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DETERMINATION OF JUSTICE COLLABORATOR IN THE INDONESIAN CRIMINAL JUSTICE SYSTEM: ANALYSIS OF SNG DISTRICT COURT DECISION NUMBER 79/PID.B/2024

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ABSTRACT

This study analyzes the procedure for determining justice collaborators in the Indonesian criminal justice system, with a case study of the Sng District Court Decision Number 79/Pid.B/2024 against convict Muhammad Ramdanu. The research method uses a normative-juridical approach with a qualitative analysis of regulations such as the Supreme Court Circular (SEMA) No. 4 of 2011, Law No. 31 of 2014, and LPSK Regulation No. 2 of 2020, as well as Satjipto Rahardjo's progressive legal theory. The results of the study show that the procedure for determining justice collaborators involves a written application, verification of formal-material requirements, LPSK review, and protection recommendations. Muhammad Ramdanu is considered worthy of being a justice collaborator because of his role as a non-main executor in the murder case of Tuti Suhartini and Amalia Mustika Ratu, significant informative contributions in exposing the main perpetrator (Yosep Hidayah), and real threats to his safety. This determination is in line with the principle of progressive law which emphasizes legal flexibility to achieve substantive justice. However, the study identified the need for strengthening regulations to clarify the criteria for "non-primary actors" and mitigate the risk of retaliation. The findings recommend holistic policy integration between legal instruments and enforcement practices, to ensure the effectiveness of justice collaborators without compromising the principles of fair trial and human rights.

Keywords:*Justice Collaborator, Murder, Criminal Justice System.*

ABSTRAK

Penelitian ini menganalisis prosedur penetapan justice collaborator dalam sistem peradilan pidana Indonesia, dengan studi kasus Putusan Pengadilan Negeri Sng Nomor 79/Pid.B/2024 terhadap terpidana Muhammad Ramdanu. Metode penelitian menggunakan pendekatan normatif-yuridis dengan analisis kualitatif terhadap regulasi seperti Surat Edaran Mahkamah Agung (SEMA) No. 4 Tahun 2011, Undang-Undang No. 31 Tahun 2014, dan Peraturan LPSK No. 2 Tahun 2020, serta teori hukum progresif Satjipto Rahardjo. Hasil penelitian menunjukkan bahwa prosedur penetapan justice collaborator melibatkan permohonan tertulis, verifikasi persyaratan formil-materiil, penelaahan LPSK, dan rekomendasi perlindungan. Muhammad Ramdanu dinilai layak sebagai justice collaborator karena perannya sebagai pelaksana non-utama dalam kasus pembunuhan Tuti Suhartini dan Amalia Mustika Ratu, kontribusi informatif yang signifikan dalam mengungkap pelaku utama (Yosep

Hidayah), serta ancaman nyata terhadap keselamatannya. Penetapan ini sejalan dengan prinsip hukum progresif yang menekankan fleksibilitas hukum untuk mencapai keadilan substantif. Namun, penelitian mengidentifikasi perlunya penguatan regulasi untuk memperjelas kriteria “pelaku non-utama” dan mitigasi risiko retaliasi. Temuan ini merekomendasikan integrasi kebijakan holistik antara instrumen hukum dan praktik penegakan, guna memastikan efektivitas justice collaborator tanpa mengorbankan prinsip fair trial dan hak asasi manusia.

Kata Kunci: Justice collaborator, Pembunuhan, Sistem Peradilan Pidana.

INTRODUCTION

The modern justice system plays a role as the main foundation in ensuring the creation of a social justice order. However, in line with the dynamics of the era that continues to evolve, various complex obstacles have emerged that have the potential to disrupt the stability of the principles of justice that are to be achieved. To answer this challenge, it is important to review the nature of the modern legal system which is no longer static, but must become a "critical phenomenon" that is adaptive, legitimate, and oriented towards substantive justice. As emphasized by Friedman, modern law is a reflection of the culture of its society, not just a product of authority.¹

This reality is in contrast to the emergence of the modern state which was born from the demands of industrialization and the capitalist system. On the one hand, the state forms a centralized legal framework to answer the needs of central management, on the other hand, law as a reflection of culture is increasingly marginalized by the logic of economic efficiency. This paradox is a tough test for the modern justice system today.²

Article 1 Paragraph (3) of the 1945 Constitution of the Republic of Indonesia states, "The State of Indonesia is a State of Law". So that this country adheres to the principle of the rule of law, where Indonesia constitutionally recognizes itself as a state of law. This principle is the main foundation that all dimensions of national life, governance, and social interactions must be guided by just, inclusive laws that guarantee the protection of human rights as the highest value.

