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Legal Protection of Justice Collaborators in Planned Criminal Actions (Study of the Case on the Decision of the Defendant Richard Eliezer at the South Jakarta District Court)

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ABSTRACT

The main objective of this study is to determine the legal force that binds the testimony of Justice Collaborators in making decisions by judges and forms of legal protection as Justice Collaborators in the case study of Richard Eliezer at the South Jakarta District Court. This research uses a case approach that involves observation or research on legal phenomena, court decisions, then uses judgments linked to applicable laws such as Law Number 31 of 2014 Concerning the Protection of Witnesses and Victims, which has been ratified into Law Number 31 of 2014. 7 of 2006 concerning Ratification of the United Nations Convention Against Corruption, the 2003 United Nations Convention Against Corruption, and SEMA Number 04 of 2011 concerning the Treatment of Whistleblowers and Witnesses of Collaborating Actors (Justice Collaborators) in Criminal Cases Certain. The results of this study where Ferdy Sambo as the main accused in the premeditated murder case against Nofriansyah Yoshua Hutabarat, and three other people were also named as suspects namely Richard Eliezer, Ricky Rizal, and Strong Ma'ruf by being charged with violating Article 340 subsidiary article 338 Jucto article 55 Paragraph 1 Criminal Code. Richard Eliezer was legally and convincingly guilty of participating in the murder, but because of his courage in submitting himself to become a Justice Collaborator, the Panel of Judges only sentenced the defendant Richard Eliezer to imprisonment for 1 year and 6 months. The defendant Richard Eliezer has the right to obtain this right because of his courage in revealing the case of premeditated murder committed by Ferdy Sambo in accordance with Law Number 31 of 2014 Article 5 Paragraph 1 and Supreme Court Circular Letter Number 04 of 2011 Concerning Treatment for Whistleblowers and witness of the Cooperating Actor (Justice Collaborator).

Keywords: *Ferdy Sambo, Richard Eliezer, Premeditated Murder, Justice Collaborator*

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1. INTRODUCTION

Murder is a cruel act, because it not only takes the lives of other people but also has an impact on the families left behind by the victims, both psychologically and economically. Murder committed by someone can damage the order of life values that has been built by God, because intentionally or unintentionally it has taken away the right to life of the person who is the victim. Murder is an act that violates criminal law. A legal expert Moeljatno revealed that criminal law is part of the overall law that applies in a country, aims to provide a basis and rules to determine the limits of what may or may not be done. Then for people who break the law will be subject to threats and criminal sanctions. In addition, criminal law determines how criminal imposition can be carried out when society has violated the prohibition. Furthermore, another legal expert, namely Soedarto, defines criminal law as legal rules that bind actions in society that are inseparable from the Criminal Code which contains conditions that must be met that allow the court to impose a sentence, as well as determine the sanctions that will be imposed. accepted by the people who commit crimes (Chandra & Putra, 2022).

The crime of murder that violates the criminal law is premeditated murder which is intentional killing. Murder with an intentional or premeditated element (*dolus misdrijven*) is a crime of killing another person intentionally and pre-planned with the intention of committing persecution (Mentari, 2020). The crime of premeditated murder is regulated in the Criminal Code in Article 338 of the Criminal Code which reads "Whoever deliberately takes the lives of other people, is threatened, for murder, with a maximum imprisonment of fifteen years". Also regulated in Article 340 of the Criminal Code which reads " *Whoever deliberately and with prior planning takes the lives of other people, is threatened, for murder with a plan (moord), with the death penalty or imprisonment for life or for a certain time, a maximum of twenty years* " (Book of the Criminal Code, 1981).

