



Reconstruction of the Prosecution Service's Prosecutorial Authority in the Indonesian Criminal Justice System: Integration of the Dominus Litis Principle, the Data-Driven Justice Approach, and Indonesian Values

**Aditya Rachman
Rosadi^{1*}**

Universitas Gadjah Mada,
Indonesia

**Azkiya Pamungkas
Rosadi²**

Universitas Airlangga,
Indonesia

**Rofi Zaidan Mubarak
Rosadi³**

Universitas Gadjah Mada,
Indonesia

Article Info

Article history:

Received: May 22, 2026

Revised: Aug 19, 2026

Accepted: Oct 05, 2026

Keywords:

Criminal Justice Reform; Data-Driven Justice; Dominus Litis; Prosecutorial Independence; Restorative Justice.

Abstract

This study reconstructs the prosecutorial authority of the Indonesian Prosecution Service as dominus litis at the pre-adjudication stage by integrating comparative prosecution models, data-driven justice, restorative justice, and Indonesian legal values. The analysis is situated in the current procedural framework created by Law No. 20 of 2025 on the Criminal Procedure Code, effective from 2 January 2026, which replaced the 1981 Criminal Procedure Code and introduced mandatory investigator-prosecutor coordination from the investigation stage. Using normative legal research, the study examines Indonesian primary legal materials and compares relevant institutional features of prosecution in the Netherlands, the United States, and Singapore. The analysis indicates that Indonesia has moved beyond the former sequential model toward earlier coordination, but statutory coordination remains distinct from a fully prosecutor-directed investigation model. The appropriate reconstruction is therefore not the concentration of investigative power in the Prosecution Service, but an accountable form of dominus litis based on functional independence, early evidentiary coordination, structured prosecutorial discretion, and reviewable decision making. Data-driven tools can support consistency, case monitoring, and evidentiary assessment, but they should remain decision-support mechanisms subject to human review, transparency, privacy protection, and bias safeguards. Restorative justice and Pancasila values further require proportionality, deliberation, victim protection, equal treatment, and inter-institutional cooperation. The resulting model positions the prosecutor as a coordinating case controller within an integrated criminal justice system while preserving institutional boundaries and due process.

To cite this article: Rosadi, A. Y., Rosadi, A. P., & Rosadi, R. Z. M. (2026). Reconstruction of the Prosecution Service's Prosecutorial Authority in the Indonesian Criminal Justice System: Integration of the Dominus Litis Principle, the Data-Driven Justice Approach, and Indonesian Values. *Al Qodiri: Jurnal Pendidikan, Sosial dan Keagamaan*, 24(3), 266-275.

INTRODUCTION

Indonesia's criminal justice architecture is formally organized as an integrated system, yet the relationship between investigation and prosecution has long been shaped by a tension between institutional specialization and evidentiary continuity. Under the former Law No. 8 of 1981 on the Criminal Procedure Code, functional differentiation placed investigation primarily with the Police and prosecution with the Prosecution Service, a design that Indonesian criminal procedure scholarship associated with recurrent pre-prosecution coordination problems (Hamzah, 2021; Arief, 2017). That legal baseline changed materially when Law No. 20 of 2025 on the Criminal Procedure Code entered into force on 2 January 2026 and revoked the 1981 Code. Articles 58 and 59 of the new Code require investigators to involve public prosecutors through coordination from the investigation stage and describe that relationship as equal, complementary, and mutually supportive. Consequently, the contemporary problem can no longer be framed simply as the absence of early prosecutorial involvement; it is now whether the new coordination framework can create evidentiary continuity while maintaining clear institutional boundaries and procedural safeguards.

*** Corresponding author:**

Aditya Rachman Rosadi, Universitas Gadjah Mada, Indonesia
adityarachman@mail.ugm.ac.id

This question is central to the *dominus litis* principle because prosecutorial case control is exercised through decisions about whether, how, and under what conditions a criminal case proceeds. Comparative empirical research shows that prosecutorial discretion is neither mechanically legal nor institutionally neutral: it can be shaped by organizational policy, contextual events, professional values, and decision frameworks (Bielen & Grajzl, 2021; Tuesta, 2021; Votruba & Tisdale, 2021). Studies of progressive prosecution further show that changes in prosecutorial policy can alter charging and case-processing patterns, although outcomes remain dependent on local organizational conditions and implementation practices (Mitchell et al., 2022; Cox & Gripp, 2022; Amaral et al., 2024; Bowman et al., 2026). Public legitimacy also depends on how discretionary choices are justified and perceived rather than on the mere existence of discretion (Nelson & Samarth, 2022). Recent evidence on prosecutorial guidelines reinforces the point that discretion requires institutional structure, reason-giving, and workgroup coordination rather than an assumption that broader authority will automatically produce better justice (Nguyen & Ouss, 2026).

