

LEGAL CERTAINTY OF THE KAPOLRI CIRCULAR LETTER NUMBER SE/7/VII/2018 CONCERNING TERMINATION OF INVESTIGATIONS IN INDONESIAN CRIMINAL PROCEDURES

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ABSTRACT The Chief of Police on July 27, 2018, issued a Circular Letter from the Chief of Police Number: SE/7/VI/2018 concerning Termination of Investigation. This research contains problems, namely: (1) what is the legal position of the Circular Letter of the Chief of Police Number SE/7/VII/2018 concerning the termination of investigations in Indonesia; and (2) what is the legal certainty of the National Police Chief's Circular Letter Number SE/7/VII/2018 concerning the termination of investigations in Indonesian criminal procedural law. The author uses normative legal research methods, with statutory, conceptual and case approaches, which are then analyzed qualitatively. This research also concluded, namely: first, the National Police Chief's Circular Letter Number: SE/7/VI/2018 concerning Termination of Investigations has no legal standing in the hierarchy of statutory regulations. And secondly, the National Police Chief's Circular Letter Number: SE/7/VI/2018 concerning Termination of Investigation does not provide a guarantee of legal certainty.

Keywords: *Kapolri Circular Letter from the Chief of Police, Termination of Investigation, Criminal Procedure Law.*

INTRODUCTION

The Indonesian constitution, as the fundamental law of the country, asserts that Indonesia is a nation governed by law (*rechstaat*). Article 1, paragraphs (2) and (3) of the 1945 Constitution of the Republic of Indonesia states that "power is in the hands of the people," emphasizing that it must be exercised in accordance with the constitution. This principle highlights the role of the constitution as both the foundation and the highest law of the land. An essential aspect of the rule of law embodied in the constitution is the guarantee of the recognition, respect, and protection of human rights.

In order to guarantee, recognize and protect human rights, after 36 (thirty-six) years of the proclamation of independence, Indonesia has had a codification of criminal procedural law as outlined in "Law of the Republic of Indonesia Number 8 of 1981 concerning Criminal Procedure Law" since 31 December 1981. The regulations regarding criminal procedural law which are regulated in Law Number 8 of 1981 concerning Criminal Procedure Law which is usually referred to as "KUHP" are seen as one of the breakthroughs in the development of national law. aspired to since 1945. Before the birth of the "KUHP", Indonesian criminal procedural law was still based on the "*HIR (Het Herziene Inlandsch Reglement)*" as the legal regulations left over from the Dutch colonial era. Through this law, "*criminal perpetrators who are threatened with criminal punishment receive appropriate punishment based on the level of their crime or guilt.*"

The first step in determining whether an event qualifies as a criminal act is conducting an investigation. According to Article 1, paragraph (5) of Act Number 8 of 1981 regarding Criminal Procedure Law, an investigation is defined as "a series of actions by investigators aimed at searching for and discovering an incident suspected of being a criminal act, in order to determine whether an investigation can proceed according to the methods outlined in this law." The law distinguishes between 'investigation' and 'inquiry' as different stages of action, intending to prevent hasty law enforcement practices such as those seen under the *Herzien Inlandsch Reglement (HIR)* regime. This distinction is further supported by Article 5, paragraph (1), letter (a) of Act Number 8 of 1981, which outlines the authority of investigators in conducting investigations, namely:

(1) Investigators as intended in Article 4

a. because his obligations have the authority:

- 1. receive a report or complaint from someone regarding a criminal act;*
- 2. seek information and evidence;*
- 3. order someone who is suspected to stop and ask and check personal identification;*
- 4. take other legally responsible actions.*

As emphasized by Tolib Effendi, the investigation stage aims to develop an attitude that prioritizes caution in acting as well as a high sense of responsibility for carrying out law enforcement functions and to avoid actions from law enforcers who only focus on prioritizing confessions rather than finding information and evidence. During his journey, Police Chief General Tito Karnavian dated 27 July 2018 issued a Circular Letter from the Chief of Police Number: SE/7/VI/2018 concerning Termination of Investigation. The National Police Chief's Circular refers to the Act Number 1 of 1946 concerning Criminal Law Regulations or KUHAP, the Act Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia, and Regulation of the Head of the National Police's Criminal Investigation Agency Number 3 of 2014 concerning Standard Operational Procedures for Carrying Out Criminal Investigations.

