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Analysis Of The Crime Of Premeditated Murder Using Cyanide Poison in the Perspective of Routine Activity Theory (Case Study in Sukabumi City)

Triny Srihadiati¹, Abdur Rozak²

¹ Faculty of Social Sciences and Global Studies, Budi Luhur University, Jakarta, Indonesia, trinywinoto@budiluhur.ac.id

² Faculty of Social Sciences and Global Studies, Budi Luhur University, Jakarta, Indonesia, 2043501275@student.budiluhur.ac.id

Corresponding Author: trinywinoto@budiluhur.ac.id

Abstract: This research investigates the phenomenon of premeditated murder using cyanide poison in the context of the Routine Activity Theory perspective. The focus of this research is a case study of premeditated murder using poison committed in Sukabumi City. The research method used involved qualitative analysis of data from various sources, including police reports, forensic results, and interviews with relevant parties. The purpose of this study was to determine the compatibility between routine activity theory and premeditated murder, which in this study used cyanide poison. The results showed that the crime of premeditated murder using cyanide poison often involves a planning process that is integrated with the routine activities of the perpetrator and victim. Routine Activity Theory provides an in-depth understanding of how such crimes are planned, executed and ultimately executed. In the context of the case studied, the perpetrator provided magical money-multiplying services through rituals, capitalizing on the victim's belief in the supernatural without conducting prior research, which ultimately led to the victim's death from poisoning. The findings highlight the importance of understanding the factors that influence offenders' success in planning and executing crimes, and the implications for prevention and law enforcement efforts. This research also contributes to the theoretical understanding of the relationship between routine activities and premeditated crimes, as well as providing practical insights for law enforcement officials in dealing with similar cases in the future.

Keyword: Cyanide, Murder, Premeditated Murder, Routine Activity Theory, Sukabumi.

INTRODUCTION

The Constitution of the Republic of Indonesia enacted in 1945 affirms that Indonesia is a state based on law (rechtsstaat). As a state of law, Indonesia consistently maintains the principles of human rights. The state guarantees that every citizen has equal status under the law and government, and is obliged to obey the law and government without exception. Ideally, Indonesia as a state of law adopts a system of legal sovereignty or the rule of law,

where the supreme power lies with the legal institutions within the state. The process of law enforcement, including criminal prosecution and punishment, does not occur spontaneously, but through a structured judicial process that is based on applicable legal principles (Sitepu, Lubis, & Sahlepi, 2023).

In Indonesia, there are a variety of laws that aim to manage the social structure. In a broader framework, the governing law in Indonesia is broken down into two categories, namely public law and private law. These segments of law are further categorized into criminal law and civil law. Criminal law refers to a set of provisions that define prohibited acts, identify behaviors that may constitute criminal offenses, and establish sanctions applicable to such offenses (Marpaung, 2012). Soedarsono argues that in the context of criminal law, the principle focuses on regulating criminal behavior and violations of the public interest, which are then subject to criminal sanctions in the form of suffering. Within the scope of criminal law, there is the term "criminal offense" which has its origins in Dutch, namely "strafbaarfeit" or "delict" (Ilyas, 2012). In addition, criminal acts can also be referred to as criminal events, criminal acts, or criminal offenses. Meanwhile, the term "crime" refers to behavior that goes against norms or rules, although not all actions that violate rules or norms can be categorized as crimes (Syamsani & Yudiantara, 2023). Crime refers to behavior that deviates from prevailing social norms and is consistently entrenched in the dynamics of society. Examples of crime include rape, murder, molestation, robbery, and other variations that cause inconvenience and negative impact to the entire society. Among the various types of lawlessness, the crime of murder in particular attracts significant attention from various segments of society. The phenomena of murder often becomes a daily conversation, both through electronic and print media channels (Yusuf & Syarifuddin, 2017).