One of the cases of premeditated murder committed by state apparatus, namely Ferdy Sambo, where the motive for the murder was suspected of sexual harassment by

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the victim, Nofriansyah Yoshua Hutabarat, to Putri Candrawati (the wife of the suspect Ferdy Sambo). There were various irregularities at the beginning of the investigation into the scandalous case involving the government institution, until it was finally determined that Ferdy Sambo was the accused in the premeditated murder case of Nofriansyah Yoshua Hutabarat. Apart from that, three other people were also named as suspects in the Nofriansyah Yoshua Hutabarat murder case, namely Richard Eliezer, Ricky Rizal, and Strong Ma'ruf. During the investigation process, law enforcers found a bright spot where the suspect Richard Eliezer submitted himself to the LPSK to become a Justice Collaborator in the crime of premeditated murder of Nofriansyah Yoshua Hutabarat. With this Justice Collaborator, the perpetrator of the crime, namely Richard Eliezer, revealed the differences in testimony from before and after becoming a Justice Collaborator.

Justice Collaborators are perpetrators as well as witnesses who agree to cooperate with law enforcement in resolving a criminal case. Perpetrators of criminal acts who are willing to offer themselves as Justice Collaborators like the suspect Richard Eliezer are not without reason and are based on various considerations. In addition, the Justice Collaborator will have a positive impact on him, especially in the criminal sanctions that will be given by the judge. Justice Collaborator status can be given to perpetrators as well as witnesses of criminal acts (executors) who are willing to cooperate with law enforcement to reveal a criminal case, because the basic concept of Justice Collaborator is the establishment of cooperation between criminals who are only the executors and not the main perpetrators of the crime committed. carried out by law enforcers, aims to reveal the facts of criminal cases committed so that they can dismantle organized criminal acts as perpetrated by Ferdy Sambo (Lestari et al., 2023).

A suspect who is willing to become a Justice Collaborator must, of course, obtain legal protection as a guarantee that he will still feel safe after disclosing the organized crime, because working together in disclosing a criminal case often puts himself and his family in danger. In addition, the pressure of being a Justice Collaborator can trigger

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psychological disorders such as stress or trauma, so protection can help minimize the psychological impact. Therefore, law enforcers who work with Justice Collaborators must be able to ensure that suspects who choose to become Justice Collaborators feel safe and protected, and ensure that suspects and witnesses are able to testify without fear so that the legal process runs properly and fairly (Azzahra, 2022).

The main objective of this study is to determine the legal force that binds the testimony of Justice Collaborators in making decisions by judges and forms of legal protection as Justice Collaborators in the case study of Richard Eliezer at the South Jakarta District Court. The research findings relate to the legal force that binds Justice Collaborator's testimony, namely Law Number 31 of 2014 Article 5 Paragraph 1 and Supreme Court Circular Letter Number 04 of 2011 Concerning Treatment for Whistleblowers and Witnesses Collaborating Actors (Justice Collaborators).

2. RESEARCH METHOD

This type of research is normative juridical, namely research that is prescriptive with a statutory approach. This research will analyze in depth about the Justice Collaborator carried out by the suspect Richard Eliezer, the legal protection of the Justice Collaborator, as well as the legal force that binds the testimony of the Justice Collaborator in making decisions by judges (Azzahra, 2022).

This research approach is a case approach, namely a research approach that focuses on in-depth analysis of a particular case or event (Azzahra, 2022). The case approach involves observing or researching legal phenomena, court decisions, then using judgments linked to applicable laws such as the Criminal Code, Law Number 31 of 2014 Concerning the Protection of Witnesses and Victims, which has been ratified into Law Number 7 of 2014. 2006 concerning Ratification of the United Nations Convention Against Corruption, the 2003 United Nations Anti-Corruption Convention, and SEMA

Number 04 of 2011 concerning Treatment for Whistleblowers and Witnesses of Collaborating Actors (Justice Collaborators) in Certain Crime Cases.

The procedure for collecting legal materials is carried out by means of a literature study or literature review that relies on using information contained in published literature to address certain research questions. This is a basic approach that is used as a first step in empirical or experimental research to identify what is already known about a topic (Mentari, 2020). Analysis of legal material is carried out by utilizing legal material sources that have been collected through literature studies, which are then used in solving problems in research on the basis of normative analysis because the legal material obtained leads to theoretical studies based on legal principles, concepts law, and legal rules (Larantukan, 2017).