One of the concrete cases that occurred and is related to the National Police Chief's Circular, for example, is a fraud case (Article 378 of the KUHP) based on Police Report Letter Number TBL/1860/IV/YAN2.5/2021/SPKT PMJ dated April 7 2021 which was reported by Anita Natalia Manafe as the reporter. In summary, it is known that the case did not proceed to the investigation stage after the investigation was terminated by investigators from Polda Metro Jaya as based on the Notification for Termination of Investigation Letter Number B/2817/VIII/RES.1.11/2021 Ditreskrimum. In that case, it is known that the reporter regarding the termination of the investigation filed a lawsuit with the Constitutional Court of the Republic of Indonesia to question the provisions in Article 5 of the Criminal Procedure Code which does not contain provisions regarding the termination of the investigation. Regardless of the concrete case in question, it is clear that the provisions of the National Police Chief's Circular are a juridical reference used by investigators to stop the investigation into the case.

Another example involving the National Police Chief's ("Kapolri") Circular Letter in a concrete case is the case of domestic violence which occurred between the victim with the initials "NV" as the wife and her husband with the initials "US" as the perpetrator which occurred in Marowola, Sigi Regency at around the end of March 2023. The incident started with "Police Report Number: LP-B/30/III 2023/SPKT Sek Marawola/PolresSigi/Polda Sulteng dated March 31, 2023", where the crime of domestic violence was committed by the victim's husband, "US", against his own wife, namely "NV". In summary, the Sigi Regency Police finally stopped investigating the case based on the Chief of Police's Circular so that the case did not proceed to the investigation stage.

Basically, Kapolri Circular Letter regarding Terminating Investigations aims to provide guidelines for terminating investigations in order to provide legal certainty. This is because in the investigation process, based on the facts and evidence obtained by the investigator from the results of the investigation, it turns out that the facts and evidence are inadequate, the investigator may not continue the investigation stage of the incident to the investigation stage or which means stopping the investigation.

The National Police Chief's Circular addresses the gap in provisions related to stopping investigations under Act Number 8 of 1981 concerning Criminal Procedure Law (KUHP). While Article 7 of the same act explicitly outlines the termination of investigations, it lacks clear regulations on how to halt investigations. The introduction of the National Police Chief's Circular can be interpreted in two ways. On one hand, it offers legal certainty in cases where there is insufficient evidence to continue an investigation, necessitating its termination. On the other hand, it raises concerns as it introduces new norms regarding the termination of investigations that are not recognized or regulated by Act Number 8 of 1981. This could potentially undermine legal certainty, as the circular acts as a basis for criminal procedural law that was previously unregulated.

Based on the background description above, There are 2 (two) problem formulations that will be answered in this research, namely: first, what is the legal position of the National Police Chief's Circular Letter Number SE/7/VII/2018 concerning the termination of criminal investigations based on statutory regulations. And secondly, what is the legal certainty of the National Police Chief's Circular Letter Number SE/7/VII/2018 concerning the termination of investigations in Indonesian criminal procedural law. Therefore, the author feels interested in studying and analyzing it in research with the title: "Legal Certainty of the Kapolri Circular Letter Number SE/7/VII/2018 concerning Termination of Investigations in Indonesian Criminal Procedure Law."

METHOD

The type of research that will be used in this research is normative legal research. The research approaches selected for this study include the statutory approach, the conceptual approach, and the case approach. The research materials utilized are secondary data, also known as legal materials, which consist of primary, secondary, and tertiary legal sources. These materials are subsequently analyzed

through qualitative analysis. Qualitative analysis involves describing data in a coherent and logical manner, using well-structured sentences that are clear and effective. This approach facilitates the interpretation of data and enhances the understanding of the analysis results. Qualitative analysis examines data derived from legal materials based on relevant concepts, theories, statutory regulations, and doctrines, as well as the researcher's own perspectives.

RESULTS AND DISCUSSION

A. Legal Position of the National Police Chief's Circular Letter Number SE/7/VII/2018 concerning Temination of Criminal Investigations Based on Statutory Regulations

Efforts to develop a national legal system are an important part in determining the style of law enforcement in a country. In developing the national legal system, it is known that it includes several things. First, development of legal substance, both written and unwritten law, with a mechanism for forming national law that is better suited to the needs and aspirations of society. Second, improving the legal structure to be more effective. And third, the involvement of all components of society with high legal awareness to support the formation of the national legal system that is aspired to or dreamed of.