Murder is a behavior that does not reflect humanitarian norms, because it is a violation of an individual's human right to live without the intervention of violence that is not commendable. (Sumarlin, Sulistyawati, & Setyawan, 2019). Murder is an act that has a serious impact on social balance and community life. It not only threatens individual security, but also disrupts peace and order in social relations. Therefore, any act that threatens the security and safety of a person by taking his or her life is considered a serious crime, and as a consequence, is subject to punishment in accordance with the degree of the crime committed. (Putra & Santoso, 2017). Murder is one of the highest level crimes in the international classification of crimes. In addition, murder is also the most severe crime in the Indonesian Criminal Code (Hafid, 2015). When analyzed by regional aspects, it can be observed that in 2020, murder incidents reached the highest number in the North Sumatra Police area, with the number of cases reaching 99. This position was followed by South Sumatra, which recorded 77 cases, and North Sulawesi with 74 cases. Meanwhile, there are provinces that reported the lowest number of homicide cases, including North Maluku, which only recorded 1 case. Followed by DI Yogyakarta and Bali, which reported 6 cases each (Dihni, 2022).

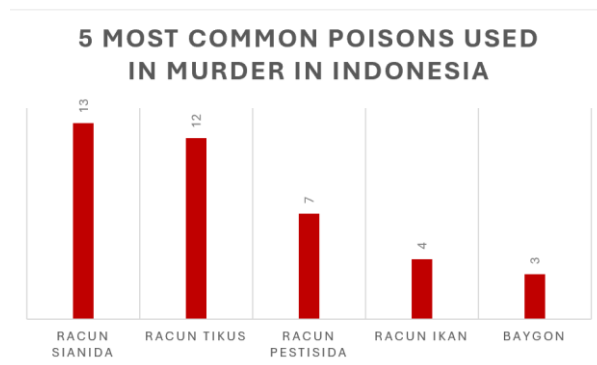


Source: Central Bureau of Statistics (reprocessed by researchers)

Picture 1. Number of Murder Cases in Indonesia

Over the span of 2016 to 2020, there was a significant decline in the number of crimes involving loss of life or murder in Indonesia. According to a report by the Central Statistics Agency (BPS), in 2016 there were 1,292 homicides recorded in Indonesia, representing the highest peak in the last five years. In the following year, 2017, this number of cases decreased to 1,150 cases, which then continued to decrease each year; 1,024 cases in 2018, 964 cases in 2019, and 898 cases in 2020 (BPS, 2021).

The cyanide murder case is not the first of its kind in Indonesia. One of the incidents that caught the public's attention was the case involving Jessica Wongso in 2016. The Central Jakarta District Court decided to sentence Jessica Wongso to 20 years in prison after being found guilty in the case. She was found guilty of poisoning Mirna Salihin by using cyanide mixed in a cup of Vietnamese coffee at Olivier Café, Grand Indonesia (Nuzan, Simatupang, Situmorang, Meiliani, & Burnama, 2023). Cyanide can be found naturally in the natural environment, in various industrial and household materials. Common cyanide poisoning incidents in Western countries are often caused by the inhalation of smoke generated from fires. In addition, materials such as wool, silk, and synthetic polymers containing the elements carbon and nitrogen can produce cyanide gas when exposed to high temperatures. Cyanide, as a compound, has the ability to inhibit enzyme activity, resulting in disruption of the oxygen utilization process in vital organs such as the brain and heart. The use of cyanide in large or excessive doses can even result in death. (Cahyawati, Zahran, & Jufri, 2017).



Source: Supreme Court Decision Directory Data 2010-2021
Picture 2. Most Common Poisons Used in Murder in Indonesia

According to data in the Directory of Supreme Court Decisions, there were 45 copies of court decisions at the first level in Indonesia during 2010-2021. Cases using cyanide alone were the most commonly used with 13 cases, rat poison 12 cases, pesticide poison 7 cases, fish poison 4 cases and using baygon 3 cases (kumparanNEWS, 2021).

In reality, Indonesia shows a significant prevalence of crime, prompting the need for a strong commitment from law enforcement agencies to address it in order to ensure public safety and order. This phenomenon of high crime rates is the result of a variety of factors, ranging from the socioeconomic conditions of society to problems related to the psychological aspects of individuals (Rohman, 2016). Indonesia ensures the security and protection of the lives of its loyal citizens, starting from the pre-natal stage to post-death. This principle is mandated with the main purpose of tackling potential human rights violations, especially in the context of criminal acts that lead to the loss of one's life, such as murder (Novitasari, 2019).