Comparative prosecution systems provide useful reference points, but they do not support a simple institutional transplant. In the Netherlands, the prosecution service has historically occupied a directive role in criminal investigations, creating a stronger connection between evidentiary development and prosecutorial assessment than the former Indonesian sequential model (Tak, 2008). In the United States, broad charging and plea-bargaining authority illustrates the operational power of prosecutorial discretion, while contemporary scholarship also documents the need to scrutinize variation, accountability, and policy effects across offices (Barkow, 2013; Vilaça, 2024; Amaral et al., 2024). Singapore provides a different reference through constitutionally structured prosecutorial authority and a decision framework centered on evidentiary sufficiency and public interest (Chen, 2013). European scholarship similarly shows that prosecutorial independence must be distinguished from unreviewable autonomy and linked to appointment, supervision, jurisdictional, and accountability arrangements (Bontempelli, 2022; Zuidema, 2023; Márton, 2024). These comparisons suggest that the relevant question for Indonesia is not which foreign model to copy, but which institutional functions can be adapted consistently with Indonesia's constitutional and procedural structure.

The reconstruction of prosecutorial authority must also respond to the increasing datafication of criminal justice. Algorithmic tools can support risk assessment, pattern identification, case management, and large-scale analysis, but research consistently warns that accuracy, transparency, bias, and the manner in which human officials use algorithmic outputs are decisive for legitimacy (Berk, 2021; Hamilton, 2021; Lowder et al., 2021; Zottola et al., 2022). Rule-of-law scholarship therefore treats technological efficiency as insufficient unless legal systems preserve contestability, human judgment, and rights protection (Greenstein, 2022; Ugwu-dike, 2022). Studies of smart criminal justice and data-driven adjudication also show that institutional context shapes whether digital systems enhance consistency or merely relocate opacity and discretion into technical infrastructures (Simmler et al., 2023; Castro-Toledo et al., 2023; Adler et al., 2023). Similar concerns arise in analyses of automated courts, law-enforcement AI, presumption of innocence, sociotechnical accountability, and AI-assisted criminal proceedings (Papagiannenas & Junius, 2023; Sanz-Urquijo et al., 2023; Sachoulidou, 2023; Wessels, 2024; Wu & Lin, 2025). For prosecution reform, data-driven justice should therefore be conceptualized as auditable decision support rather than as automated substitution for prosecutorial legal judgment (Ryberg, 2025; Engels et al., 2025).

Restorative justice introduces a second constraint on how *dominus litis* should be understood: the prosecutor's authority to control a case includes the responsibility to determine whether formal prosecution is the most appropriate response. Indonesia had already recognized prosecution-based restorative settlement through Prosecutor Regulation No. 15 of 2020, and Law No. 20 of 2025 now expressly includes restorative justice among the powers of the public prosecutor. Contemporary research supports the potential of restorative approaches to improve participation, perceived fairness, and relational repair, while also cautioning that effectiveness varies by program design, institutional culture, and the quality of implementation (Braithwaite, 2021; Kimbrell et al., 2023). The broader literature emphasizes that restorative justice becomes meaningful only when it is embedded across institutions rather than treated as a marginal diversion mechanism (Rossner & Taylor, 2024; Banwell-Moore, 2024). Its social-justice implications also depend on attention to unequal participation, victim interests, and the context in which consensual processes take place

(Procter-Legg et al., 2024). These considerations fit the Indonesian emphasis on humanity, deliberation, social justice, and mutual cooperation, but those values must be translated into operational criteria rather than invoked only as philosophical language (Gavrielides, 2022).

Recent scholarship has developed substantial bodies of knowledge on prosecutorial discretion, prosecutorial independence, algorithmic criminal justice, and restorative justice, yet these strands are commonly examined as separate reform agendas. The post-2025 Indonesian context creates a specific gap because the new Criminal Procedure Code has already changed the investigator-prosecutor relationship by mandating early coordination, while the conceptual meaning of *dominus litis* after that change remains unsettled. A reconstruction based only on stronger prosecutorial authority risks overlooking accountability, whereas a technology-centered model risks treating legal judgment as a data-processing problem. Conversely, a restorative model without evidentiary coordination may not solve the structural discontinuity that *dominus litis* is intended to address. The unresolved issue is therefore how functional independence, early coordination, structured discretion, data-supported decision making, and Indonesian values can be integrated without collapsing the differentiated functions of investigator, prosecutor, and court. This study addresses that gap through a normative and comparative synthesis rather than by assuming that institutional centralization is itself a measure of reform.

Accordingly, this study examines three related questions: how the current Indonesian legal framework positions the public prosecutor as case controller after the entry into force of Law No. 20 of 2025; what functional lessons can be derived from the Netherlands, the United States, and Singapore; and how those lessons can be integrated with data-driven justice, restorative justice, and Indonesian legal values. The study aims to formulate an accountable model of *dominus litis* that improves evidentiary continuity while preserving due process and institutional checks. Theoretically, the article reframes *dominus litis* from a claim of institutional dominance into a model of structured case control combining authority with reviewability. Practically, it identifies legal and organizational principles for implementing the new coordination provisions, including written coordination, structured prosecutorial reasoning, human-controlled data systems, and safeguards for restorative resolution. The contribution is therefore not a proposal to transfer investigative authority wholesale to prosecutors, but a framework for converting statutory coordination into a coherent and rights-sensitive prosecution system.