It is clear then that the development of a national legal system is also determined from the aspect of legal substance or content in the statutory regulations themselves. To create effective legislation or achieve its goals, H. Halim and K.R. Syahrul Putra stated that since 2003 a concept has been published which functions as a regulatory product quality contract called the Regulatory Impact Assessment (RIA) which is a formulation of best practice implemented by various countries. "RIA" is known to use the following stages:

1. Formulation of the problem or issue that gives rise to the need to issue a policy (take action).
2. Identify the goals and objectives to be achieved with this policy, this stage is called risk assessment.
3. Identify various alternative actions to achieve these goals and objectives.
4. Assessment of the benefits and costs (advantages and disadvantages) for each option from the perspective of the government, society, business actors, consumers and the economy as a whole.
5. Consultation and communication with other stakeholders at all stages.
6. Determination of the best option (selected).
7. Formulation of strategies to implement and revise policies.

The politics of legislation itself is certainly experiencing dynamic development in line with the development of society's need for (written) legal regulations. These legal and political policies are contained in laws that establish various national development plans. Therefore, the direction of development in the field of legal regulations can be formulated as follows. First, in the interests of

sustainable development to achieve a prosperous Indonesia. Second, strengthening the foundations of democracy, followed by institutional strengthening and aiming at efforts to realize public order, eliminate discrimination, recognize and implement human rights, and responsible freedom. Third, strengthening the dimensions of justice in all areas, including reducing income gaps, reducing development gaps between regions (including rural-urban), and reducing gender gaps.

Article 5 of the Act Number 12 of 2011 concerning the Formation of Legislative Regulations has determined that in forming statutory regulations you are required to fulfill a number of principles for the formation of statutory regulations. These principles are:

1. Clarity of purpose.
2. Appropriate forming institutions or officials.
3. Correspondence between type, hierarchy and content material.
4. Can be implemented.
5. Efficacy and usability.
6. Clarity of formulation.
7. And openness.

The provisions of Article 5 of the Law mentioned above are followed by the presence of Article 6 of the Law concerning the principles that must be contained in the content of a statutory regulation. One of the principles that must be explicitly stated is the principle of legal certainty. As is known, Article 6 paragraph (1) Act Number 12 of 2011 pertains to the Establishment of Legislative Regulations states that:

- (1) The contents of the Legislative Regulations must reflect the principles of:*
- a. protection;*
 - b. humanity;*
 - c. nationality;*
 - d. kinship;*
 - e. archipelago;*
 - f. Unity in Diversity;*
 - g. justice;*
 - h. equality of position in law and government;*
 - i. legal order and certainty; and/or*
 - j. balance, harmony, and alignment.*

Apart from regulating the principles in forming statutory regulations and the principles that must be contained in the contents of a statutory regulation, the types and hierarchy of statutory regulations are also determined. The types and hierarchy of statutory regulations are regulated in Article 7 of the Act Number 12 of 2011. Article 7 paragraph (1) and paragraph (2) of the Act states that:

- (1) The types and hierarchy of Legislative Regulations consist of:*
- a. The 1945 Constitution of the Republic of Indonesia;*
 - b. Decree of the People's Consultative Assembly;*
 - c. Law/Government Regulation in Lieu of Law;*
 - d. Government regulations;*

- e. *Presidential decree;*
 - f. *Provincial Regional Regulations; And*
 - g. *Regency/City Regional Regulations.*
- (2) *The legal force of Legislative Regulations is in accordance with the hierarchy as intended in paragraph (1).*

The provisions outlined above are followed by Article 8 of the Law, which governs other types of statutory regulations not mentioned in Article 7. Specifically, paragraphs (1) and (2) of Article 8 explain that the types of Legislative Regulations, aside from those referred to in Article 7, include regulations established by the MPR (People's Consultative Assembly), DPR (House of Representatives), DPD (Regional Representative Council), MA (Supreme Court), MK (Constitutional Court), BPK (Supreme Audit Agency), the Judicial Commission, Bank Indonesia, as well as Ministers and other bodies, institutions, or commissions of equal status formed by Law or by Government order. Additionally, the Provincial DPRD (Regional House of Representatives), Governor, Regency/City DPRD, Regent/Mayor, Village Head, and other similar authorities are included. The Legislative Regulations mentioned in paragraph (1) are recognized as valid and have binding legal force, provided they are mandated by higher Legislative Regulations or are formed in accordance with their authority.