3. DISCUSSION

Chronology of the Murder Cases of the Defendants Ferdy Sambo and Richard Eliezer

One of the cases of premeditated murder committed by state apparatus, namely Ferdy Sambo, where the motive for the murder was suspected of sexual harassment by the victim, Nofriansyah Yoshua Hutabarat, to Putri Candrawati (the wife of the suspect Ferdy Sambo). Richard Eliezer was asked by Ferdy Sambo about the events that occurred in Magelang on July 7 2022 and Richard Eliezer admitted that he did not know, but after that Ferdy Sambo told Richard Eliezer in a crying condition that the victim Nofriansyah Yoshua Hutabarat had abused Putri Candrawati who is his wife Freddy Sambo. The defendant Ferdy Sambo showed his anger at the defendant Richard Eliezer.

It was at that time that Ferdy Sambo ordered Richard Eliezer to kill Nofriansyah Yoshua Hutabarat. At that time, Richard Eliezer also felt confused and shocked because he also did not know for sure what happened in Magelang on July 7 2022. After that, Richard Eliezer felt guilty about what happened to Princess Candrawati because Richard

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Eliezer, Ricky Rizal, and Nofriansyah Yoshua Hutabarat should have been responsible for protecting Princess Candrawati.

The murder of the victim Nofriansyah Yoshua Hutabarat occurred on Friday, 8 July 2022 at Ferdy Sambo's official residence located at the National Police Complex, Duren Tiga, South Jakarta. Previously, there were various irregularities at the beginning of the investigation into the scandalous case involving the government institution, until it was finally determined that Ferdy Sambo was the main accused in the premeditated murder case of Nofriansyah Yoshua Hutabarat. In addition, three other people were also named as suspects in the Nofriansyah Yoshua Hutabarat murder case, namely Richard Eliezer, Ricky Rizal, and Strong Ma'ruf who were charged with violating Article 340 subsidiary article 338 Jucto article 55 paragraph 1 of the Criminal Code.

The murders committed by Ferdy Sambo, Richard Eliezer, Ricky Rizal, and Strong Ma'ruf can damage the value system of life that has been built by God, because intentionally or unintentionally they have taken away the right to life of the victims. Murder is an act committed by someone that results in the loss of another person's life. Murder is a cruel act, because it not only takes the lives of other people but also has an impact on the families left behind by the victims, both psychologically and economically. In the crime of murder there are two elements, namely the element of intent and the element of unintentional. Murder with an intentional or premeditated element (*dolus misdrijven*) is a crime of killing another person intentionally and has been planned beforehand with the intention of committing persecution, while a wrongful or unintentional murder (*culpose misdrijven*) is a crime of killing another person accidentally and unplanned beforehand so that there is no intention to commit persecution (Mentari, 2020).

The murder case that happened to Nofriansyah Yoshua Hutabarat was a premeditated murder case. In the criminal act of murder there is a theory of intent, namely (Theory of Intentionality), which is a theory related to the philosophy of mind and

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consciousness. The term "deliberate" refers to the mind's ability to direct something, both in the form of concrete objects and abstract concepts (Chandra & Putra, 2022) . In premeditated murder, the term Instinct Theory is also known, which is a psychological approach that explains differences in human and animal behavior as a result of innate instincts. This theory states that a person acts based on instinctive impulses that are part of their natural innate. If it is related to the crime of premeditated murder, then the Instinct Theory states that the behavior is triggered by instinct, which is a fixed pattern of behavior and is not influenced by previous experience, or in other words, instinct is an automatic reaction to a certain stimulus. In Instinct Theory if it is not channeled properly it can result in being applied to acts of violence, beatings, murders and suicides. Childhood emotional experiences that are owned but not resolved properly will be stored in the subconscious and become a trigger for premeditated murder. The defendant Ferdy Sambo used his instincts to protect and avenge the actions of the victim Nofriansyah Yoshua Hutabarat to his wife (Putri Candrawati) because Nofriansyah Yoshua Hutabarat had dared to harass Putri Candrawati, so Ferdy Sambo felt that his rank was useless if his wife was harassed. Therefore, Ferdy Sambo ordered Richard Eliezer to be the executor of the murder plan to be carried out, because Ferdy Sambo felt that if Ferdy Sambo himself acted then no one would protect Richard Eliezer, but if Richard Eliezer committed the murder then Ferdy Sambo would protect him.