METHOD

Research Design

This study used normative legal research to analyze the legal construction of prosecutorial authority and to formulate a prescriptive reconstruction of *dominus litis* within Indonesia's integrated criminal justice system. Normative legal research was appropriate because the principal objects of analysis were statutory norms, institutional competences, legal principles, and doctrinal relationships rather than human participants or field-based measurements (Soekanto & Mamudji, 2021; Marzuki, 2021). The study combined statutory, conceptual, and comparative approaches. Because the design was doctrinal, no research location, population, sample, survey instrument, or statistical reliability test was applicable to the research design.

Legal Materials and Scope

Primary legal materials consisted of the 1945 Constitution of the Republic of Indonesia, Law No. 11 of 2021 amending the Law on the Prosecution Service, Law No. 20 of 2025 on the Criminal Procedure Code, and Prosecutor Regulation No. 15 of 2020 on termination of prosecution based on restorative justice. The former Law No. 8 of 1981 was used only as a historical comparator because it was revoked when Law No. 20 of 2025 entered into force. Secondary materials included relevant doctrinal sources and peer-reviewed international journal literature published predominantly between 2021 and 2026 on prosecutorial discretion and independence, criminal procedure, data-driven criminal justice, algorithmic accountability, and restorative justice. Materials were included when they directly informed one of the study's analytical dimensions. The study was not designed as a systematic review; secondary sources were selected for direct analytical relevance to the legal questions and comparative dimensions.

Comparative and Conceptual Analysis

The comparative analysis examined the Netherlands, the United States, Singapore, and Indonesia across common functional dimensions: the institutional position of the prosecutor, the prosecutor's relationship with investigation, the scope of charging or case-disposition discretion, available resolution mechanisms, and accountability implications. The countries were retained from the original study because they illustrate different arrangements of investigative integration, prosecutorial discretion, and institutional authority. The comparison was functional rather than transplant-oriented: foreign rules were used to identify design choices and trade-offs, not to presume that a legal arrangement could be transferred unchanged to Indonesia. Conceptually, *dominus litis* was analyzed together with prosecutorial independence, due process, data-driven justice, restorative justice, and Pancasila-based values.

Analytical Procedure

Analysis proceeded in five stages. First, the relevant Indonesian norms were identified and read chronologically to distinguish the historical 1981 framework from the post-2025 procedural architecture. Second, the legal functions allocated to investigators and public prosecutors were mapped, with particular attention to early coordination, case-file review, prosecution decisions, restorative justice, guilty-plea mechanisms, and deferred prosecution. Third, the four-country comparison was organized around the same functional dimensions to avoid descriptive country-by-country comparison without a common analytical basis. Fourth, the study evaluated each reform option against independence, accountability, due process, equality, transparency, and human-rights safeguards. Fifth, the results were synthesized into an integrated reconstruction model in which data systems support, rather than replace, legally responsible human decision making. Figure 1 summarizes this analytical procedure.

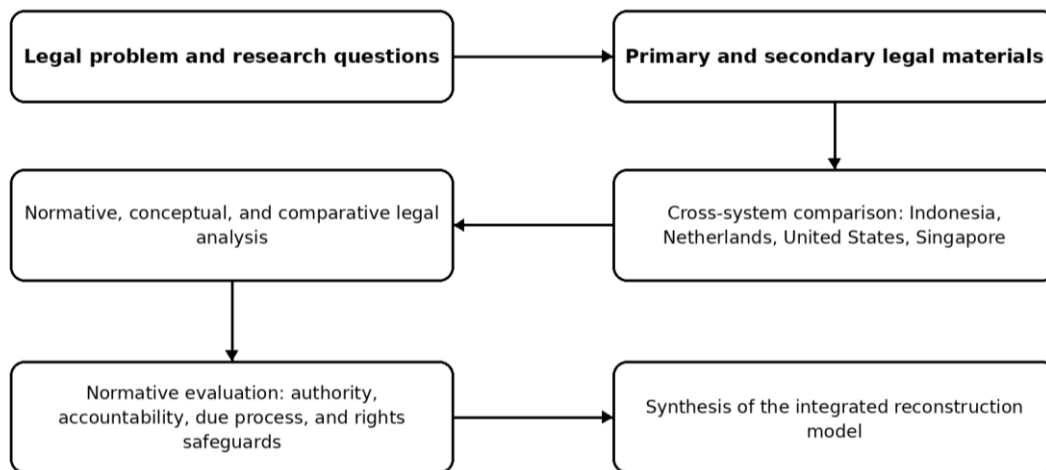


Figure 1. Analytical procedure of the normative and comparative legal research.

RESULTS AND DISCUSSION

Table 1. Functional comparison of prosecution arrangements relevant to the reconstruction model.