In the context of these laws and regulations, we are familiar with other legal products which are also not mentioned explicitly in the Act Number 12 of 2011. The legal products in question are for example circular letters issued by an institution or officials from certain institutions, in this case the Chief of Police Circular or the Chief of Police Circular. The National Police Chief's Circular Letter Number: SE/7/VI/2018 concerning Termination of Investigations, for example, includes a legal product issued by a certain institution, specifically issued by an official from a certain institution, which in this case was issued by the National Police Chief, at that time by the National Police Chief, General Tito Karnavian, dated 27 July 2018.

The State Police of the Republic of Indonesia, commonly referred to as Polri, has several key functions and objectives. Primarily, it serves the state government by providing community services, ensuring public protection, maintaining order, safeguarding security, and enforcing the law. Additionally, Polri aims to create national security through community service, protecting citizens, and ensuring that public order and safety are upheld in accordance with laws that prioritize human rights. To effectively carry out these functions, regulations and provisions specific to the police are essential. These regulations provide legal certainty in the execution of police duties, ensuring that public order is maintained and that the law is upheld without arbitrary actions. Legal certainty is highlighted in the National Police Chief's Circular Letter Number SE/7/VI/2018, which addresses the termination of investigations. This letter aims to eliminate uncertainty for investigators regarding cases at the investigation stage, enabling them to proceed formally.

The Act Number 8 of 1981 concerning Criminal Procedure Law serves as a guideline for the

Indonesian National Police (Polri) in criminal proceedings. However, it does not address the termination of investigations, resulting in a legal vacuum. Consequently, the National Police of the Republic of Indonesia require specific regulations regarding the termination of investigations. This is particularly relevant when the Investigation Result Report indicates that the investigator has not found sufficient evidence or when it is determined that the incident in question does not constitute a criminal act, leading to the termination of the investigation. According to Article 109, paragraph (2) of Act Number 8 of 1981, an investigation can be stopped by issuing a Letter of Order to Stop the Investigation (“SP3”). This is applicable under the condition that the investigator has not obtained sufficient evidence, identifies that no criminal act has occurred, and ensures that the investigation is formally closed for legal purposes.

The Chief of Police has authority in the form of discretion, in considering the use of his authority based on his own judgment, which is carried out when it is urgently needed, and does not conflict with legislation and the police professional code of ethics. Article 9 of the Act Number 2 of 2002 concerning the Police of the Republic of Indonesia states that the National Police Chief has the authority to determine, implement and control police technical policies aimed at carrying out duties and developing police capabilities.

The National Police Chief also has the authority to issue policies whose epicenter is only within the National Police's internal environment. In this case, one of them is the National Police Chief's Circular Letter Number: SE/7/VI/2018 concerning Termination of Investigation. The Circular Letter is intended to instruct, provide direction or guidance regarding the mechanisms and procedures for terminating an investigation. If in the case of an investigation the investigator does not find a criminal incident, the investigation can be stopped.

According to Agus Riyanto, the National Police Chief's Circular is considered a policy regulation (*beleidsregel*), which holds the same status as announcements, technical instructions, implementing instructions, guidelines, official notes, or similar terms. A.D. Belinfante and Boerhanoedin Soetan Batoeah also define policy regulations as those established by the administration itself. Since the agency or official issuing such a policy does not have the authority to create regulations (*wetgevende bevoegdheid*), it is clear that a policy is not a binding legal regulation. Therefore, as noted by Leica Marzuki, policy regulations are typically used by state administrative law bodies to facilitate a dynamic implementation of laws and regulations.

If you look at the General Guidelines for the Administration of Official Documents printed in Edition I January 2004 and Ministerial Regulation Number 22 of 2008 published by the Ministry of State Apparatus Empowerment, Circular Letters are defined as Official Documents which contain notifications about certain matters which are considered important and urgent. However, circular letters have a higher level than ordinary letters, because circular letters contain instructions or explanations about things that must be done based on existing regulations.