In addition, the defendant Ferdy Sambo has a psychological aspect of Machiavellianism because Ferdy Sambo manipulated Richard Eliezer as the executor to commit the murder of Nofriansyah Yoshua Hutabarat under the pretext of wanting to protect Richard Eliezer if he was willing to become the executor, because of Ferdy Sambo's position. Therefore, Ferdy Sambo tried to maintain his power by all means necessary, including the manipulation and deception of Richard Eliezer to kill Nofriansyah Yoshua Hutabarat.

The Power of Law that Binds the Testimony of Justice Collaborators in Making Decisions by Judges

A Justice Collaborator is a suspect in a criminal act who is involved in organized crime, but consciously on his own initiative or at the request of law enforcement officials has given approval to form an affiliation with law enforcement, especially during the investigative and investigative process to find evidence of criminal cases until the trial process. prosecutions can run quickly and effectively. A suspect who is willing to become a Justice Collaborator must, of course, obtain legal protection as a guarantee that he will still feel safe after disclosing the organized crime, because working together in disclosing a criminal case often puts himself and his family in danger. In addition, the pressure of being a Justice Collaborator can trigger psychological disorders such as stress or trauma, so protection can help minimize the psychological impact. Therefore, law enforcers who work with Justice Collaborators must be able to ensure that suspects who choose to become Justice Collaborators feel safe and protected, and ensure that suspects and witnesses are able to testify without fear so that the legal process runs properly and fairly (Azzahra, 2022).

The protection of suspects who become Justice Collaborators has not been regulated in the Criminal Code (KUHP) but is contained in Law Number 31 of 2014 concerning the Protection of Witnesses and Victims, Law Number 7 of 2006 concerning Ratification of the United Nations Convention Against Corruption, and Supreme Court Circular Number 04 of 2011 Concerning Treatment for Whistleblowers and Witness Collaborators (Azzahra, 2022). In certain criminal cases, the legal protection of Justice Collaborator witnesses may not necessarily be able to accommodate all aspects of legal protection that will be obtained by Justice Collaborators. Supreme Court Circular Letter Number 4 of 2011 only applies to certain crimes that have multiple interpretations. In the Supreme Court Circular Letter Number 4 of 2011 it is stated in point 1 (one) that Whistleblowers and Justice Collaborators can be applied to certain serious crimes such as Corruption,

Terrorism, Narcotics, TPPU, Trafficking in Persons, as well as other crimes of a criminal nature. organized, has created serious problems and threats to the stability and security of society (Arifin & Yulianto, 2023).

Justice Collaborator in its development must receive special attention considering the services it provides are very helpful for law enforcers in uncovering crimes that are difficult to find evidence for. The key roles of a Justice Collaborator include uncovering criminal acts that have occurred so that it is expected to prevent similar crimes in the future, providing important information to law enforcers, and providing testimony in the judicial process. The existence of a Justice Collaborator is one of the legal breakthroughs in efforts to eradicate criminal acts considering that this case is a serious crime and a scandalous crime. Serious crime is a crime that has a high level of severity and is usually threatened with severe punishment, besides that this kind of crime often has a profound impact on victims and the wider community, and the government usually gives high priority to its prevention and prosecution. Meanwhile, Scandal Crime is a crime that attracts a lot of public and media attention because of its sensational nature or the involvement of well-known individuals, including political corruption scandals, premeditated murder, crimes involving celebrities or state apparatus, as well as other crimes that have elements that are of interest to the media and public. Therefore, serious crimes and scandal crimes with a wider scale and sophisticated mode require new methods and effective tools, because the conventional way will be less effective in resolving these criminal cases (Machmud et al., 2021).