METHOD

In this study using empirical juridical research. Empirical legal research methods or what is often referred to as empirical juridical research methods, refer to a legal research

approach that examines not only applicable legal provisions, but also phenomena that occur in actual society. This research leads to the collection of empirical data which is used as the basis for analyzing the legal issues at hand. Empirical Legal Research involves understanding human behavior in various contexts, both through verbal interactions recorded in interviews and direct observation of observable physical behavior. In this context, empirical data can take a variety of manifestations, ranging from physical artifacts to archival documentation that reflects the practice of law in society. This approach bases its analysis on evidence obtained through direct observation or experience, which is then analyzed both qualitatively and quantitatively. The conclusion that can be drawn from this approach is that empirical legal research or empirical juridical legal research is a form of legal research method that focuses on exploring social reality, with the main objective of identifying relevant factors in solving the legal problems at hand (Benuf & Azhar, 2020). This research wants to analyze the case of murder using cyanide poison in Sukabumi which occurred in 2022 using criminological theory analysis, namely using routine activity theory. This research uses primary data, namely interviews and observations and secondary data, namely literature studies.

Interview is a data collection method applied when a researcher wishes to carry out the initial stage of the study to identify the subject matter worth investigating, as well as to explore a deeper understanding of the respondents, especially in situations where the number of respondents is limited. This approach is related to the application of subjective reports on individual experiences or personal knowledge and beliefs that underlie the data collection process (Sugiyono, 2019). Meanwhile, literature study refers to activities carried out by researchers in collecting and tracing information related to the topic or problem that is the focus of the research. The sources of information used can come from various media, including scientific books, research reports, scientific papers, theses and dissertations, regulations, decrees, yearbooks, encyclopedias, and written sources in both print and electronic form. Literature study is an important part of the research process, because through this activity, researchers can access and utilize all information and thoughts that are relevant to the object of their research.

This research was conducted for approximately 2 months in the Sukabumi City area, precisely at Sukabumi City Police. The subjects chosen in this research were 6 members of the Jatanras Unit of the Sukabumi City Police Criminal Investigation Unit who handled this murder case to be questioned in interviews which are the main data in this research.

RESULTS AND DISCUSSION

Study Case

Reporting from the website humas.polri.go.id, the investigation team of the Sukabumi City Police Criminal Investigation Unit succeeded in uncovering a carefully planned murder case against two male individuals, who were residents from Magelang and Jakarta. Tragically, both men lost their lives shortly after consuming drinks tainted with cyanide poison. Head of the Criminal Investigation Unit of Sukabumi City Police, AKP Yanto Sudiarto, informed that three individuals have been arrested in connection with this incident, of whom two are residents of Sukabumi and one is from Cilacap, Central Java. The identities of the three perpetrators arrested by the police are A, DAS, and AR. The police held a reconstruction of the murder case at the residence of one of the suspects in Jayamekar Village, Baros Subdistrict, Sukabumi City, on September 22, 2022. A total of 55 scenes were repeated by the suspects in this reconstruction process, which involved the presence of several witnesses and was closely monitored by police officers. Yanto said, "After going through the investigation phase, we managed to uncover this incident.

2 Pria Dibunuh Pakai Sianida, Modus Sadis Sindikat Penggandaan Uang di Sukabumi

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Source: humas.polri.go.id

Figure 3. Berita Pembunuhan Menggunakan Racun di Sukabumi

The modus operandi of the perpetrators involved giving drinks that had been mixed with poison in the form of cyanide, this was confirmed through forensic laboratory results." Based on testimony from witnesses, the perpetrators were known by the victim as a shaman who claimed to be able to provide treatment for supernatural matters, including the ability to multiply money supernaturally. The three then planned the scam by looking for victims who were interested in instant financial gain. Yanto added, "Each suspect has a different role in this action." DAS acted as an intermediary looking for potential victims who were willing to undergo treatment rituals and multiply money supernaturally. Meanwhile, A and AR acted as the executors of the rituals.