Dimension	Netherlands	United States	Singapore	Indonesia (post-2025 Code)
Investigation-prosecution relation	Prosecutor has a strong directive/supervisory role in criminal investigation.	Prosecutorial influence is strong at charging and plea stages; investigative organization varies by jurisdiction.	Police investigation is institutionally distinct; prosecution is exercised by the Attorney-General/Public Prosecutor.	Investigator leads investigation with mandatory early involvement of the public prosecutor through equal, complementary coordination.
Core prosecutorial discretion	Decision to prosecute and direction of prosecution within an integrated model.	Broad charging, declination, plea-bargaining, and sentencing-recommendation discretion.	Evidentiary sufficiency and public-interest considerations structure prosecution decisions.	File review, prosecution or termination, restorative justice, deferred prosecution, guilty plea, and other powers stated in Law No. 20 of 2025.

Dimension	Netherlands	United States	Singapore	Indonesia (post-2025 Code)
Integration logic	Evidentiary continuity from investigation to prosecution.	Discretion-driven case selection and negotiated disposition.	Centralized prosecutorial authority with legal accountability.	Coordination-based continuity while statutory investigative and prosecutorial functions remain differentiated.
Primary reform lesson	Early prosecutorial engagement can align evidence with trial requirements.	Broad discretion requires policy, consistency, and accountability controls.	Institutional authority should be paired with principled decision criteria.	Dominus litis should be implemented as accountable case control, not unlimited command over investigation.
Risk to manage	Concentration of influence over pretrial process.	Variation, opacity, and unequal application of discretion.	Need to preserve reviewability and public-law constraints.	Informal coordination, unclear responsibility, inconsistent discretion, and technology-related rights risks.

The first finding is that the legal premise of Indonesian prosecution reform has changed substantially under Law No. 20 of 2025. The former 1981 Code made the relationship between investigation and prosecution more sequential, which provides the historical basis for concerns about repeated file correction and fragmented evidentiary construction (Hamzah, 2021). The new Code, however, requires the handling of every criminal offense to involve the public prosecutor through coordination and specifies that coordination begins with notification of the commencement of investigation. This change narrows the institutional distance between investigation and prosecution, but it does not establish a Dutch-style hierarchy in which the prosecutor directs police investigation; Articles 58 and 59 instead describe coordination as equal, complementary, and mutually supportive. The contemporary form of dominus litis should therefore be interpreted as responsibility for prosecutorial case control and evidentiary continuity, not as a legal basis for absorbing the investigator's distinct statutory function. This interpretation preserves the integrated-system objective while avoiding an unnecessary concentration of coercive authority.

The comparative analysis reinforces the distinction between functional integration and institutional domination. The Dutch model shows the evidentiary advantages of close prosecutorial involvement in investigation, while the United States demonstrates how broad charging and plea discretion can make prosecutors decisive actors even without a single national model of investigative command (Tak, 2008; Barkow, 2013). Yet contemporary empirical work also shows that prosecutorial choices can vary with organizational leadership, professional frames, policy priorities, and local workgroup conditions (Bielen & Grajzl, 2021; Tuesta, 2021; Vilaça, 2024; Nguyen & Ouss, 2026). Evidence from progressive prosecution further indicates that policy change may alter case outcomes while producing different effects across offices and categories of cases (Mitchell et al., 2022; Amaral et al., 2024; Bowman et al., 2026). Singapore and recent European debates add a complementary lesson: independence matters, but it must be specified through legal competences, appointment and supervision arrangements, and mechanisms that make discretion reviewable (Chen, 2013; Bontempelli, 2022; Zuidema, 2023; Márton, 2024). Indonesia should therefore adapt functions that improve continuity and reasoned decision making rather than reproduce the institutional form of any single comparator.

A second implication concerns prosecutorial independence. Law No. 11 of 2021 already defines the Prosecution Service as a government institution whose functions related to judicial power are exercised independently, so the reform problem should not be presented as though Indonesian law contains no independence guarantee. The more precise normative issue is how that functional independence is protected in individual prosecution decisions while remaining compatible with institutional accountability, the hierarchical character of the Prosecution Service, and external legal review. Research on prosecutorial discretion shows why this balance matters: discretion can enable proportional and context-sensitive decisions, but its legitimacy depends on transparent standards, organizational controls, and the capacity to identify inconsistent or extraneous influences (Bielen & Grajzl, 2021; Cox & Gripp, 2022; Nelson & Samarth, 2022). The evidence available in this normative study does not establish that a particular current institutional arrangement has caused political intervention in specific Indonesian cases, so such an empirical claim should not be inferred from the legal structure alone. A defensible reconstruction therefore strengthens functional decisional

independence together with reason-giving, review, ethics, and public accountability rather than treating constitutional separation as the only possible reform path.