¹ Izzy Al Kautsar and D W Muhammad, "Sistem Hukum Modern Lawrance M. Friedman: Budaya Hukum Dan Perubahan Sosial Masyarakat Dari Industrial Ke Digital," *Jurnal Sapientia et Virtus* 7, no. 2 (2022): 84, <https://doi.org/10.37477/sev.v7i2.358>.

² Urip Giyono, "KAJIAN KRITIS HUBUNGAN HUKUM DAN MORAL DALAM PARADIGMA POSITIVISME HUKUM," *Jurnal YUSTITIA* 21 (2020), <https://doi.org/10.53712/yustitia.v21i2.992>.

The criminal justice system operates as a dynamic mechanism formed through the interaction of three main elements: legal regulations, administrative practices in law enforcement, and community attitudes and behavior. Its main objective is to realize justice and community welfare, while also functioning as an instrument of social protection policy to overcome disturbances to security, life, property, and honor. This system does not only rely on a repressive approach through criminal law, but also requires integration with non-penal policies such as education and improving welfare, considering that crime is a complex humanitarian problem.³

In practice, the evidence process often faces serious obstacles, especially in cases of serious/organized crimes. This type of crime usually involves a closed hierarchical structure, complicated financial transactions, or threats to witnesses, so that conventional evidence such as documents or ordinary witnesses is difficult to obtain. Article 184 of the Criminal Procedure Code, which requires a minimum of two valid pieces of evidence, is a challenge in itself when the main perpetrator or physical evidence is difficult to access. This is where Justice Collaborator becomes a crucial solution. The statement of Justice Collaborator as an "insider" can fulfill the requirements of evidence in the form of witness testimony (Article 184 paragraph (1) letter a of the Criminal Procedure Code) while complementing other evidence.

The concept of justice collaborator began in the United States in the 1970s as an effort to overcome organized crime practices carried out by Italian mafia groups. Justice collaborator is a legal instrument that was born from the global need to overcome systematic crime. The Italian mafia is known for its code of omertà, which is an oath not to cooperate with law enforcement or reveal the criminal activities of its group. When Joseph Valachi became the first FBI informant to reveal the internal structure of the mafia, this concept then developed into a formal mechanism to encourage openness in revealing complex crimes.⁴

³ Michael Barama, "MODEL SISTEM PERADILAN PIDANA DALAM PERKEMBANGAN," *Jurnal Ilmu Hukum* 3 (2016): 8-17, <http://repo.unsrat.ac.id/id/eprint/1304>.

⁴ Ema Mar'Ati Sholecha et al., "Justice Collaborator's Position and Function on Witness Protection's Rights as a Suspect from the Perspective of Criminal Law in Indonesia," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* 6, no. 1 (January 1, 2023): 131-43, <https://doi.org/10.24090/volksgeist.v6i1.7246>.

In Indonesia, the term justice collaborator gained formal recognition after being adopted through the Circular of the Supreme Court (SEMA) Number 4 of 2011 and Joint Regulations between law enforcement agencies. Previously, a practice similar to this concept previously referred to the terminology of crown witness, although the legal framework has not been explicitly regulated in the Criminal Procedure Code (KUHAP). Crown witness refers to a suspect or defendant who is willing to become a witness to reveal collective crimes in exchange for a lighter sentence. However, this concept often reaps controversy because the policy is considered to be contrary to the principles of human rights, especially the individual's right not to provide testimony that could incriminate oneself (*nemo tenetur seipsum accusare*).⁵