At the trial on 15 February 2023 the Panel of Judges decided that the defendant Richard Eliezer was legally and convincingly guilty of participating in the murder of Nofriansyah Yoshua Hutabarat, however, because of his courage in submitting himself to become a Justice Collaborator, the Panel of Judges only sentenced the defendant Richard Eliezer to imprisonment for 1 year 6 month. The sentence given was much lighter than the demands of the Public Prosecutor in the trial, because the Prosecutor considered that

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Richard Eliezer had fulfilled the elements of premeditated murder, so that he could be charged with Article 340 of the Criminal Code subsidiary Article 338 juncto Article 55 paragraph 1 of the Criminal Code. The Coordinating Minister for Political, Legal and Security Affairs Mahfud MD felt grateful and happy when the Panel of Judges read out the verdict for Richard Eliezer in the trial on 15 February 2023. Mahfud MD considered that the Panel of Judges was considered to have courage because they were able to read the trial facts objectively and were not intervened by voices that cornered or supported the defendant Richard Eliezer. Even Mahfud MD also considered that the judge's decision was very scientific, logical and humane. In addition, they also understand the pulse of people's lives and have a progressive view, so they are not influenced by public opinion. The Panel of Judges pays attention to the public's common sense and the construction of their decisions is very good, modern, understandable, and their perspective is hard to argue with. The defendant Richard Eliezer has been detained since August 8, 2022, so he has been treated for six months. If later the sentence is *incracht*, it means that Eliezer is still serving one more year in prison and will be released in February 2024, maybe even sooner if the sentence period gets reduced (Yacob & Mohamad, 2023).

When the defendant Richard Eliezer submitted himself to the LPSK to become a Justice Collaborator, even though he was charged with Article 340 of the Criminal Code subsidiary Article 338 in conjunction with Article 55 paragraph 1 of the Criminal Code, because of his courage the defendant Richard Eliezer was protected by Law Number 31 of 2014 Concerning Witness Protection and Victims, Law Number 7 of 2006 concerning Ratification of the United Nations Convention Against Corruption, and Supreme Court Circular Letter Number 04 of 2011 concerning Treatment for Whistleblowers and Witnesses of Collaborating Actors (Justice Collaborators). The consideration of the Panel of Judges that incriminated the defendant Richard Eliezer was that the defendant's close relationship with the victim Nofriansyah Yoshua Hutabarat was not appreciated, so that Richard Eliezer was able to carry out Ferdy Sambo's order to kill the victim Nofriansyah

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Yoshua Hutabarat. In addition, other considerations of the judges in giving a decision to try the defendant Richard Eliezer with imprisonment for 1 year and 6 months were because (Yacob & Mohamad, 2023):

- a. The defendant Richard Eliezer was a witness for the perpetrators who collaborated (Justice Collaborator).
- b. The defendant Richard Eliezer was polite in court.
- c. The accused has never been convicted.
- d. The defendant Richard Eliezer is also still young so it is hoped that he will be able to correct his actions in the future.
- e. The defendant regretted his actions and promised not to repeat them.
- f. The family of the victim Nofriansyah Yoshua Hutabarat has forgiven the actions of the defendant Richard Eliezer.