The new coordination provisions provide a practical basis for functional strengthening if they are implemented as structured evidentiary cooperation. Early involvement should allow investigators and prosecutors to clarify the legal theory of the case, identify material evidentiary gaps, and reduce avoidable disagreement before the file reaches the formal prosecution stage. At the same time, coordination should be documented so that it does not become informal command without responsibility; the new Code itself supports this direction by requiring coordination to be recorded and by preserving separate statutory competences. Comparative scholarship on prosecution services and case-processing workgroups indicates that formal authority alone cannot generate coherent implementation when professional roles, internal guidance, and local routines pull in different directions (Votruba & Tisdale, 2021; Cox & Gripp, 2022; Zuidema, 2023; Nguyen & Ouss, 2026). The proposed model therefore uses written coordination points, a shared evidentiary checklist, recorded prosecutorial recommendations, and an escalation mechanism for unresolved legal disagreement as organizational principles rather than as invented empirical procedures. These mechanisms translate *dominus litis* into accountable case stewardship while respecting the investigator's responsibility for investigative acts.

Data-driven justice can reinforce this model only if technological systems remain subordinate to legal judgment. Research on predictive policing and risk assessment demonstrates that algorithmic tools may improve consistency or information processing, but performance depends on data quality, decision thresholds, implementation practices, and the behavior of officials who receive the output (Berk, 2021; Hamilton, 2021; Lowder et al., 2021; Zottola et al., 2022). Legal and sociotechnical research further warns that opacity, embedded normative choices, automation bias, and fragmented responsibility can weaken rather than strengthen accountability (Greenstein, 2022; Ugwu-dike, 2022; Sanz-Urquijo et al., 2023; Wessels, 2024). For the Indonesian Prosecution Service, appropriate uses would include integrated case tracking, evidentiary-completeness alerts, consistency analysis, and management dashboards, while decisions to charge, discontinue, negotiate, or resolve restoratively should remain attributable to an identifiable prosecutor. Comparative work on smart justice supports this human-centered orientation because digital systems can enhance access and consistency while simultaneously creating new forms of opacity or anchoring (Simmmer et al., 2023; Castro-Toledo et al., 2023; Adler et al., 2023; Papagiannenas & Junius, 2023; Wu & Lin, 2025). Human review, explainability, audit logs, privacy protection, bias testing, and the possibility of contesting data-based recommendations are therefore constitutive elements of data-driven prosecution, not optional technical additions (Sachoulidou, 2023; Ryberg, 2025; Engels et al., 2025).

Restorative justice changes the substance of case control by requiring the prosecutor to consider whether prosecution is necessary, proportionate, and responsive to the interests affected by an offense. The authority is no longer merely administrative: Law No. 20 of 2025 expressly includes restorative resolution among prosecutorial powers, building on the earlier framework in Prosecutor Regulation No. 15 of 2020. International research provides qualified support for restorative approaches, showing benefits for participation, fairness perceptions, and some reoffending outcomes while also emphasizing variation in program quality and the need for careful implementation (Braithwaite, 2021; Kimbrell et al., 2023). Scholarship on mainstreaming restorative justice further warns that institutional culture and fragmented delivery can prevent formal policy from becoming routine practice (Rossner & Taylor, 2024; Banwell-Moore, 2024). The Indonesian values invoked in this study can be made analytically concrete: humanity supports proportional treatment; deliberation supports meaningful and voluntary participation; social justice requires equal access and victim protection; and mutual cooperation supports inter-agency coordination without erasing institutional responsibility. This operationalization prevents Pancasila from functioning as a rhetorical add-on and connects it directly to how prosecutors justify case-disposition choices (Procter-Legg et al., 2024; Gavrielides, 2022).

Taken together, the analysis supports an integrated reconstruction with five interdependent components rather than a single expansion of prosecutorial power. The first component is a clear legal mandate combined with functional decisional independence; the second is early investigator-prosecutor coordination directed toward evidentiary continuity; the third is structured and reviewable prosecutorial discretion; the fourth is data-supported decision making subject to human

control; and the fifth is restorative and Pancasila-based case resolution. Due process, equality, transparency, auditability, privacy, reason-giving, and internal and external oversight operate across all five components. This model reframes dominus litis as accountable case control: the prosecutor is responsible for the prosecutorial trajectory of a case and for the quality of the decision to proceed, modify, divert, or terminate, but does not become the sole holder of all pre-adjudication powers. The novelty of the model lies in connecting the post-2025 Indonesian coordination architecture with contemporary evidence on discretion, digital justice, and restorative implementation rather than treating those reforms as separate policy domains. Figure 2 presents the relationship among these elements.