The implementation of justice collaborators in Indonesia is regulated through four interconnected legal instruments. First, the Supreme Court Circular (SEMA) Number 4 of 2011 Number 9 outlines guidelines for judges in granting leniency such as probation or light sentences to justice collaborators, on the condition that the individual is not the main perpetrator and provides substantive information in the legal process. Second, the Joint Regulation of the Minister of Law and Human Rights, Attorney General, Chief of Police, Corruption Eradication Commission, Chairperson of the Witness and Victim Protection Agency in 2011 formulated the criteria for justice collaborators, including the obligation to restitute assets resulting from crime and the requirement that there is a real threat to the safety of the collaborator or his family. Third, Law Number 31 of 2014 (an amendment to the Witness and Victim Protection Law) explicitly recognizes justice collaborators as "perpetrator witnesses" who are entitled to special protection, such as separate detention locations and a mechanism for giving testimony without direct interaction with the accused. Fourth, Law Number 13 of 2006 is the initial legal basis by guaranteeing the immunity of justice collaborators from criminal or civil charges related to their statements, except in cases of statements given dishonestly.

In the development of studies on justice collaborators in Indonesia, several previous studies have explored conceptual, practical, and normative aspects. However, these findings still leave room for improvement, especially related to procedural analysis and practical implementation. Research conducted by Ema Mar'Ati Sholecha et al. entitled "Justice Collaborator's

⁵ Sholecha et al.

Position and Function on Witness Protection's Rights as a Suspect from the Perspective of Criminal Law in Indonesia" examines the position of justice collaborators from a human rights perspective. This study confirms the crucial role of justice collaborators in exposing organized crime, by referring to the example of the Richard Eliezer case in the Ferdy Sambo case. However, this study does not touch on the aspect of the mechanism for determining the status of justice collaborators, especially related to formal procedures in the criminal justice system. In addition, the unclear definition of "witness perpetrator" in the Criminal Procedure Code and the risk of retaliation from criminal networks are challenges that have not been fully unraveled in the analysis.⁶

Furthermore, Sry Wahyuni et al. in their study "The Position and Urgency of the Justice Collaborator in the Crime of Shooting by Richard Eliezer (Ruling Number: 798/Pid. B/2022/PN. Jkt. Sel)" focused on the analysis of the case of Richard Eliezer as a justice collaborator in the murder of Brigadier J. This study identifies the reasons for granting justice collaborator status to Eliezer, namely his role as an executor, not an intellectual actor, as well as the consistency of information that supports the disclosure of Ferdy Sambo's role. Although it provides valuable insights, this study is limited to the analysis of specific cases without examining the general mechanism for determining justice collaborators at the national level, so it does not provide a holistic picture.⁷

On the other hand, Wenny Tazira Karnadi and Ade Mahmud in the article "The Urgency of Justice Collaborator Regulation in Premeditated Murder in Indonesia" emphasize the urgency of more comprehensive legal regulations. The results of the study show that SEMA No. 4/2011 as the main instrument is still an internal guide for judges and does not explicitly cover the crime of premeditated murder. However, this study focuses more on the

⁶ *Ibid*

⁷ Sry Wahyuni, Engrina Fauzi, and Kirana Salsabila, "The Position and Urgency of the Justice Collaborator in the Crime of Shooting by Richard Eliezer (Ruling Number: 798/Pid. B/2022/PN. Jkt. Sel)," *Jurnal Ilmiah Ekotrans & Erudisi* 3(2) (2023): 53-62, <https://doi.org/10.69989/xdzz1p20>.

regulatory aspect without examining the implementation of the concept in judicial practice, leaving questions about its effectiveness in concrete cases.⁸

Furthermore, research conducted by Permana (2023) through the work "Premeditated Murder in Article 340 of the Criminal Code in the Perspective of Justice Collaborator" links the concept of justice collaborator with the crime of premeditated murder, especially the case of Brigadier J. This study succeeded in outlining the role of justice collaborators as a tool for revealing structured crimes, but did not explore procedural aspects such as eligibility criteria based on laws and regulations. As a result, the analysis regarding the suitability of the determination of justice collaborator status with applicable legal parameters is still partial.⁹

Finally, Amirson et al. in their study entitled "The Position of Justice Collaborator (JC) in the Criminal Justice System in Indonesia" criticized the ambiguity of the legal basis for justice collaborators in Indonesia. This study revealed that this concept does not yet have comprehensive regulations, with the criteria of "non-main perpetrators" and "significant contributions" not being formulated explicitly. Despite its in-depth normative analysis, this study has not tested the implementation of the concept in actual cases or evaluated the procedures for determining it, so it has not answered the practical needs of law enforcement.¹⁰

