

THE IMPLEMENTATION OF RESTORATIVE JUSTICE FOR DRUG OFFENDERS WHO ARE BREASTFEEDING MOTHERS IN THE CONTEXT OF HUMAN RIGHTS ENFORCEMENT WITHIN THE JURISDICTION OF THE SEMARANG POLICE RESORT

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ABSTRACT

The government's policy in the healthcare sector aims to achieve a prosperous, just, and fair society in Indonesia based on Pancasila and the 1945 Constitution of the Republic of Indonesia. To improve public health, it is necessary to enhance both medical treatment and healthcare services, including efforts to ensure the availability of certain types of narcotics, alongside prevention and eradication measures against the misuse and illicit trafficking of narcotics and their precursors. Although narcotics are essential and beneficial in medical treatments and the advancement of scientific knowledge, their misuse or use outside established health standards can lead to dependency, which is highly detrimental when not controlled and monitored closely. According to healthcare experts, narcotics are essentially pain-relieving medications, also known as psychotropics. Abuse of narcotics by individuals must be punished in accordance with the regulations outlined in the Indonesian Law No. 35 of 2009 on Narcotics. However, there are exceptions in the application of penalties for narcotics offenders, such as through the restorative justice system.

Keywords: Restorative Justice, Criminal Offenses, Narcotics, Human Rights, Semarang Police Resort.

INTRODUCTION

The Indonesian Law Number 35 of 2009 on Narcotics, Article 1, Paragraph (1) defines narcotics as substances or drugs derived from plants or non-plants, whether synthetic or semi-synthetic, that can cause a reduction or alteration in consciousness, loss of pain sensation, and may lead to dependence. Narcotics are classified into categories as outlined in Article 6, Paragraph (1) of Law Number 35 of 2009 on Narcotics, which are as follows:

1. Group I Narcotics

These are narcotics that may only be used for the advancement of scientific research and are prohibited from being misused. Narcotics in this group include opium (the resin derived from the fruit of the *Papaver somniferum* plant), cocaine, and marijuana.

2. Group II Narcotics

Narcotics with a moderate potential for dependence, which can be used as a last resort for medicinal purposes and scientific research. This group includes morphine (a white powder used to alleviate pain in cancer patients).

3. Group III Narcotics

Narcotics with a low potential for dependence, typically used for medical treatment and scientific purposes. Examples in this group include codeine (a white powder or tablet) commonly used as a pain reliever and cough suppressant.

The increase in narcotics abuse offenses has become a significant concern. In the legal jurisdiction of the Semarang Police Department, drug trafficking and addiction, which were once confined to urban areas, have now spread to rural districts and villages. Moreover, these issues are no longer limited to men, as women have also become involved.

To this day, controlling the circulation of narcotics has become nearly impossible, with individuals around the world gaining easy access to these substances through irresponsible actors. This situation understandably causes concern among parents, organizations, the public, and the government. Efforts to combat drug abuse have been made repeatedly, yet there remains a small chance of protecting both youth and adults, with even primary and secondary school children becoming victims of drug misuse.

The illicit drug trade has affected various groups, including youth, children, students, entertainment venues, workers, and even housewives/women. In fact, women have increasingly been targeted as key players in the distribution of narcotics. Although women have historically been revered, modern societal shifts have led some to engage in destructive behaviors that they believe are beneficial. Ideally, women should embody the roles of mothers and wives, caring for their children and supporting their families.

Government policies in healthcare aim to establish a prosperous, just, and fair society based on Pancasila and the 1945 Constitution of the Republic of Indonesia. To improve public health, it is essential to enhance treatment and healthcare services, ensuring the availability of certain narcotics and implementing preventive measures against drug abuse and trafficking, as well as the precursor substances.

Although narcotics are crucial in medical treatment and scientific research, their misuse can lead to severe addiction, with detrimental consequences if not controlled and monitored strictly. According to health experts, narcotics are essentially pain-relieving drugs, also known as psychotropics, typically used by doctors for anesthesia during surgery or for treating specific illnesses. Misuse of these substances or their use outside of medical guidelines poses significant health risks.

Drug abuse should be punished according to the provisions outlined in the Narcotics Law (Law No. 35/2009 of the Republic of Indonesia). However, there is an exception for offenders, where restorative justice may be applied in the criminal justice process.