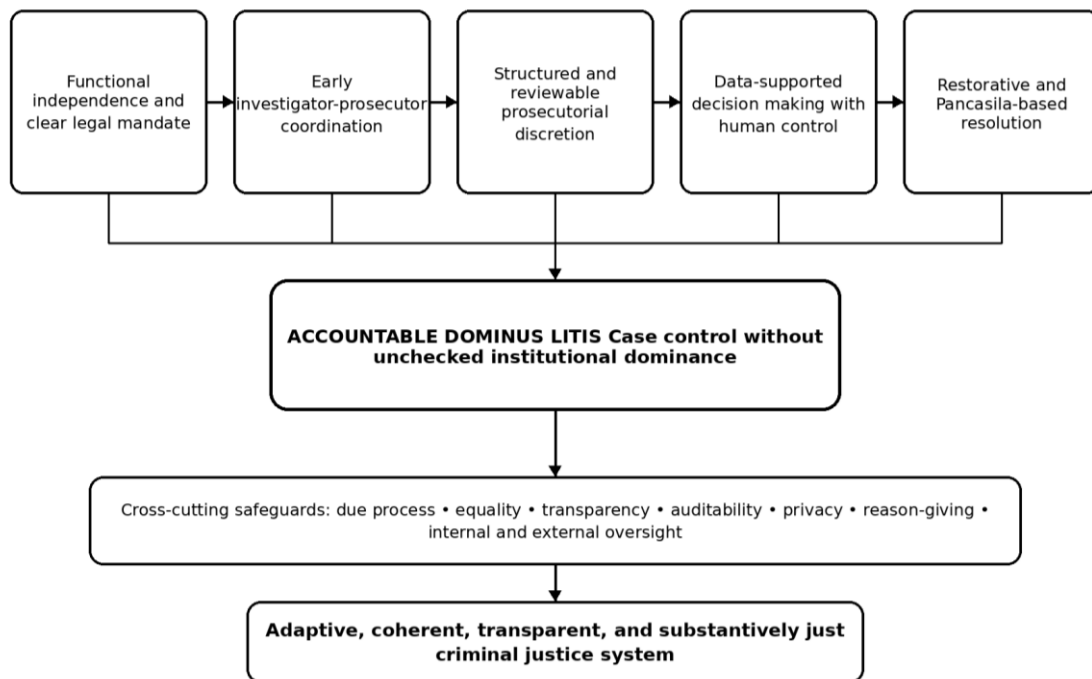


Figure 2. Integrated reconstruction of accountable dominus litis in the Indonesian criminal justice system.

The practical implication is that implementation should focus first on the quality and traceability of coordination rather than on an immediate transfer of investigative authority. Standardized reason-giving, interoperable but access-controlled case information, documented evidentiary consultation, and reviewable restorative decisions are compatible with the current statutory direction and respond to concerns identified across the international literature. At the same time, the study's conclusions must be interpreted within its design. This is a normative and comparative legal analysis, so it does not measure whether the new 2025 Code has already reduced file returns, shortened case-processing time, improved conviction quality, or changed public trust; those outcomes require direct empirical investigation and are beyond the evidentiary scope of this study. Future research should test the proposed model through interviews and case-file analysis involving prosecutors, investigators, defense lawyers, victims, and other relevant actors, and should examine how digital coordination affects both efficiency and procedural rights. Empirical validation is especially important because the new Criminal Procedure Code only entered into force in 2026, making implementation practice an evolving object of study.

CONCLUSION

The reconstruction of prosecutorial authority in Indonesia must now be assessed against the legal architecture created by Law No. 20 of 2025 rather than against the revoked 1981 Criminal Procedure Code alone. The new Code already requires early investigator-prosecutor coordination, expands prosecutorial case-disposition instruments, and places that coordination within an integrated criminal justice framework. The central issue is therefore not whether prosecutors should be involved before formal prosecution, but how that involvement should be organized so that evidentiary continuity improves without collapsing the legal distinction between investigation,

prosecution, and adjudication. Comparative analysis shows that stronger integration can support coherent case construction, but broad discretion also creates corresponding demands for standards, oversight, and reasoned decision making.

This study proposes an accountable dominus litis model built on five connected elements: functional independence and a clear legal mandate, early evidentiary coordination, structured and reviewable prosecutorial discretion, human-controlled data-supported decision making, and restorative resolution grounded in operationalized Pancasila values. The model treats technology as decision support, not as a substitute for legally responsible judgment, and treats restorative justice as a structured form of prosecutorial responsibility rather than an exception to prosecution policy. Due process, equality, transparency, privacy, auditability, and oversight operate as cross-cutting safeguards. Because the study is normative and comparative, the practical effects of the new framework remain an empirical question; subsequent research should evaluate how the 2025 Code is implemented in actual case handling and whether the proposed safeguards improve both institutional coordination and substantive justice.

AUTHOR CONTRIBUTIONS STATEMENT

AR contributed to the conceptualization, research design, legal analysis, and preparation of the original manuscript. AP contributed to the comparative legal analysis, literature review, validation, and critical review of the manuscript. RZ contributed to the collection and organization of legal materials, supporting analysis, and manuscript editing. All authors reviewed and approved the final version of the manuscript.