The murder case of Tuti Suhartini and Amalia Mustika Ratu committed by convict Yosep Hidayah in Subang is a real example of the urgency of justice collaborators in the Indonesian legal system. For two years, the investigation was hampered by a closed crime structure, minimal physical evidence. Yosep Hidayah, as the main mastermind, controlled his family and colleagues' network to cover their tracks, including deleting CCTV footage and cleaning up the crime scene. This deadlock was broken when convict Muhammad Ramdanu, the victim's nephew who was directly involved in the execution of the murder, agreed to become a justice collaborator in November 2023. His

⁸ Wenny Tazira Karnadi and Ade Mahmud, "Urgensi Pengaturan Justice Collaborator Dalam Tindak Pidana Pembunuhan Berencana Di Indonesia," *Bandung Conference Series: Law Studies* Vol. 5, No. 1 (2025): 17-26, <https://doi.org/10.29313/bcss.v5i1.15889>.

⁹ Totok Sugiarto et al., "Pembunuhan Berencana Dalam Pasal 340 KUHP Dalam Perspektif Justice Collaborator," *Al-Qanun: Jurnal Pemikiran Dan Pembaharuan Hukum Islam* 26(1), no. 1 (2023): 121-36, <https://doi.org/10.15642/alqanun.2023.26.1.121-136>.

¹⁰ Amirson et al., "Kedudukan Justice Collaborator (JC) Dalam Sistem Peradilan Pidana Di Indonesia," *Jurnal Pendidikan Dan Konseling (JPDK)* 5(2) (2023): 248-53, <https://doi.org/10.31004/jpdk.v5i2.12692>.

statement revealed that the perpetrators of the murder of Tuti Suhartini and Amalia Mustika Ratu were himself together with convict Yosep Hidayah, his young wife, and his stepdaughter.

This phenomenon indicates that justice collaborators have the potential to function as a crucial instrument in uncovering complex structured crimes, which are often difficult to prosecute using conventional evidentiary methods. This study aims to analyze the clarity of the determination mechanism and the eligibility parameters of justice collaborators in the case of convict Muhammad Ramdanu. The study of the legal procedure for determining justice collaborators has academic urgency, especially in addressing the literature gap related to the implementation of this concept in the Indonesian criminal law system.

This study comprehensively examines the mechanism for determining justice collaborators in the context of a specific case, namely through an analysis of the Decision of the District Court No. 79/Pid.B/2024/PN Sng involving convict Muhammad Ramdanu. This single case focus presents an in-depth analysis of the operational implementation of the justice collaborator concept within the framework of the Indonesian criminal justice system. This study not only analyzes the normative-theoretical dimension, but also evaluates the appropriateness of Muhammad Ramdanu as a justice collaborator based on the legal parameters mandated by the laws and regulations. The evaluation includes qualitative considerations of the role of the perpetrator (non-main perpetrator), the probative value of the information disclosed, and the contribution of the information in exposing the main perpetrator and the structured crime network.

RESEARCH METHODOLOGY

This study adopts a methodological approach based on normative-juridical law, which emphasizes doctrinal analysis of primary and secondary legal instruments related to analytical studies of controversial legal cases, then systematically linked to provisions of laws, jurisprudence, and theoretical concepts of law. Methodologically, this study adopts a qualitative approach through in-depth analysis of legal literature sources, focusing on exploring legal norms within the framework of the Indonesian legal system. Data sources come from secondary literature, including reference books, legal

journal publications, legal theoretical concepts, expert views, and previous legal research findings.

Justice Collaborator refers to a criminal perpetrator who collaborates with law enforcement officers to uncover information related to the case. This legal construction has four main characteristics, namely the perpetrator has the status of a non-core perpetrator in the crime, admits involvement in the crime, rehabilitates illegally obtained assets, and provides substantive testimony to uncover the crime network, including the main actors behind it. In return, Justice Collaborators are entitled to physical protection and leniency, although they are not given full immunity from criminal prosecution in the Indonesian legal system.¹¹

This study uses the Criminal Code (KUHP) and the Criminal Procedure Code (KUHP) as the main legal sources. Data collection was carried out through literature exploration to examine theoretical research questions in depth. In addition, this study also accessed trusted online sources that are relevant to the focus of the study to strengthen the analysis.