Forms of Legal Protection as a Justice Collaborator in the Richard Eliezer case study at the South Jakarta District Court

Justice Collaborators are perpetrators as well as witnesses who agree to cooperate with law enforcement in resolving a criminal case. Richard Eliezer, who was willing to offer himself as a Justice Collaborator, was not without reason and was based on various considerations. In addition, the Justice Collaborator will have a positive impact on him, especially in the criminal sanctions that will be given by the judge. Justice Collaborator status can be given to Richard Eliezer who is a perpetrator as well as a witness of a crime (executor) because he is willing to work together with law enforcement to reveal a criminal case, because the basic concept of a Justice Collaborator is the establishment of cooperation between criminals who only serve as executors and not perpetrators. The main purpose of criminal acts committed by law enforcers, aims to uncover the facts of cases of criminal acts committed so that they can dismantle crimes that have been organized previously (Lestari et al., 2023).

For the testimony given, Richard Eliezer received protection from the LPSK on the basis of Law Number 31 of 2014 Article 1 Paragraph 2 Concerning the Protection of Witnesses and Victims, which states that "Perpetrator witnesses are suspects, defendants or convicts who cooperate with law enforcement *to reveal a criminal act in the same case*"; Law Number 31 of 2014 Article 1 Paragraph 8 which states that " *Protection is all efforts to fulfill rights and provide assistance to provide a sense of security to Witnesses and/or Victims which must be carried out by the LPSK or other institutions in accordance with the provisions of this Law* " ; Law Number 31 of 2014 Article 5 Paragraph 1 which states that " *Witnesses and Victims have the right to: obtain protection for their personal, family and property security, and to be free from threats relating to testimony that will be, is being, or has been given; participate in the process of selecting and determining forms of security protection and support; provide information without pressure; got a translator; free from ensnared questions; receive information on case developments; regarding obtaining information regarding court decisions; obtain information in terms of the convict being released; identity withheld; got a new identity; get a temporary residence; got a new residence; obtain reimbursement of transportation costs as needed; get legal advice; obtain temporary living expenses assistance until the Protection deadline expires; and/or receive assistance* "; Law Number 7 of 2006 concerning Ratification of the United Nations Convention Against Corruption which reads " *Encouraging the establishment of technical cooperation and exchange of information in preventing and eradicating criminal acts of corruption under the umbrella of economic development cooperation and technical assistance in the bilateral, regional and multilateral spheres* "; and Supreme Court Circular Letter Number 04 of 2011 Concerning Treatment for Whistleblowers and Witnesses of Collaborating Actors (Justice Collaborators) which reads " *In an effort to foster public participation in exposing criminal acts as referred to in point one above, an atmosphere must be created conducive environment, among others, by providing legal protection and special*

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treatment to everyone who knows, reports, and/or finds something that can assist law enforcement officials to uncover and deal with the crime in question effectively.

Therefore, the law is binding on Richard Eliezer's testimony as a Justice Collaborator in making decisions by judges.

In accordance with this law, Richard Eliezer, who is willing to become a Justice Collaborator, has the right to receive protection from the LPSK, one of which is contained in Law Number 31 of 2014 Article 5 Paragraph 1 namely (Undang-Undang Nomor 31 Tahun 2014 Tentang Perlindungan Saksi Dan Korban, 2014):

- a. Obtain protection for personal security, family and property.
- b. Free from threats regarding the testimony that will be, is being, or has been given.
- c. Participate in the process of selecting and determining forms of security protection and support
- d. Give information without pressure.
- e. Got a translator.
- f. Free from entangling questions.
- g. Get information on the progress of the case
- h. Get information about court decisions
- i. Obtain information in terms of the convict being released.
- j. Withheld identity
- k. Got a new identity.
- l. Get a temporary residence
- m. Get a new residence.
- n. Get reimbursement of transportation costs as needed.
- o. Get legal advice.
- p. Obtain temporary living expenses assistance until the Protection deadline ends
- q. And/or get assistance.