Philipus M. Hadjon explained that in all forms of policy regulations formed by state

administrative bodies or officials using *freies emessen* they are then formulated according to their policies in the form of *juridische regel*, namely announcements, circulars, guidelines and policy announcements. Therefore, according to Bagir Manan and Kuntana Magnar, in practice a policy regulation is made in the form of an announcement, circular letter, instruction or decision.

By referring to the provisions of Article 7 and Article 8 of the Act Number 12 of 2011 concerning the Formation of Legislative Regulations as previously explained, there is no explicit finding regarding Circular Letters or Policies, therefore Circular Letters do not qualify as statutory regulations. Therefore, according to the author, the legal position of the Chief of Police Circular as referred to is only internally binding within the scope of the National Police and does not have a strong binding force outside the National Police institution. According to the author, the National Police Chief's Circular is solely intended to provide notification regarding implementing technical instructions or provisions that must be taken into account in the mechanism for terminating an investigation. For this reason, the National Police Chief's Circular regarding the Termination of Investigations does not contain regulations that are reflected in the articles as is the case with statutory regulations.

B. The Legal Certainty of the National Police Chief's Circular Letter Number SE/7/VII/2018 concerning Termination of Investigations in Indonesian Criminal Procedure Law

One of the fundamental questions that is almost certainly addressed to every regulation is the extent to which its contents provide fair legal certainty. Because apart from conceptually legal certainty is one of the 3 (three) elements of legal objectives as mentioned previously, also because constitutionally the guarantee of legal certainty is part of human rights which cannot be ignored. As emphasized in Article 28D paragraph (1) of the UUD 1945, *every person has the right to recognition, guarantees, protection and fair legal certainty as well as equal treatment before the law*.

It is not surprising, for example, that on one occasion, Saldi Isra stated that although in the minutes of the meeting of the MPR Working Body which discussed and discussed the Draft Amendment to the 1945 Constitution of the Republic of Indonesia, there was no debate or discussion regarding the meaning of legal certainty contained in Article 28D paragraph (1) of the UUD 1945, it is understandable that legal certainty is one of the key words that is almost always mentioned in discussions of material regarding human rights, judicial power and citizens' rights. Legal certainty is thus aspired to as a dream that wants to be realized in the life of society, nation and state.

As has been mentioned, Article 6 of Law Number 12 of 2011 determines the principles that must be contained in the contents of a statutory regulation. One of the principles that must be explicitly stated is the principle of legal certainty. As is known, Article 6 paragraph (1) of the Act Number 12 of 2011 states that: *(1) The contents of the Legislative Regulations must reflect the principles of: a. protection; b. humanity; c. nationality; d. kinship; e. archipelago; f. Unity in*

Diversity; g. justice; h. equality of position in law and government; i. legal order and certainty; and/or j. balance, harmony, and alignment.

The guarantee of legal certainty is a crucial characteristic that should be included in any regulation. However, the author points out that Act Number 8 of 1981, which pertains to Criminal Procedure Law, does not provide detailed provisions regarding the stages involved in terminating an investigation. According to Article 1, paragraph (5) of this Act, an investigation is defined as a series of investigative actions aimed at searching for and discovering incidents suspected of being criminal acts. The purpose of this process is to determine whether an investigation has been conducted in accordance with the methods prescribed by this law.

Investigation procedures can be further clarified by noting that investigators have specific authorities as outlined in Article 5, paragraph (1), letter a of Law Number 8 of 1981 concerning Criminal Procedure Law. These authorities include receiving reports or complaints about criminal acts, gathering information and evidence, ordering suspected individuals to cease their activities, requesting and checking personal identification, and conducting other lawful actions. The term "other actions" is further elaborated in the explanation of Article 5, paragraph (1), letter a, point 4 of Law Number 8 of 1981 concerning Criminal Procedure Law (KUHP). It states that these actions may be taken provided they do not contradict existing legal rules, align with obligations requiring legal action, are appropriate and reasonable, are relevant to the investigator's role, and are based on sound reasoning and compelling circumstances while respecting human rights.

Of the several elements that must be fulfilled to fulfill the investigation formula as outlined in the provisions of Article 1 paragraph (5) and Article 5 paragraph (1) letter a of the Act Number 8 of 1981 concerning Criminal Procedure Law as referred to above, the basic element is the investigator's actions to search for and discover an incident that is suspected of being a criminal act and therefore the investigator has the authority to receive reports or complaints, look for information and evidence, order someone under suspicion to stop and ask and check personal identification and other actions.