The legal theory used is the theory of progressive legal theory developed by Professor Satjipto Rahardjo, challenging the positivistic legal paradigm by offering a relevant humanistic perspective in analyzing the phenomenon of justice collaborators. The philosophical premise of this theory is based on the principle that law functions as an instrument (means) for achieving human goals (humanity), not as an autonomous entity that exists for its own sake. In this context, the orientation of law must be directed at protecting human dignity, collective welfare, and fulfilling basic rights as a form of recognition of human dignity. This principle is very much in line with the concept of justice collaborator whose ultimate goal is to reveal the truth and achieve broader justice even though it means giving leniency to one of the perpetrators. In terms of determining justice collaborators, progressive legal thinking emphasizes that "the process of change is no longer centered on regulations, but on the creativity of legal actors in actualizing the law in the right space and time". This justifies the authority of law enforcement officers

¹¹ Amirson et al.

to provide special treatment to perpetrators who are willing to help uncover difficult cases.¹²

RESULT AND DISCUSSION

Procedure for Determining Justice Collaborator

Justice collaborator is a crucial element in revealing structured crimes that are difficult to prove using conventional methods. This concept first emerged in the United States in the 1970s as a response to organized crime committed by the Italian mafia with the code *omertà*.¹³ In Indonesia, the term justice collaborator gained legal legitimacy after being formalized through the Supreme Court Circular (SEMA) Number 4 of 2011, although previously the practice of crown witnesses had existed without explicit regulation in the Criminal Procedure Code (KUHAP). In the context of proving serious crimes, fulfilling the requirements of two valid pieces of evidence based on Article 184 of the Criminal Procedure Code faces substantive complexity when the main perpetrator or material evidence is difficult to access. This condition makes justice collaborators a strategic compensation mechanism to meet the standards of proof mandated by law.

The implementation of justice collaborators in Indonesia is regulated in several complementary legal instruments. First, SEMA Number 4 of 2011 Number 9 which establishes guidelines for judges in granting leniency to justice collaborators on the condition that they are not the main perpetrators and provide significant information. Second, Joint Regulation of the Minister of Law and Human Rights, Attorney General, Chief of Police, KPK, and LPSK of 2011 which regulates the criteria for justice collaborators including the obligation to return assets resulting from crime. Third, Law Number 31 of 2014 which amends the Law on Witness and Victim Protection, explicitly recognizes justice collaborators as witnesses to perpetrators who are entitled to special treatment. Fourth, Law Number 13 of 2006 which guarantees legal immunity for justice collaborators from criminal/civil charges for their

¹² Mardona Siregar, "Teori Hukum Progresif Dalam Konsep Negara Hukum Indonesia," *Muhammadiyah Law Review* Vol. 8 No. 2 (2024), <https://doi.org/dx.doi.org/10.24127/mlr.v8i2.3567>.

¹³ James V L Pontoh, Yulia Vera Momuat, and Geraldly J G Worang, "Eksistensi Justice Collaborator Dalam Tindak Pidana Pembunuhan Berencana Berdasarkan Hukum Pidana Di Indonesia," *UNES Law Review* 6, no. 2 (2023), <https://doi.org/10.31933/unesrev.v6i2>.

statements. Fifth, LPSK Regulation Number 2 of 2020 which regulates the technical procedures for requests for protection.

Within the applicable regulatory framework, the procedure for determining justice collaborators is carried out through a formal application mechanism. According to LPSK Regulation Number 2 of 2020 Article 5, a request for protection must be submitted in writing and signed by the applicant, including the following categories: witness, victim, reporter, perpetrator witness, or expert. The request must contain comprehensive data, including:

1. Complete identity of the applicant
2. Chronological description of the criminal incident that underlies the request
3. Analysis of the risk of threats to the safety of the applicant or related parties

In special conditions, a request can be submitted by a third party – such as family, attorney, law enforcement officers, or authorized agencies – if the applicant experiences physical, psychological, or procedural limitations to submit the request independently.

