacles directly impact the quality and timeliness of investigations. Ultimately, the interaction between these factors determines the effectiveness of anti-corruption law enforcement (Jawa *et al.*, 2024). When legal authority is clear and investigators perform their roles effectively, supported by adequate infrastructure and protected from external interference, the system can achieve credible and efficient corruption eradication (Rose-Ackerman & Truex, 2012). Conversely, unresolved obstacles weaken enforcement outcomes and erode public trust. The framework emphasizes that prosecutorial investigations in corruption cases cannot be assessed solely on legal grounds. They must also be evaluated through institutional, procedural, and socio-political lenses. Strengthening inter-agency coordination, improving investigative resources, and protecting witness integrity are therefore essential to achieving the intended goals of justice and accountability in anti-corruption enforcement.

The analysis of prosecutorial investigations into corruption, particularly in the Tanggamus BOKB case, reveals significant findings when examined through theoretical and normative frameworks. First, from the perspective of legal authority, the legitimacy of prosecutors as investigators is firmly grounded in Indonesian law. Article 30 of Law No. 16 of 2004 on the Attorney General's Office authorizes prosecutors to conduct

investigations in special crimes, including corruption. The provision resolves, at least normatively, the long-standing debate over whether prosecutors should have investigative powers in addition to their prosecutorial functions. However, practical implementation shows inconsistencies. The dual role of prosecutors can lead to excessive burdens, limited focus, and resource constraints, indicating a gap between legal provisions and institutional capacity, which weakens the intended effectiveness of anti-corruption enforcement. Second, in terms of criminological characteristics of corruption, Chaerudin identifies that corruption is a collective and systemic crime, characterized by secrecy, collusion, and betrayal of trust. These characteristics were evident in the BOKB case, where deductions were normalized through hierarchical structures, making them appear as standard administrative practice. Such systemic corruption requires investigative methods that go beyond conventional approaches. Prosecutors, when functioning as investigators, must apply specialized techniques such as financial tracing, forensic audits, and witness protection. Without these, investigations risk being superficial or compromised.

Third, using Soerjono Soekanto's framework on the factors affecting law enforcement—law, law enforcers, facilities, society, and culture—the Tanggamus case reveals weaknesses in at least three areas. Law enforcers (prosecutors) faced resource limitations; facilities (forensic tools, audit mechanisms) were inadequate; and societal-cultural pressures influenced witness testimonies (Wedha & Nurcahyo, 2021). The framework shows that corruption eradication is not merely a legal-technical process but is deeply embedded in broader social and institutional structures. The failure to address these factors systematically undermines the quality and credibility of investigations. Fourth, from a policy perspective, corruption eradication in Indonesia is mandated by national instruments such as MPR Decree No. XI/MPR/1998 and operationalized through Law No. 31 of 1999 jo. Law No. 20 of 2001. Despite the mandate, the persistence of corruption cases indicates a gap between policy formulation and policy implementation. Prosecutors, as frontline actors in law enforcement, are constrained not by the absence of legal authority but by the insufficiency of supporting systems, which underscores the need for institutional reform, capacity building, and political will in strengthening corruption eradication efforts (Boakye, 2020).

Fifth, the socio-political reality of investigations cannot be ignored. Prosecutors in the Tanggamus case faced indirect political pressures and institutional resistance, reflecting the broader challenge of enforcing anti-corruption laws in environments where elites and power holders may benefit from maintaining the status quo. Prosecutorial independence must be protected not only legally but also structurally, through mechanisms that insulate investigators from undue influence. Finally, from a comparative justice perspective, the tendency for lower-level actors to be prosecuted while higher-level masterminds escape accountability illustrates the "selective justice" problem. The pattern, also seen in other corruption cases, erodes public trust and underscores the need for prosecutors to expand their investigations beyond immediate perpetrators to include those in higher positions of power (Aydin-Cakir & Akarçay, 2025). Strengthening upward accountability in investigations is essential to break systemic cycles of corruption (Magakwe, 2024). In synthesis, the Tanggamus BOKB case shows that prosecutors are indispensable in corruption investigations but face significant obstacles rooted in institutional, structural, and socio-political factors. Addressing these challenges requires a strategy that combines legal reform, institutional strengthening, inter-agency cooperation, and cultural change. Only through such holistic reforms can the prosecutorial role in corruption eradication fulfill its intended purpose of ensuring justice, accountability, and public trust.