In early June 2022, two victims with the initials EN and AN came to DAS with the aim of doubling their wealth. Both were then taken to the residence of suspect A. However, as revealed by the Head of Criminal Investigation Unit of Sukabumi City Police, "The ritual was not carried out at that place. Suspect A only gave a poisonous drink that had been mixed with cyanide without the knowledge of the victims." Then, the victims were taken to the house of suspect AR who claimed to be a cleric who was able to provide treatment and multiply money magically. The drink that had been contaminated with cyanide was then given to the victims by DAS. "After undergoing a ritual at AR's residence, the poisoned drink they had consumed began to show a reaction. Both victims suffered pain and the next day they died," said Yanto.

Both victims were treated at a hospital in Sukabumi City on June 8, 2022, before being taken home by their respective families, namely to Jakarta and Magelang, Central Java. "Today's reconstruction is based on a report of suspected premeditated murder. This incident occurred on June 8, 2022 and was reported on June 23, 2022," Yanto added. Prior to the determination of suspects and the implementation of reconstruction, the police also conducted autopsies on the bodies of the two victims. As a result, cyanide was found in the victims' bodies. Yanto emphasized that there was a knowing relationship between the perpetrators and the victims, which caused the victims to come to Sukabumi City with the intention of doubling their money. "Both parties knew each other, so the victim decided to visit Sukabumi," he said. The three perpetrators will be charged with a number of articles, including Article 340 of the Criminal Code, Article 338 of the Criminal Code, Article 353 paragraph 1, paragraph 2 of the Criminal Code, and Article 378 of the Criminal Code, which carries the death penalty, life imprisonment, or imprisonment for a certain period of time up to a maximum of 20 years (Polresta Sukabumi, 2022).

Based on the Forensic Lab BA from Puslabfor Bareskrim Polri Number: 2725/KTF/2022, the results were obtained, namely

1. The lung sample contained cyanide of three point seven zero point nine micrograms per kilogram,
2. The stomach sample contained cyanide of three point five six one microgram per kilogram,
3. Liver samples contained cyanide of seven point nine six zero micrograms per kilogram,
4. Heart samples contained cyanide at twenty point nine four three micrograms per kilogram,
5. The kidney sample contained sixty-six point nine four three micrograms of cyanide per kilogram,
6. The urine sample contained seven point zero three one micrograms of cyanide per kilogram,

In conclusion, the laboratory examination found the presence of cyanide in the tissues of the internal organs, indicating that the subject had been exposed to the substance in less than seventy-two hours before his death. The absence of any detectable signs of physical injury or illness, together with the presence of cyanide content in the body, suggested that the probable cause of death of this individual was due to cyanide poisoning, which resulted in respiratory system failure and eventual death.

Murder Reconstruction

Based on the results of interviews with 6 police resource persons from Sukabumi City police station, the chronology is as follows on Wednesday, June 08, 2022 at approximately 7:00 p.m. at Jalan Proklamasi Tespong Kel. Jayamekar Kec. Baros, Sukabumi City, there was an alleged crime of whoever intentionally and with premeditation takes the life of another person, punishable by murder with premeditation or whoever intentionally takes the life of another person, punishable by murder or maltreatment with premeditation resulting in death and whoever with intent to unlawfully benefit himself or another, by using a false name or false dignity, by deception, or a series of lies, moves others to hand over something to him, or to give debts or write off debts shall be punished for fraud and those who commit, those who order to commit, and those who participate in the acts allegedly committed by the suspects A, suspect DAS and suspect AR against victim EN (deceased) and victim AN (deceased).

The method of the suspect is that initially the suspect DAS is looking for patients or potential victims to carry out medical rituals and multiply money magically, then the victim EN (alm) and the victim AN (alm) and other witnesses meet with the suspect DAS, then at that time they are taken to A with the intention of performing the ritual, but at that time the ritual was not carried out at his place where suspect A only provided mineral water which had been mixed with alcohol without the knowledge of the victims, then the victim was taken to the suspect AR who claimed to be a Ustad who performed the following treatment with the ritual of multiplying money.