Furthermore, if we look closely at all the elements in order to fulfill the qualifications of an investigation as intended in the review above, a common thread can be drawn that the series of actions carried out by investigators which limit the scope of their duties and authority are limited to the actions taken to ensure that the reports or complaints received truly fulfill the elements of an alleged criminal act or crime. Therefore, at the investigation stage, the investigator's actions are an important initial action in criminal procedural law which basically seeks to *"search for and collect information from people and evidence to reach the conclusion that an incident is a criminal act."* The author believes that the importance of this stage is that it will determine the next stage that must be passed, namely the investigation stage.

Investigative actions by investigating officials therefore have the aim and purpose of collecting sufficient evidence or evidence to be able to be followed up at the investigative level. If you pay careful attention to this, the investigative doctrine points in a direction to realize a form of

responsibility towards investigators, so that investigator actions can be avoided so that they do not carry out law enforcement actions with the impact of degrading human dignity, both before and when law enforcement begins. For this reason, the investigation stage plays an important role in criminal law enforcement. With regulations that provide legal certainty, the course of law enforcement will be more guaranteed as well as legal certainty. Furthermore, the legal certainty in question also touches on the guarantee of legal protection for the parties involved in formal criminal law enforcement, namely at least the Reporting Party and the Reported Party.

It can be said that even though the provisions for terminating investigations are intended to ensure greater legal certainty, this cannot necessarily be said to be correct. The reason is, referring to the provisions of the relevant articles in the Criminal Procedure Code, there is no regulation regarding the termination of investigations. Regulations regarding the termination of investigations are only regulated in the legal product of the Circular Letter of the Chief of Police, while when the regulations regarding the termination of investigations are not regulated in the Criminal Procedure Code, this can lead to an assessment that the Circular Letter of the Chief of Police has gone too far beyond what has been determined at the level of law. This means that it is necessary to first ascertain whether the KUHAP interpretively allows for the termination of investigations to be further regulated in other legal product regulations below it.

The National Police Chief's Circular Letter itself is not contained in the hierarchy of Legislative Regulations as per Article 7 of Law Number 12 of 2011. Even if interpreted, the position of the National Police Chief's Circular Letter can be said to have a juridical basis as determined in Article 8 of Law Number 12 of 2011. The National Police Chief's Circular Letter Number: SE/7/VI/2018 concerning Termination of Investigation is nothing more than fulfilling the principle of discretion (principle of *freies ermersen*) issued by the National Police Chief as State Administrative Official.

Thus, the regulation on the termination of investigations which is only based on the Circular Letter of the Chief of Police a quo does not have sufficient authority and binding power. Thus, even though it can be said that it is intended to provide legal certainty, the arrangements for terminating investigations in the National Police Chief's Circular Letter do not provide the maximum guarantee of legal certainty in question. In fact, because the Criminal Procedure Code does not regulate the termination of investigations, it is very possible that the Circular Letter from the Chief of Police which regulates the termination of investigations is seen as having degraded the provisions contained in the Criminal Procedure Code (KUHAP).

CONCLUSION

Circular Letter from the Kapolri Circular Letter Number: SE/7/VI/2018 concerning Termination of Investigation does not have legal standing as do the statutory regulations regulated based on the Act Number 12 of 2011 concerning the Establishment of Legislative Regulations and their amendments. As a legal product that is not included in Article 7 of the Act Number 12 of 2011, the binding force of an investigation termination regulation through a Circular Letter from the Chief of Police is nothing more than a policy regulation (*beleidsregel*) which contains notifications about certain matters that are considered important and urgent.

Regulations on the termination of investigations which are only based on the Circular Letter of the Chief of Police Number: SE/7/VI/2018 concerning Termination of Investigations do not have sufficient authority and binding force, so they do not provide a guarantee of strong legal certainty. Thus, even though it can be said that it is intended to provide legal certainty, the arrangements for terminating investigations in the National Police Chief's Circular Letter do not provide the maximum guarantee of legal certainty in question. In fact, because the Criminal Procedure Code does not regulate the termination of investigations, it is very possible that the Circular Letter from the Chief of Police which regulates the termination of investigations is seen as having degraded the provisions contained in the Criminal Procedure Code.

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