REFERENCES

- Adler, R. F., Paley, A., Li Zhao, A. L., Pack, H., Servantez, S., Pah, A. R., Hammond, K., & SCALES OKN Consortium. (2023). A user-centered approach to developing an AI system analyzing U.S. federal court data. *Artificial Intelligence and Law*, 31(3), 547–570. <https://doi.org/10.1007/s10506-022-09320-z>
- Amaral, F. A., Loeffler, C. E., & Ridgeway, G. (2024). Prosecutorial discretion not to invoke the criminal process and its impact on firearm cases. *Journal of Criminal Justice*, 95, Article 102313. <https://doi.org/10.1016/j.jcrimjus.2024.102313>
- Arief, B. N. (2017). Bunga rampai kebijakan hukum pidana: Perkembangan penyusunan konsep KUHP baru (6th ed.). Kencana.
- Attorney General of the Republic of Indonesia. (2020). Regulation of the Attorney General of the Republic of Indonesia No. 15 of 2020 concerning termination of prosecution based on restorative justice.
- Banwell-Moore, R. (2024). Restorative justice: Adopting a whole system approach to address cultural barriers in criminal justice. *Criminology & Criminal Justice*, 24(5), 1028–1046. <https://doi.org/10.1177/17488958241268005>
- Barkow, R. E. (2013). Prosecutorial administration: Prosecutor bias and the Department of Justice. *Virginia Law Review*, 99(2), 271–342.
- Berk, R. A. (2021). Artificial intelligence, predictive policing, and risk assessment for law enforcement. *Annual Review of Criminology*, 4, 209–237. <https://doi.org/10.1146/annurev-criminol-051520-012342>
- Bielen, S., & Grajzl, P. (2021). Prosecution or persecution? Extraneous events and prosecutorial decisions. *Journal of Empirical Legal Studies*, 18(4), 765–800. <https://doi.org/10.1111/jels.12301>
- Bontempelli, M. (2022). The statute of the Italian European Public Prosecutor. *Milan Law Review*, 3(1), 20–36. <https://doi.org/10.54103/milanlawreview/18732>
- Bowman, R., Lowrey-Kinberg, B., & Gould, J. B. (2026). Progressive prosecution in context: Examining the impact of prosecutorial administration change on case-processing patterns and racial disparities. *Criminology & Public Policy*, 25, 171–212. <https://doi.org/10.1111/1745-9133.70029>
- Braithwaite, J. (2021). Street-level meta-strategies: Evidence on restorative justice and responsive regulation. *Annual Review of Law and Social Science*, 17, 205–225. <https://doi.org/10.1146/annurev-lawsocsci-111720-013149>
- Castro-Toledo, F. J., Miró-Llinares, F., & Aguerri, J. C. (2023). Data-driven criminal justice in the age of algorithms: Epistemic challenges and practical implications. *Criminal Law Forum*, 34, 295–316. <https://doi.org/10.1007/s10609-023-09454-y>