To obtain the status of a justice collaborator, a person must meet the formal and material requirements stipulated in Articles 9-13 of LPSK Regulation Number 2 of 2020. Formal requirements include administrative completeness such as a written application letter, photocopy of identity, and chronology of the description of the criminal act. Meanwhile, material requirements include documents or information showing that the applicant is a witness to the perpetrator with the following criteria:

- a) the criminal act revealed is a criminal act in a specific case;
- b) the importance of the applicant's statement;
- c) the applicant is not the main perpetrator;
- d) willingness to return assets obtained from the crime; and
- e) the existence of a real threat or concern about a threat to the witness perpetrator or his family.

After the application is received, LPSK conducts an examination of the completeness of the administrative requirements within a maximum period of seven days. If the application is incomplete, LPSK is required to provide a written notification to the applicant stating that the application must be completed. After the formal requirements are met, LPSK must issue a Notification Letter of Commencement of Application Review (SPDPP) within

seven days, which marks the start of the substantive evaluation stage. The standard duration of this review process is 30 calendar days, and can be extended with the approval of the LPSK leadership to accommodate the complexity of the case. During the review process, LPSK officers conduct investigation and risk assessment procedures to evaluate the credibility of the perpetrator witnesses, the material value of their testimony, and potential threats to their safety:

- a) the crime revealed falls into a certain case category;
- b) the importance of the information;
- c) that the applicant is not the main perpetrator;
- d) willingness to cooperate with law enforcement; and
- e) the level of threat faced.

The results of the review are then compiled in the form of a protection request minutes and submitted to a plenary meeting of the LPSK Leadership for decision making. In certain cases, LPSK can provide Emergency Protection based on the approval of at least 2 LPSK Leaders for a period of 7 days and can be extended based on a plenary meeting decision. Interestingly, Law No. 31 of 2014 Article 29 paragraph (2) stipulates that LPSK can also provide protection without a request in certain circumstances.

The practical implementation of the procedure for determining justice collaborators can be seen in the murder case of Tuti Suhartini and Amalia Mustika Ratu in Subang. Convict Muhammad Ramdanu, who is the victim's nephew and was involved in the execution of the murder, was determined as a justice collaborator in November 2023. In the decision of PN 79/Pid.B/2024/PN Sng, the Panel of Judges considered Ramdanu's status as a justice collaborator based on the LPSK recommendation dated June 24, 2024 Number R-2485/1.5.1.HSHP/LPSK/06/20246. This determination was based on the consideration that Ramdanu played a role as someone who helped the main perpetrator (Yosep Hidayah) by carrying a machete and hitting the victim, but did not act as the originator of the idea or intellectual actor. The Panel of Judges is of the opinion that Ramdanu is included in the qualifications of the perpetrator but not the main perpetrator, so that he meets the requirements as a justice collaborator in accordance with Article 28 paragraph (2) letter c of Law No. 31 of 2014.

Granting justice collaborator status has significant legal implications related to protection measures and incentives for witnesses to the perpetrator.

Based on Article 10A of Law No. 31 of 2014, special protection measures include separate detention facilities, different case file management, and non-confrontational testimony procedures. In addition, incentive mechanisms also include sentence leniency, parole, additional remission, and access to standard prisoner rights. To formalize sentence leniency, the Witness and Victim Protection Agency (LPSK) issues a written recommendation to the public prosecutor, which is then included in the prosecutor's demands to the court.

The procedure for determining justice collaborators is in line with the progressive legal theory initiated by Satjipto Rahardjo. The principle that "the law is for humans and not the other way around" is relevant to the concept of justice collaborators which aims to reveal the truth and achieve broader justice even if it means giving leniency to one of the perpetrators. The progressive legal framework, which emphasizes the adaptive capacity of law enforcement officers in applying legal principles contextually according to the dynamics of space and time, provides normative justification for providing a special treatment scheme to perpetrators of criminal acts who collaborate in revealing complex cases.

Eligibility Of A Person To Become A Justice Collaborator

In the legal construction of the Indonesian criminal justice system, the eligibility of a person to be designated as a justice collaborator is regulated through several complementary legal instruments. Based on Law Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 concerning Protection of Witnesses and Victims, the main criterion for a justice collaborator is his/her position as a perpetrator who is not the main perpetrator in a particular crime that is serious and organized. Article 10A of Law Number 31/2014 emphasizes that the perpetrator must provide significant testimony in revealing the crime and identifying other perpetrators who have a more substantial role in the structure of the crime.