Source: Personal Documentation

Figure 4. Reconstruction of Murder Using Poison

The ritual was carried out at AR's house and the victim was given a drink that had been mixed with alcohol by DAS which had been mixed with alcohol by suspect A, then the ritual was carried out at suspect AR's house. After carrying out the ritual, a few hours later the mineral water given to the victim began to react, where the victim experienced pain in the internal organs, then the next day the victim died.

The Role of Sukabumi City Police in Handling Murder Cases

In the context of this research, the role played by Sukabumi City Police in handling murder cases involving perpetrators A, DAS and AR is part of an optimal plan. The definition of an ideal role, in this case, refers to the functions carried out by individual or group entities that are in accordance with predetermined provisions. This is due to the implementation of the law enforcement process by police officers who have referred to the applicable regulations. Basically, the role carried out by Sukabumi City Police in relation to the murder case involving A, DAS, and AR is based on the provisions listed in Article 2 of Law Number 2 of 2002 concerning the National Police. The article explains that the Police function is one of the important aspects of the state government's duties in overseeing security and order, carrying out law enforcement, providing protection, protecting, and providing services to the community. Thus, the actions taken by Sukabumi City Police in the context of handling the case were in line with the mandate given by the applicable law.

Sukabumi City Police, in carrying out its main role in tackling the crime of murder, carries out tasks that include conducting investigations and investigations. The process begins with the investigator's rapid response to a report filed by a member of the public regarding an alleged crime of murder, which requires the collection of substantial evidence to determine the legal status of an act as a criminal offense or not. The essence of investigation is to seek the truth and uphold the principles of justice, not to find fault with individuals. Therefore, investigators are required to carry out their duties objectively, avoid abuse of authority, and always prioritize the principle of respect for human rights. (Rahman, Junaidi, & Mahmud, 2022). Several stages of investigation and investigation carried out to reveal the criminal offense of murder against EN and AN, among others:

1. Police Report
2. Processing the scene of the crime, exhuming the corpse for autopsy and laboratory examination of the organs.
3. Observation, conducting surveillance of objects, places and environments around the crime scene to obtain information & clarity based on previously known knowledge & ideas.
4. Conducting closed and open interviews in order to obtain clarity on the criminal offense that occurred.
5. Stalking, namely following a person suspected of being a perpetrator of a criminal offense, finding out the activities, habits, environment or network of the perpetrator of the crime and the place where the crime proceeds are stored.
6. Undercover, infiltrating and integrating with certain groups / environments to obtain information / information materials.
7. Tracking, searching & following the whereabouts of criminal offenders using Information Technology.
8. Initial document research & analysis, namely researching, compiling and analyzing documents to compile the anatomy of a criminal case and its modus operandi.
9. Forcibly arresting suspects arrested in Sukabumi area.
10. Confiscating evidence located at the scene of the crime.
11. Examining the handling of suspects, checking the health of suspects and requesting information from suspects.

12. Detaining the suspects.
13. Preparation of Minutes, which include minutes of searches, interrogations, and on-site examinations.
14. Submission of the case to the public prosecutor for further legal action in accordance with applicable law.



Source: Personal Documentation

Figure 5: Interview Process of Witnesses to Murder

The next process is after fulfilling the requirements and complete, it will be poured and made greeting a bundle of paper with a case file cover complete with a table of contents, a list of suspects, a list of witnesses and a list of evidence. After the case file is received by the prosecutor's office, an examination and research will be carried out by the prosecutor's office through the public prosecutor and in the final stage the investigator will submit the suspect and evidence to the prosecutor's office to be submitted for further processing.