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The defendant Richard Eliezer has the right to obtain this right because of his courage in revealing the premeditated murder case committed by Ferdy Sambo. However, after the sentence of 1 year and 6 months for Richard Eliezer, it turned out that the Witness and Victim Protection Agency (LPSK) revoked its protection for Richard Eliezer. The revocation of protection was because Richard Eliezer was willing to conduct interviews with television stations without the approval of the LPSK. The revocation of this protection means that Richard Eliezer will no longer receive protection from the LPSK. An LPSK expert, Syahrial M Wiryawan explained that the LPSK had provided protection to Richard Eliezer in his status as a perpetrator witness (Justice Collaborator) in the premeditated murder case of Nofriansyah Yoshua Hutabarat which had been implemented since August 15, 2022. In the protection agreement, Wiryawan revealed that Richard Eliezer received 5 forms of protection in the form of physical protection, this was in the form of inherent security and escort, including in a detention center, then the second was the fulfillment of procedural rights, the third was the fulfillment of the rights of witnesses or Justice Collaborators, the fourth was legal protection, and the fifth was psychosocial assistance (Tim Detik Sumut, 2023).

However, the LPSK decided to stop protecting Richard Eliezer after the video of Richard Eliezer's interview was broadcast on TV stations. It turned out that the interview only received approval from lawyer Richard Eliezer but had not yet received approval from the LPSK, so Richard Eliezer was deemed to have violated the rules. This is contrary to Article 30 paragraph 2 letter C of Law Number 13 of 2006 concerning Protection of Witnesses and Victims which reads "the willingness of Witnesses and/or Victims not to relate in any way with other people other than with the approval of the LPSK, as long as they are under the protection of LPSK and the protection agreement" and a statement of willingness signed by Mr. Richard Eliezer. Therefore, the LPSK immediately held a trial of the LPSK Leadership Court on Thursday 9 March 2023 with the result that the decision to protect Richard Eliezer was terminated. Richard Eliezer as a Justice Collaborator gets

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three points, namely protection, special treatment, and appreciation. The three points have been given by LPSK since August 15 2022 until the end of the sentencing hearing, while what is meant by termination of protection is physical in nature. However, the termination of this physical protection does not reduce the convict's rights or the rights of Richard Eliezer, only that the termination of his protection, however, respect and special treatment are still given to Richard Eliezer (Undang-Undang Nomor 31 Tahun 2014 Tentang Perlindungan Saksi Dan Korban, 2014).

4. CONCLUSION

Research that is focused on the power of law that binds Justice Collaborator's testimony in making decisions by judges and forms of legal protection as a Justice Collaborator in the Richard Eliezer case study at the South Jakarta District Court forms the conclusion that:

- a. The case of premeditated murder that has marked the credibility of law enforcement officials is the murder case of the victim Nofriansyah Yoshua Hutabarat which was committed by Ferdy Sambo where the motive for the murder was suspected of sexual harassment by the victim, namely Nofriansyah Yoshua Hutabarat to Putri Candrawati (the wife of the suspect Ferdy Sambo). The defendant Richard Eliezer, who is Putri Candrawati's aide, was asked by Ferdy Sambo about the incident that occurred in Magelang on 7 July 2022 and Richard Eliezer said he did not know, but after that Ferdy Sambo told Richard Eliezer in a crying condition that the victim Nofriansyah Yoshua Hutabarat had abused to Putri Candrawati who is the wife of Ferdy Sambo. The defendant Ferdy Sambo showed his anger at the defendant Richard Eliezer. It was at that time that Ferdy Sambo ordered Richard Eliezer to kill Nofriansyah Yoshua Hutabarat, but Richard Eliezer also felt confused and shocked because he also did not know exactly what happened in Magelang. After that, Richard Eliezer felt guilty about what happened to Princess Candrawati because Richard Eliezer, Ricky Rizal, and

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Nofriansyah Yoshua Hutabarat should have been responsible for protecting Princess Candrawati. The murder of the victim Nofriansyah Yoshua Hutabarat occurred on Friday, 8 July 2022 at Ferdy Sambo's official residence located at the National Police Complex, Duren Tiga, South Jakarta. Previously, there were various irregularities at the beginning of the investigation into the scandalous case involving the government institution, until it was finally determined that Ferdy Sambo was the main accused in the premeditated murder case of Nofriansyah Yoshua Hutabarat. In addition, three other people were also named as suspects in the Nofriansyah Yoshua Hutabarat murder case, namely Richard Eliezer, Ricky Rizal, and Strong Ma'ruf who were charged with violating Article 340 subsidiary article 338 Jucto article 55 paragraph 1 of the Criminal Code.