The Circular of the Supreme Court (SEMA) Number 4 of 2011 further explains that the information provided must be decisive in dismantling the perpetrator's network, revealing the modus operandi, and showing a structured pattern in the crime. The Joint Regulation of the Minister of Law and Human Rights, Attorney General, Chief of Police, Corruption Eradication Commission, and LPSK in 2011 stipulates additional requirements in the form of the perpetrator's willingness to return all assets or proceeds of crime

obtained, as well as an admission of guilt in the form of a written statement. Furthermore, LPSK Regulation Number 2 of 2020 in Articles 9-13 stipulates that applicants for justice collaborator status must face a real threat to physical, psychological, or property safety related to the willingness to provide information in the trial process. The qualification of this threat is assessed through a risk assessment conducted by LPSK by considering the perpetrator's network that is still active, the intensity of intimidation, and the vulnerability of the applicant's position. In the context of crimes that do not generate financial gain, such as murder cases, the requirement for asset return can be replaced by the contribution of critical information that has not been revealed through conventional investigation methods.

The regulation also provides space for proportional assessments from law enforcement officers to weigh the level of participation in the crime with the value of the information provided, thus allowing flexibility in determining status as long as there is a substantial contribution to the realization of material justice. Thus, the Indonesian legal system stipulates that a person's eligibility as a justice collaborator is the result of a comprehensive evaluation of their hierarchical position in the crime, the quality of information contributed, recognition of personal roles, willingness to return the proceeds of crime, and the level of threat faced - all measured within the framework of the objective of exposing organized crime that is difficult to prove through conventional mechanisms.

Muhammad Ramdanu's eligibility to be determined as a justice collaborator in the murder case of Tuti Suhartini and Amalia Mustika Ratu in Subang can be comprehensively analyzed from his very significant contribution in uncovering the case which for the previous two years had experienced a deadlock in the investigation process. As decided in the decision of PN 79/Pid.B/2024/PN Sng, Muhammad Ramdanu played an important role as a witness to the perpetrator who from the beginning was not the main planner, but rather as an executor of orders under the control of Yosep Hidayah as the intellectual perpetrator behind the crime. The detailed information provided by Ramdanu was able to uncover the hierarchical structure among the perpetrators and the chronology of events, starting from the initial meeting, preparation of the crime tools in the form of machetes and golf clubs, to the implementation of the action and efforts to eliminate traces by moving the victim's body to the bathroom. These facts were previously

unexposed in the conventional investigation process and instead became a very important opening factor in unraveling the tangled threads of the case that was previously categorized as a "cold case" due to the lack of evidence and the absence of confessions from the main perpetrators.

Ramdanu's contribution was very essential because he not only admitted his own role, but also revealed the roles of other parties that were previously unidentified. For example, the disclosure of Mimin Mintarsih's involvement in the process of undressing the victim showed the complexity of roles within the group of perpetrators that had been unknown to law enforcement for two years. In addition, Ramdanu was also able to explain the mechanism for removing traces, including the reason the victim's body was moved and soaked in the bathroom, which finally solved the confusion of investigators regarding the condition of the Crime Scene (TKP) which was found without any indication of the victim's body moving. Thus, Ramdanu's statement fulfills the element of "important nature of the statement" as stipulated in Article 9 of LPSK Regulation No. 2 of 2020, as well as "disclosure of the main perpetrator and structure of the crime" as stipulated in SEMA No. 4 of 2011.

In addition to his contribution in terms of the substance of the evidence, another consideration that strengthens the reason for Ramdanu's eligibility as a justice collaborator is the level of real threats, both physical and psychological, that he experienced after giving his statement. During the investigation process, Muhammad Ramdanu was intimidated, subjected to forced interrogation, and even death threats during the interrogation investigation process by the police. This threat is in accordance with the criteria of "real threats or concerns about physical or psychological pressure" as stated in Article 12 paragraph (3) letter e of LPSK Regulation No. 2 of 2020. Furthermore, the Witness and Victim Protection Agency (LPSK) also recommended justice collaborator status for Ramdanu due to the potential threat from other perpetrator networks, especially from the main actors who still have influence in society. Thus, the urgency of protection inherent in the status of justice collaborator is not only preventive, but also a response to the real threats experienced by the perpetrator witnesses.