Restorative justice is highly recommended as an approach for diversion in criminal justice, emphasizing mediation between the victim and the perpetrator. This approach involves various parties working together to resolve the issues related to the crime. The key principles of restorative justice include: full participation and consensus, repairing harm caused by crime, holding the offender accountable, restoring the community, and preventing future offenses. Restorative justice seeks to achieve peace outside of court, with the offender (or their family) taking responsibility for rectifying the harm done to the victim (or their family). This approach aims to resolve the criminal issue with mutual agreement between the parties involved, and it may serve as a basis for the court's consideration in sentencing.

In conclusion, restorative justice refers to a process outside of the court system that aims to restore relationships and compensate victims for the harm they have suffered, ultimately providing a basis for judges to potentially reduce the sentence for the offender. In criminal law, restorative justice aims to restore the situation to what it was before the crime occurred. When a crime is committed, the situation changes, and it is the role of the law to protect the rights of victims. Traditional criminal justice systems recognize restitution, whereas restorative justice has a broader scope, seeking to restore the community as a whole.

RESEARCH METHOD

The research method employed in this study is a sociological-juridical approach, as it combines the application of legal science with other social sciences. This means that, while the primary focus is on the legal aspects of the data, social science is used as a supplementary tool.

DISCUSSION

1. The Implementation of Restorative Justice for Breastfeeding Mothers Involved in Narcotics Offenses in the Context of Human Rights Enforcement in the Semarang Police Jurisdiction

The impact of narcotics abuse should not be underestimated, as it is comparable to corruption, both of which pose serious threats to national progress and state security. Narcotics-related cases remain prevalent and dominant among various criminal offenses and violations, with many cases not being recorded, thus remaining part of the "dark number." It is no secret that many narcotics cases are resolved through informal or "peaceful" means, leading to these cases not being documented.

Narcotics refer to substances or drugs, either from plants or synthetic and semi-synthetic sources, that can cause alterations in consciousness, loss of sensation, pain relief, and, in some cases, lead to addiction. While narcotics can be beneficial in medicine, healthcare, and scientific development, they can also lead to harmful dependence if not strictly controlled. From a legal standpoint, the use of narcotics is permissible when regulated.

The Narcotics Law only prohibits the use of narcotics that does not comply with its provisions. Empirically, this has led to the widespread misuse of narcotics not for medical or scientific purposes, but rather as a profitable and rapidly growing business. This misuse has adverse effects on both the physical and mental health of society at large, affecting individuals across age groups—youth, middle-aged, and elderly, regardless of gender.

The spread of narcotics is no longer confined to major cities; it has expanded to smaller towns, sub-districts, and even villages in the Semarang Regency, which falls under the jurisdiction of the Semarang Police Department. According to an interview with Narcotics Unit Chief IPTU Rully, the causes of narcotics abuse are as follows:

- a. To prove bravery by engaging in risky, dangerous activities;
- b. To challenge authority figures such as parents, teachers, the law, or government agencies;
- c. To facilitate sexual behavior and actions;
- d. To escape feelings of loneliness and to seek emotional experiences;
- e. To search for the meaning of life;
- f. To fill the void and alleviate boredom due to lack of activity;
- g. To relieve frustration and anxiety caused by unresolved problems and mental blockages, especially for individuals with disharmonious personalities;
- h. To follow peer pressure and foster solidarity with friends;
- i. Due to curiosity or a desire to experience something new.

The motivations for illegal narcotics use can be categorized into three groups:

- a. The **experience seekers**, who seek new experiences and sensations from narcotics use;
- b. The **oblivion seekers**, who use narcotics to escape or avoid reality, viewing the altered state as a comfortable refuge;
- c. The **personality changers**, who believe that using narcotics can transform their personality, such as making them less rigid in social interactions.

For adults and the elderly, the reasons for narcotics use include:

- a. To alleviate chronic pain;
- b. As a habitual practice resulting from previous use for pain relief;
- c. As an escape from frustration; or
- d. To enhance performance (often used as a stimulant).

Drug abuse among women is not a new issue. In almost every major city, cases of drug abuse are often found, involving both men and women. Legally, drug abuse is considered a criminal offense, violating the provisions of the Criminal Code (KUHP). Both dealers and users are subject to imprisonment, with the possibility of facing the death penalty or life imprisonment.

Criminal behavior is not an inherent trait or biological inheritance. Criminal conduct can be committed by anyone, regardless of gender, and can occur at any stage of life, including childhood, adulthood, or old age. Sociologically, crime encompasses all forms of speech, actions, and behaviors that, in economic, political, and socio-psychological terms, harm society. It violates social norms and threatens the safety of citizens (whether these actions are codified in law or not).

One *modus operandi* in the drug trade involves using women as drug couriers. The drug business has become increasingly uncontrolled as large-scale producers and traffickers exploit children and women as couriers. Experts assert that in almost every country, the primary factor leading to women's involvement in the global drug trade is poverty.