- b. At the trial on 15 February 2023 the Panel of Judges decided that the defendant Richard Eliezer was legally and convincingly guilty of participating in the murder of Nofriansyah Yoshua Hutabarat, however, because of his courage in submitting himself to become a Justice Collaborator, the Panel of Judges only sentenced the defendant Richard Eliezer to imprisonment for 1 year 6 month. The consideration of the Panel of Judges that incriminated the defendant Richard Eliezer was that the defendant's close relationship with the victim Nofriansyah Yoshua Hutabarat was not appreciated, so that Richard Eliezer was able to carry out Ferdy Sambo's orders to kill the victim Nofriansyah Yoshua Hutabarat. In addition, the judge's other considerations in giving the decision to try the defendant Richard Eliezer with imprisonment for 1 year and 6 months was because the defendant Richard Eliezer was a witness for the perpetrators who cooperated (Justice Collaborator), the defendant Richard Eliezer was polite in court, the defendant had never been sentenced , the defendant Richard Eliezer is also young so he is expected to be able to correct his actions in the future, the defendant regretted his actions and promised not to repeat them again, and the victim's family

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Nofriansyah Yoshua Hutabarat has forgiven the actions of the defendant Richard Eliezer.

- c. The defendant Richard Eliezer has the right to obtain this right because of his courage in revealing the case of premeditated murder committed by Ferdy Sambo in accordance with Law Number 31 of 2014 Article 5 Paragraph 1 and Supreme Court Circular Letter Number 04 of 2011 Concerning Treatment for Whistleblowers and witness of the Cooperating Actor (Justice Collaborator). However, after the 1 year and 6 month sentence for Richard Eliezer, he was declared to have resigned, it turned out that the Witness and Victim Protection Agency (LPSK) withdrew his protection against. The revocation of protection was because Richard Eliezer was available to conduct interviews with television stations without the approval of the LPSK. The revocation of this protection means that Richard Eliezer will no longer receive protection from the LPSK. However, the LPSK decided to stop protecting Richard Eliezer after the video of Richard Eliezer's interview was broadcast on TV stations. It turned out that the interview only received approval from lawyer Richard Eliezer but had not yet received approval from the LPSK, so Richard Eliezer was deemed to have violated the rules. This has contradicted Law Number 13 of 2006 Article 30 paragraph 2 letter C concerning Protection of Witnesses and Victims. Therefore, the LPSK immediately held a trial of the LPSK Leadership Court on Thursday 9 March 2023 with the result that the decision to protect Richard Eliezer was terminated. Richard Eliezer as a Justice Collaborator gets three points, namely protection, special treatment, and appreciation. The three points have been given by LPSK since August 15 2022 until the end of the sentencing hearing, while what is meant by termination of protection is physical in nature. However, the termination of this physical protection does not reduce the convict's rights or the rights of Richard Eliezer, only that the termination of his protection, however, respect and special treatment are still given to Richard Eliezer.

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The judge's consideration in granting protection rights to Justice Collaborators is very appropriate. Therefore, for the defendant witness the perpetrator who has obtained the right as a Justice Collaborator, it is hoped that he will continue to carry out his obligations in accordance with Law Number 13 of 2006 Article 30 paragraph 2 letter C concerning the Protection of Witnesses and Victims so that there will be no revocation of rights as happened to the accused witness perpetrator Richard Eliezer.

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Gunakan Akal Sehat. *Harian Disway*, 1–3.