## 5. Conclusion

This study reaffirms the legitimacy and importance of the role of prosecutors as investigators in corruption cases within the Indonesian legal system. The case of the Tanggamus BOKB demonstrates how prosecutorial investigators are able to reveal systemic irregularities and achieve justice against the perpetrators despite limitations in resources and institutions. The power granted to prosecutors to conduct investigations by Law No. 16 of 2004 and anti-corruption laws allows them to serve as a connector between investigation and prosecution for the sake of continuity in law enforcement. This case also illustrates that when prosecutors directly use their investigative powers, they can keep the momentum going through every stage of the criminal justice process, hence minimizing chances for stalling or compromising a case during transfers between agencies.

The findings also reveal challenges that continue to undermine the effectiveness of prosecutorial investigations. Inconsistent witness testimonies due to external pressures, inadequate human resources and forensic infrastructure, delays in state loss audits, and socio-political resistance all these factors reduce efficiency as well as public trust in anti-corruption enforcement. The Tanggamus case proves that even where legal authority is beyond doubt and there is commitment on the part of prosecutors, systemic weaknesses can severely compromise results from investigations. Intimidation of witnesses not only delays but compromises quality of evidence; limited access to forensic technology prevents investigators from using modern techniques required for sophisticated financial crimes. These challenges are not specific to Tanggamus but rather reflect general deficiencies in infrastructure against corruption within Indonesia.

Strengthening this role requires not just legal affirmation but also systemic reforms. Key priority measures should include improving institutional capacity through training and infrastructure investments, formalizing inter-agency cooperation with auditors and police, and establishing solid witness protection mechanisms. Prosecutors must have access to specialized training in financial forensics, digital evidence analysis, as well as modern investigative techniques to combat increasingly complex schemes of corruption. Infrastructure improvement should cover both physical facilities and technological tools such as secure databases, forensic software, communication systems which would help them coordinate with other agencies in real time. Inter-agency cooperation should be institutionalized through formal protocols instead of remaining informal arrangements; joint task forces should be created along with shared information systems preventing jurisdictional conflicts from arising or procedural delays from taking place.

Reducing selective justice should focus on holding higher officials accountable who are often behind the scenes in corruption, not just lower-level offenders. This practice of going after smaller fish while letting the bigger ones swim free only encourages a culture of impunity and makes people lose faith in the justice system. Prosecutors need empowerment and protection to investigate upward in organizations, even if it means going after politically connected individuals. Legal protections for prosecutorial independence, along with institutional safeguards against political interference, are necessary to achieving such goals. Public accountability mechanisms, like transparent reporting on case outcomes and independent oversight bodies, can help make sure that prosecutorial discretion is used fairly and consistently at all levels of society.

The Tanggamus case also highlights the need for cultural change within law enforcement institutions and society. Internally, prosecutorial offices must foster a culture of professionalism, integrity, and resilience to external pressures. Public awareness campaigns and civic education can build societal support for anti-corruption efforts to make it more difficult for corrupt actors to intimidate witnesses or manipulate public opinion. When communities understand the social and economic costs of corruption and see the value in supporting law enforcement, the environment becomes

more conducive to success for prosecutorial investigations.

The Tanggamus case shows how important it is for prosecutors to play their part in getting rid of corruption, but it also points out how desperately structural improvements are needed. By targeting reforms at institutional capacity, inter-agency coordination, witness protection, and accountability mechanisms, Indonesia will be able to create a system of enforcing corruption that is more credible, effective, and fair. These reforms will not only improve prosecutors' technical skills but also increase public trust in the justice system toward transparent and accountable governance. Moving forward requires strong political will, proper resource allocation, and an overall commitment to dismantling long-standing cycles of corruption that have impeded national progress. It is only through such committed efforts that one can practically bring forth the promise of justice contained within Indonesia's anti-corruption laws.

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