When women realize they have become ensnared in the drug trade, they often cannot escape easily. Poverty places women in a vulnerable position, making it difficult for them to take action. This situation is exacerbated if a woman is financially dependent or afraid of threats from perpetrators, leaving her with little agency even when she realizes she is being exploited for criminal activities.

Women who commit drug-related crimes require further investigation to determine whether they are users, dealers, or simply being used as couriers by criminal networks. Women are often more easily exploited in such roles, as they are less likely to attract suspicion from law enforcement. In cases where women are involved in drug crimes, restorative justice should be considered, particularly if the woman is pregnant or breastfeeding.

Restorative justice is a method of resolving criminal cases by involving the offender, victim, their families, community leaders, religious figures, customary authorities, or other stakeholders to collectively seek a fair resolution through reconciliation, aiming to restore the situation to its original state. The concept of restorative justice is defined in Article 1, Section 3 of the Indonesian National Police Regulation No. 8 of 2021, which describes restorative justice as an alternative dispute resolution process that shifts the focus from punishment to dialogue and mediation involving all relevant parties. The fundamental principle of restorative justice is to heal the victim, providing compensation, reconciliation, and community service, or other agreed-upon actions.

In the implementation of restorative justice, the offender has the opportunity to participate in restoring the situation (restoration), the community plays a role in preserving peace, and the court ensures public order. Restorative justice is an approach to problem-solving that involves the victim, offender, and community elements to achieve justice. In the context of criminal law enforcement, restorative justice is an alternative way of resolving criminal cases, shifting from a punitive focus to a process of dialogue and mediation. This involves the offender, victim, their families, and other relevant parties, working together to create a fair and balanced resolution that benefits both the victim and the offender, while prioritizing the restoration of the situation and the re-establishment of positive social relationships.

The goal of restorative justice in criminal law is to empower the victim, offender, families, and the community to address the consequences of a crime, using awareness and consciousness as the foundation for improving societal life. This approach views justice from multiple perspectives, considering the interests of the victim, the offender, and society as a whole.

The legal basis for restorative justice in criminal cases is outlined in several regulations, including:

1. Articles 310 of the Indonesian Penal Code (KUHP) and Article 205 of the Indonesian Code of Criminal Procedure (KUHAP).
2. Supreme Court Regulation of the Republic of Indonesia No. 2 of 2012 on Adjusting the Threshold for Minor Crimes and Fines in the Penal Code.
3. Joint Agreement between the Chief Justice, Minister of Law and Human Rights, Attorney General, and Chief of the Indonesian National Police No. 131/KMA/SKB/X/2012, No. M.HH-07.HM.03.02 of 2012, No. KEP-06/E/EJP/10/2012, No. B/39/X/2012, dated October 17, 2012, concerning the Implementation of Adjustments to Minor Crime Thresholds, Fines, Fast-Track Proceedings, and the Application of Restorative Justice.
4. Circular of the Director-General of General Courts No. 301 of 2015 on the Settlement of Minor Crimes.
5. Indonesian National Police Regulation No. 8 of 2021 on Handling Crimes Based on Restorative Justice.
6. Attorney General's Regulation No. 15 of 2020 on the Discontinuation of Prosecution Based on Restorative Justice.

Generally, restorative justice operates on the following principles: a. Restorative efforts focus on repairing harm caused to the victim to achieve justice. b. Those affected by the crime should have the opportunity to participate in the process. c. The government plays a role in maintaining public order, while the community contributes to building and sustaining peace.

The core principle of restorative justice is the reparation to victims suffering from crime through restitution, reconciliation, community service by the offender, or other agreements. A fair application of restorative justice upholds impartiality, adherence to laws, and respect for the rights and equality of all parties. It also provides the offender with a chance to contribute to the restoration process, with the community maintaining peace and the court upholding public order.

The requirements for implementing restorative justice are set out in Attorney General's Regulation No. 15 of 2020 on Discontinuation of Prosecution Based on Restorative Justice and Police Regulation No. 8 of 2021 on Crime Handling Based on Restorative Justice.

Criminal cases handled with restorative justice must meet general and specific criteria. General criteria apply to criminal investigation functions, while specific criteria apply only to restorative justice cases within investigative activities. The material requirements for restorative justice include:

1. Not causing public unrest or opposition.
2. No risk of social conflict.
3. No threat to national unity.
4. No elements of radicalism or separatism.
5. Not involving repeat offenders.
6. Not involving crimes of terrorism, state security, corruption, or offenses against life.