Case Analysis in Terms of Routine Activity Theory

Routine Activity Theory is a theory developed by Lawrence E. Cohen and Marcus Felson (1979) in a journal entitled *Social Change and Crime Rate Trends: A Routine Activity Approach*. They argue that structural changes in routine activity patterns can affect crime rates by influencing the convergence in space and time of at least three elements, namely: (1) motivated offenders, (2) suitable targets and (3) the absence of capable guardians against a violation. They also argue that the absence of any of these factors can prevent crime. When suitable targets and effective supervision are absent, convergence in time and space can result in a significant increase in crime rates without requiring structural changes that encourage individuals to engage in criminal behavior. In other words, when the proportion of offenders and suitable targets remains constant within a community, changes in routine can alter their probability of convergence, creating more opportunities for crime (Cohen & Felson, 1979). Therefore, control is essential; a decrease in routine control can increase criminal activity (Nurhadiyanto, 2020). In the case of premeditated murder, the mode used matches the elements contained in routine activity theory, namely:

1. Motivated offenders

A crime can occur when an individual or perpetrator is motivated to do so. In the case of premeditated murder using poison that occurred in Sukabumi, the perpetrators were motivated by the money promised by the victims to be doubled so they killed the victims by poisoning them when distributing drinks during a ritual that the victims believed could double the money.

2. Suitable targets

One of the elements or elements of premeditated murder is due to the existence of suitable targets. In the case of premeditated murder that occurred in Sukabumi, the perpetrators led the victims with the lure in the Sukabumi area there was a shaman who

could double the money. The victims, who were no longer young and still believed in clichéd things, finally agreed to come with the money that had been promised to be doubled.

3. The absence of capable guardians against a violation

The risk of crime can occur and will increase if there is no adequate security supervision both in terms of tools and in terms of people. In this case, the perpetrator's family did not know that there would be a murder at the home of one of the perpetrators. The incident occurred at the home of one of the perpetrators where there was no CCTV. The incident was only revealed when one of the victim's families who was in the Magelang area, Central Java came to the Sukabumi City Police to report the alleged murder. Police investigators who received the report, moved quickly to conduct forensics and conduct development. the results found cyanide compounds in internal organ tissue indicating that the individual had been exposed to the compound in less than seventy-two hours before death.

CONCLUSION

Crime refers to behavior that violates prevailing social norms, and is often rooted in the social dynamics of society. The crime of murder, in particular, attracts significant attention from various segments of society among various types of lawlessness. In international crime classifications, murder is recognized as one of the highest level crimes. Similarly, in the Indonesian legal system, murder is the most severely punishable crime according to the Article Provisions in the Kitab Undang-Undang Hukum Pidana (KUHP). The murder incident involving the use of cyanide poison in Sukabumi only came to light three weeks after the incident when one of the victim's family members from Magelang, Central Java, reported the alleged murder to Sukabumi City Police. Police investigators acted immediately by conducting forensic investigations and examining witnesses. Forensic laboratory results revealed the presence of cyanide compounds in internal organ tissue, suggesting exposure to the compound occurred in less than seventy-two hours prior to the individual's death. Although no evidence of physical injuries or symptoms of illness were detected, the presence of cyanide compounds in the body indicated that the probable cause of death was cyanide poisoning, which resulted in respiratory system failure and ultimately death. After a series of investigations, 3 (three) people were finally secured, including DAS who acted as an intermediary in finding potential victims to undergo the ritual of multiplying money magically, as well as A and AR who acted as the executors of the ritual.

Murder using cyanide poison is not the first time it has happened in Indonesia. The case that caught the public's attention was the cyanide coffee case committed by Jessica Wongso in 2016. Data from the Directory of Supreme Court Decisions shows that there were 45 court decisions at the first level related to murder cases using poison in Indonesia during the period 2010-2021. The use of cyanide was the highest method with 13 cases, followed by rat poison with 12 cases, pesticide poison with 7 cases, fish poison with 4 cases, and the use of baygon with 3 cases. Based on routine activity theory, the three elements of this theory match the classification of premeditated murder crimes that in this study used poison, especially in the Sukabumi case that occurred in 2022. The perpetrators provided the service of doubling money magically through rituals, the victim was attracted and brought the money to be doubled, utilizing the victim's belief in supernatural things without doing research first, carried out in a place far from the crowd and surveillance cameras and which ultimately led to the death of the victim due to poisoning.

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