- Chen, S. (2013). The limits on prosecutorial discretion in Singapore: Past, present, and future. *International Review of Law*, 2013(1), Article 5. <https://doi.org/10.5339/irl.2013.5>
- Cox, A. L., & Gripp, C. (2022). The legitimization strategies of 'progressive' prosecutors. *Social & Legal Studies*, 31(5), 657–678. <https://doi.org/10.1177/09646639211060814>
- Engels, C., Linhardt, L., & Schubert, M. (2025). Code is law: How COMPAS affects the way the judiciary handles the risk of recidivism. *Artificial Intelligence and Law*, 33, 383–404. <https://doi.org/10.1007/s10506-024-09389-8>
- Gavrielides, T. (2022). Ambitions and critiques of restorative justice post COVID-19. *Laws*, 11(1), Article 6. <https://doi.org/10.3390/laws11010006>
- Greenstein, S. (2022). Preserving the rule of law in the era of artificial intelligence (AI). *Artificial Intelligence and Law*, 30, 291–323. <https://doi.org/10.1007/s10506-021-09294-4>
- Hamilton, M. (2021). Evaluating algorithmic risk assessment. *New Criminal Law Review*, 24(2), 156–211. <https://doi.org/10.1525/nclr.2021.24.2.156>
- Hamzah, A. (2021). *Hukum acara pidana Indonesia*. Sinar Grafika.
- Kimbrell, C. S., Wilson, D. B., & Olaghere, A. (2023). Restorative justice programs and practices in juvenile justice: An updated systematic review and meta-analysis for effectiveness. *Criminology & Public Policy*, 22, 161–195. <https://doi.org/10.1111/1745-9133.12613>
- Lowder, E. M., Diaz, C. L., Grommon, E., & Ray, B. R. (2021). Effects of pretrial risk assessments on release decisions and misconduct outcomes relative to practice as usual. *Journal of Criminal Justice*, 73, Article 101754. <https://doi.org/10.1016/j.jcrimjus.2020.101754>
- Márton, B. (2024). Independence of the European Public Prosecutor's Office in the context of the appointment procedures. *New Journal of European Criminal Law*, 15(2), 146–163. <https://doi.org/10.1177/20322844241228721>
- Marzuki, P. M. (2021). *Penelitian hukum (Edisi revisi)*. Kencana.
- Mitchell, O., Oramas Mora, D., Sticco, T. L., & Boggess, L. N. (2022). Are progressive chief prosecutors effective in reducing prison use and cumulative racial/ethnic disadvantage? Evidence from Florida. *Criminology & Public Policy*, 21(3), 535–565. <https://doi.org/10.1111/1745-9133.12598>
- Nelson, M. J., & Samarth, T. (2022). Judging prosecutors: Public support for prosecutorial discretion. *Research & Politics*, 9(4). <https://doi.org/10.1177/20531680221134999>
- Nguyen, V., & Ouss, A. (2026). Prosecutorial guidelines and courtroom workgroups. *Justice Quarterly*, 43(4), 849–879. <https://doi.org/10.1080/07418825.2025.2572686>
- Papagianneas, S., & Junius, N. (2023). Fairness and justice through automation in China's smart courts. *Computer Law & Security Review*, 51, Article 105897. <https://doi.org/10.1016/j.clsr.2023.105897>
- Procter-Legg, T., Hobson, J., & Quimby, E. (2024). Restorative justice and social justice: An international perspective. *Contemporary Justice Review*, 27(2–3), 218–238. <https://doi.org/10.1080/10282580.2024.2414953>
- Republic of Indonesia. (1945). *Constitution of the Republic of Indonesia of 1945*.
- Republic of Indonesia. (2021). Law No. 11 of 2021 concerning amendment to Law No. 16 of 2004 on the Prosecution Service of the Republic of Indonesia.
- Republic of Indonesia. (2025). Law No. 20 of 2025 concerning the Criminal Procedure Code.
- Rossner, M., & Taylor, H. (2024). The transformative potential of restorative justice: What the mainstream can learn from the margins. *Annual Review of Criminology*, 7, 357–381. <https://doi.org/10.1146/annurev-criminol-030421-040921>
- Ryberg, J. (2025). Artificial intelligence at sentencing: When do algorithms perform well enough to replace humans? *AI and Ethics*, 5, 1009–1018. <https://doi.org/10.1007/s43681-024-00442-5>
- Sachoulidou, A. (2023). Going beyond the 'common suspects': To be presumed innocent in the era of algorithms, big data and artificial intelligence. *Artificial Intelligence and Law*. <https://doi.org/10.1007/s10506-023-09347-w>
- Sanz-Urquijo, B., Fosch-Villaronga, E., & Lopez-Belloso, M. (2023). The disconnect between the goals of trustworthy AI for law enforcement and the EU research agenda. *AI and Ethics*, 3, 1283–1294. <https://doi.org/10.1007/s43681-022-00235-8>
- Simmler, M., Brunner, S., Canova, G., & Schedler, K. (2023). Smart criminal justice: Exploring the use of algorithms in the Swiss criminal justice system. *Artificial Intelligence and Law*, 31, 213–237. <https://doi.org/10.1007/s10506-022-09310-1>
- Soekanto, S., & Mamudji, S. (2021). *Penelitian hukum normatif: Suatu tinjauan singkat (20th ed.)*. Rajawali Pers.
- Tak, P. J. P. (2008). *The Dutch criminal justice system (3rd ed.)*. Wolf Legal Publishers.

- Tuesta, D. (2021). Rethinking prosecutorial discretion: Towards a moral cartography of prosecutors. *The British Journal of Criminology*, 61(6), 1486–1502. <https://doi.org/10.1093/bjc/azab040>
- Ugwudike, P. (2022). AI audits for assessing design logics and building ethical systems: The case of predictive policing algorithms. *AI and Ethics*, 2, 199–208. <https://doi.org/10.1007/s43681-021-00117-5>
- Vilaça, L. (2024). Framing and prosecutorial discretion: Evidence from Brazil. *Law & Society Review*, 58(2), 163–191. <https://doi.org/10.1017/lsr.2024.7>
- Votruba, A. M., & Tisdale, C. N. (2021). Examining prosecutorial decision-making in plea bargaining: An experimental paradigm in a community sample. *Analyses of Social Issues and Public Policy*, 21, 595–620. <https://doi.org/10.1111/asap.12234>
- Wessels, M. (2024). Algorithmic policing accountability: Eight sociotechnical challenges. *Policing and Society*, 34(3), 124–138. <https://doi.org/10.1080/10439463.2023.2241965>
- Wu, W., & Lin, X. (2025). Access to technology, access to justice: China's artificial intelligence application in criminal proceedings. *International Journal of Law, Crime and Justice*, 81, Article 100741. <https://doi.org/10.1016/j.ijlcj.2025.100741>
- Zottola, S. A., Desmarais, S. L., Lowder, E. M., & Duhart Clarke, S. E. (2022). Evaluating fairness of algorithmic risk assessment instruments: The problem with forcing dichotomies. *Criminal Justice and Behavior*, 49(3), 389–410. <https://doi.org/10.1177/00938548211040544>
- Zuidema, A. (2023). To which prosecution service? Analyzing the way the Union resolves conflicts of criminal jurisdiction. *New Journal of European Criminal Law*, 14(3), 374–396. <https://doi.org/10.1177/20322844231191373>