Formal requirements for restorative justice include:

1. Reconciliation between the parties, evidenced by an agreement.
2. A signed peace agreement by all parties.
3. Fulfilling the rights of victims and the offender's responsibilities, such as returning stolen items, compensating for damages, covering costs incurred from the crime, and repairing damage caused by the crime.

Supported by a Statement of Agreement Signed by the Victim (except for Narcotics Offenses)

The implementation of restorative justice for breastfeeding mothers involved in narcotics offenses, in alignment with human rights enforcement in the jurisdiction of Semarang Police, proceeds as follows:

- 1. Arrest**
Before commencing an investigation involving any coercive measures, it is essential to first ascertain—based on facts obtained through preliminary inquiry—that the incident initially suspected as a criminal offense indeed constitutes one. This allows for appropriate investigative actions in response to the criminal act.
An arrest involves apprehending an individual committing a crime or offense. According to Article 1, Clause 20 of the Indonesian Criminal Procedure Code (KUHAP), an arrest is defined as an act by an investigator that temporarily restricts the freedom of a suspect or defendant when there is sufficient evidence to necessitate investigation, prosecution, or trial, in accordance with the legal procedures outlined.
- 2. Case Review**
A case review is an integral part of the unified criminal justice system. Formally, this involves the investigator bringing together both the complainant and the reported party. This review is a procedural step in the investigation process.
- 3. Determination of Restorative Justice Approach**
The investigator takes steps to apply restorative justice by analyzing and meeting the legal requirements. This ensures that the investigator's actions are effective and yield optimal results.
- 4. Completing Investigation Documents**
The investigator completes the necessary administrative documents for the investigation, enabling an assessment that could permit the application of restorative justice to the case.
- 5. Submission of Assessment Request to Provincial BNN (National Narcotics Board)**
Once the investigator has completed the administrative requirements, a formal request for assessment is sent to the Provincial BNN to enable consideration of restorative justice for the narcotics case, provided all required conditions are met.
- 6. Awaiting Assessment Schedule**
Following submission of the assessment request to the Provincial BNN, the investigator awaits the schedule for conducting the assessment.

7. **Assessment Execution**

Upon receiving a scheduled date from the Provincial BNN, the assessment is conducted as per the designated timeline.

8. **Issuance of Assessment Recommendations**

9. **Special Case Review**

10. **Submission of SP3 (Termination of Investigation Warrant) with Assessment Results**

The researcher conducted fieldwork in the jurisdiction of the Semarang Police Narcotics Unit, obtaining data represented in a table concerning narcotics offenses involving children and women. The data is presented in the following table:

Table 4.1 Data on Drug-Related Crimes Involving Female Perpetrators Processed by the Semarang Police Narcotics Unit

No	Year	Child Cases	The Case of Women
1	2018	None	4
2	2019	None	2
3	2020	None	2
4	2021	None	1
5	2022	None	5

Source from the Narcotics Unit of the Semarang Police Department.

Based on the data presented in the table above, drug-related cases handled by the Semarang Police Department are predominantly committed by female offenders, with no cases involving minors. Over the years, there has been an increase in female offenders. In one instance, a female offender who was a breastfeeding mother received restorative justice, as documented in Police Report Number: LP / A / 56 / V / 2022 / SPKT.Satresnarkoba / Res Semarang / Central Java Police, dated May 11, 2022. This case represents an example where the Semarang Police Department's Narcotics Unit applied restorative justice for a narcotics offense.

CONCLUSION AND SUGGESTION

Conclusion

1. **Implementation of Restorative Justice for Breastfeeding Mothers Who Commit Drug-Related Crimes in the Context of Human Rights Enforcement in the Jurisdiction of the Semarang Police Department:**