Legally, Ramdanu also meets the main requirements for other justice collaborators, such as not being the main perpetrator and being cooperative with law enforcement officers. He consistently demonstrated his willingness

to provide information without covering up the role and involvement of other parties, thus fulfilling the principles of honesty and openness as required in the justice collaborator protection system. Although in this case no motive or proceeds of crime were found in the form of material assets that could be returned - as required in several other regulations, the judge and LPSK applied a progressive interpretation by prioritizing the value of the information provided for the disclosure of material truth. This is in line with Article 10A of Law No. 31 of 2014 which accommodates the provision of awards and protection for witnesses whose statements are urgently needed to uncover structured crimes.

The concrete impact of Ramdanu's openness is reflected in several aspects. First, Ramdanu's statement became the main basis for determining Yosep Hidayah as the main perpetrator, thus clarifying the construction of roles among all perpetrators. Second, the chronological details he provided allowed investigators to complete the evidence, both in the form of the conformity of the victim's wounds to the tools used, as well as the mapping of the time of the incident which was initially ambiguous. Third, his courage to reveal the facts after two years of deadlocked cases provides moral and social legitimacy to the criminal justice system, while minimizing various negative speculations in society about the possibility of conspiracy or engineering in the law enforcement process.

The criteria for a person's eligibility to become a justice collaborator (Cooperating Witness) are regulated in several laws and regulations, with the following requirements:

1. The crime that is revealed must be included in the serious and/or organized category.
2. The perpetrator witness is not the main perpetrator in the crime, so that his role is not dominant in the crime committed.
3. The perpetrator witness provides significant, relevant, and reliable information to help reveal the crime, including revealing the main perpetrator or returning assets from the crime.
4. If there are assets or proceeds from the crime committed, the perpetrator witness is willing to return the assets or proceeds of the crime that he obtained, which is stated in writing.
5. There is a real threat or risk of danger to the safety of the perpetrator witness or his family if the crime is revealed.

6. The testimony of the perpetrator's witnesses must be given voluntarily and in good faith, and must not contain any elements of forgery or fabrication.

Awards in the form of reduced sentences or legal protection are given based on LPSK recommendations and considerations from law enforcement. Thus, this criterion aims to ensure that the cooperation of the perpetrator's witnesses has a positive impact on law enforcement, while ensuring security and justice for the parties involved.

CONCLUSION

1. The procedure for determining justice collaborators in the Indonesian criminal justice system is a crucial instrument to overcome the complexity of evidence in organized crime cases. Based on the analysis of the decision of the Sng District Court Number 79/Pid.B/2024, this study identifies that justice collaborators play a strategic role as a solution to meet the requirements for valid evidence according to Article 184 of the Criminal Procedure Code, especially when the main perpetrator or physical evidence is difficult to access. Regulations governing this concept, such as SEMA No. 4 of 2011, Law No. 31 of 2014, and LPSK Regulation No. 2 of 2020, stipulate formal procedures starting from submitting an application, verifying formal-material requirements, to review by LPSK.
2. The eligibility of a person as a justice collaborator is determined by hierarchical criteria (not the main perpetrator), the significance of the information provided, the willingness to return the assets of the crime, and the existence of a real threat. The case study of Muhammad Ramdanu in the murders of Tuti Suhartini and Amalia Mustika Ratu shows that the informative contribution of a justice collaborator is able to dismantle the structure of a closed crime, reveal the chronology, and identify the main perpetrators, such as Yosep Hidayah. The determination of this status also gains legitimacy through Satjipto Rahardjo's progressive legal theory, which emphasizes the flexibility of the law to achieve substantive justice. The implications of determining a justice collaborator include physical protection, separation of detention, and leniency as a form of appreciation for cooperation. However, this study underlines the need to strengthen regulations to ensure legal certainty, especially in defining "non-main perpetrators" and mitigating the risk of retaliation. These findings recommend a more holistic policy integration between legal instruments and enforcement practices, so that justice collaborators can function

optimally in exposing structured crimes without sacrificing the principles of fair trial and human rights.

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