

ABSTRAK

ANALISIS STRATEGI JAKSA PENUNTUT UMUM DALAM PEMBUKTIAN DAN PENGUATAN DAKWAAN PADA PROSES PERADILAN TINDAK PIDANA PEMBUNUHAN DI WAY KANAN (Studi Putusan Nomor 146/PID/2023/PT TJK)

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Tindak pidana pembunuhan berencana merupakan kejahatan serius yang menuntut pembuktian unsur “berencana” secara cermat sebagaimana diatur dalam Pasal 340 KUHP. Perkara di Kabupaten Way Kanan dengan terdakwa Erwinudin menunjukkan kompleksitas tinggi karena pembunuhan dilakukan secara bertahap terhadap lima anggota keluarga dalam kurun waktu tertentu dengan upaya sistematis penghilangan jejak di dalam septic tank. Penelitian ini bertujuan menganalisis strategi pembuktian Jaksa Penuntut Umum dalam menguatkan dakwaan serta mengidentifikasi berbagai tantangan nyata dan upaya strategis untuk mengatasinya dalam proses peradilan pidana.

Penelitian ini menggunakan pendekatan yuridis normatif dan yuridis empiris. Data primer diperoleh melalui wawancara mendalam dengan Jaksa Penuntut Umum pada Kejaksaan Negeri Way Kanan serta akademisi Hukum Pidana Universitas Lampung. Data sekunder bersumber dari peraturan perundang-undangan, literatur hukum, dan Putusan Nomor 146/PID/2023/PT Tjk. Seluruh data dianalisis secara kualitatif guna menghasilkan kesimpulan yang komprehensif terkait efektivitas penegakan hukum.

Hasil penelitian menunjukkan bahwa strategi pembuktian dilakukan melalui optimalisasi seluruh alat bukti sesuai Pasal 184 KUHP, terutama keterangan ahli forensik dan *visum et repertum*. Jaksa secara tajam menekankan pada pola perencanaan, jeda waktu antarperbuatan, dan modus operandi untuk membuktikan unsur subjektif terdakwa. Tantangan utama yang dihadapi meliputi kondisi jenazah yang telah membusuk sehingga menyulitkan identifikasi penyebab kematian serta hambatan psikologis saksi anak yang memiliki kedekatan emosional dengan terdakwa. Upaya penyelesaian dilakukan melalui penguatan rekonstruksi fakta hukum dan koordinasi intensif dengan penyidik kepolisian.

Saran penelitian ini menekankan perlunya peningkatan kemampuan teknis Jaksa Penuntut Umum dalam penguasaan bukti ilmiah (*scientific crime investigation*)

Ni Made Trisnawati

serta strategi pembuktian unsur subjektif pada tindak pidana berat. Selain itu, Kejaksaan agung perlu memperkuat koordinasi lintas institusi dengan lembaga forensik, meningkatkan pelatihan khusus teknik pemeriksaan saksi rentan, serta menyusun pedoman teknis pembuktian pembunuhan berencana agar proses penegakan hukum di masa depan berjalan lebih efektif, akuntabel, dan menjamin kepastian hukum bagi masyarakat.

Kata Kunci: Strategi Pembuktian, Jaksa Penuntut Umum, Dakwaan, Pembunuhan Berencana.

ABSTRACT

ANALYSIS OF THE PUBLIC PROSECUTOR'S STRATEGY IN PROVING AND STRENGTHENING THE INDICTMENT IN THE CRIMINAL TRIAL PROCESS OF MURDER IN WAY KANAN (A Study of Decision Number 146/PID/2023/PT TJK)

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Premeditated murder constitutes a severe crime that demands a meticulous proving of the "premeditation" element as regulated under Article 340 of the Criminal Code. A specific case in Way Kanan Regency involving the defendant Erwinudin demonstrates high complexity because the murders were committed gradually against five family members over a certain period, accompanied by systematic efforts to eliminate evidence within a septic tank. This research aims to analyze the evidentiary strategy employed by the Public Prosecutor in strengthening the indictment and to identify various practical challenges and strategic efforts to overcome them throughout the criminal justice process.

This research utilizes both normative and empirical legal approaches. Primary data were obtained through in-depth interviews with Public Prosecutors at the Way Kanan District Attorney Office and Criminal Law academics at the University of Lampung. Secondary data were sourced from statutory regulations, legal literature, and Court Decision Number 146/PID/2023/PT Tjk. All data were analyzed qualitatively to produce comprehensive conclusions regarding the effectiveness of law enforcement.

The research findings indicate that the evidentiary strategy was executed by optimizing all forms of evidence in accordance with Article 184 of the Criminal Procedure Code, particularly forensic expert testimony and autopsy reports. The Prosecutor sharply emphasized planning patterns, time intervals between acts, and the modus operandi to prove the subjective elements of the defendant. The primary challenges faced included the decomposed state of the remains, which complicated the identification of the cause of death, and psychological barriers involving child witnesses who maintained emotional ties with the defendant. Mitigation efforts were carried out by strengthening the reconstruction of legal facts and maintaining intensive coordination with police investigators. The study suggests that Public Prosecutors must enhance their technical capabilities in mastering scientific crime investigation and strategies for proving

Ni Made Trisnawati

subjective elements in serious crimes. Furthermore, the Attorney General Office needs to strengthen cross-institutional coordination with forensic institutions, improve specialized training for examining vulnerable witnesses, and develop technical guidelines for proving premeditated murder to ensure that future law enforcement processes are more effective, accountable, and provide legal certainty for society.

Keywords: *Evidentiary Strategy, Public Prosecutor, Indictment, Premeditated Murder.*