- a. **Arrest** Before an investigation begins, potentially involving coercive measures, it is essential to carefully determine, based on facts obtained from preliminary investigations, whether an event initially suspected as a criminal act is indeed a crime. This ensures that proper investigative actions can be taken. An arrest refers to the act of apprehending someone who has committed a crime or an offense. According to the Criminal Procedure Code (KUHP), Article 1, Paragraph 20, arrest is defined as an action by the investigator to temporarily restrain the freedom of a suspect or defendant when there is sufficient evidence to support the investigation, prosecution, or trial, as prescribed by law. Arrest is thus a temporary deprivation of the individual's liberty for investigative or judicial purposes, in accordance with the procedures outlined by law.
- b. **Case Review** The case review is part of the integrated criminal justice system. Formally, it is conducted by the investigator, involving the complainant and the reported party. This review is a key step in the investigation process.
- c. **Determining Steps for Restorative Justice** The investigator takes specific steps to implement restorative justice in the case, analyzing and meeting the necessary legal requirements for its application as outlined in the relevant legislation, to ensure the steps taken achieve optimal results.
- d. **Completing Documentation** The investigator completes the necessary administrative procedures for the investigation to obtain assessments so that restorative justice can be applied to the case.
- e. **Submitting Assessment Request to the Provincial BNN (National Narcotics Agency)** After the investigator completes the required administrative documentation to meet the necessary conditions for obtaining an assessment in drug-related cases, the investigator submits the assessment request to the Provincial BNN.
- f. **Wait for the Assessment Schedule** Once the request for an assessment is submitted to the Provincial BNN, the investigator waits for the scheduled date for the assessment to take place.
- g. **Conducting the Assessment** After receiving the assessment schedule from the Provincial BNN, the investigator proceeds with the assessment according to the specified timetable.
- h. **Receive Assessment Recommendation Results** Following the assessment, the investigator receives the recommendation results.
- i. **Special Case Review** The special case review takes place based on the recommendations from the assessment.
- j. **Submit SP3 Letter Accompanied by the Assessment Results** The investigator submits the SP3 (Termination of Investigation) letter along with the assessment results as part of the procedure.

2. **Obstacles in the Implementation of Restorative Justice for Breastfeeding Mothers Committing Drug-Related Crimes in the Context of Human Rights Enforcement in the Semarang Police Jurisdiction:**
 - a. There are still investigators in drug-related criminal cases who lack specialized training (Dikjur/Dikbang) in narcotics crime, which results in a lack of professionalism and proportionality in handling such cases.
 - b. The public's understanding of restorative justice remains low.
 - c. There is currently no specific law that clearly regulates restorative justice.
3. **Efforts to Overcome Obstacles in Implementing Restorative Justice for Breastfeeding Mothers Who Commit Drug-Related Crimes in the Context of Human Rights Enforcement in the Semarang Police Jurisdiction, Based on Interviews Conducted by the Author:**
 - a. When the arrest period expires (more than 6 days), investigators, together with the suspect's family, may temporarily place the suspect in a rehabilitation center while awaiting the assessment results.
 - b. Investigators are encouraged to undergo specialized training (Dikjur/Dikbang) to improve their handling of restorative justice cases.
 - c. Providing legal education and outreach on restorative justice to raise awareness.
 - d. Recommending to the government the creation of a more robust legal framework for restorative justice.

B. Suggestion

1. Investigators handling drug-related crimes must adhere to the Criminal Procedure Code and consider the provisions of Law No. 39 of 1999 on Human Rights, especially in the processes of arrest and detention.
2. Investigators should pay close attention to the process of providing restorative justice to breastfeeding mothers who are offenders, ensuring that a sense of justice is achieved.
3. There is a need for specialized training (Dikjur/Dikbang) for members of the Narcotics Unit at the Semarang Police Department, focusing on resolving drug-related cases through restorative justice. This will ensure that the handling of these cases aligns with expectations, both from leadership and the community.

REFERENCE

Book:

- Edi Warsidi, *Mengenal Bahaya Narkoba* (Jakarta Timur: Grafindo Media Pratama, 2006)
- Daru Wijaya, *Revolusi mental stop penyalahgunaan narkoba*, (Yogyakarta: Cetakan 1, 2016)
- Siswanto, *Politik Hukum Dalam Undang-Undang Narkotika* (Yogyakarta: Rineka Cipta, 2014)
- Siswanto Sunarso, *Penegakan Hukum Psikotropika* (Jakarta: PT RajaGrafindo, 2014)
- Santi Sanita, *Bahaya Narkoba* (Jakarta: Bee Media Indonesia, 2008)
- Peter Salim dan Yenny Salim, *Kamus Bahasa Indonesia Kontemporer* (Jakarta: Modern English Perss, 2002)
- Yoachin Agus Tridiatno, *Keadilan Restoratif*, Bandung: Cahaya Atma Pustaka, 2015
- Wahab, *Tujuan penerpaan Program*, (Jakarta: Bulan Bintang, 2008)
- Mulyadi Deddy, *Studi Kebijakan Publik dan Pelayanan Publik*, (Bandung: Alfabeta, 2012)
- Usman & Nurdin. *Konteks Implementasi Berbasis Kurikulum*. Jakarta : PT. RajaGrafindo Persada, 2002
- Kamus Besar Bahasa Indonesia (Jakarta: Balai Pustaka, 2008)
- Master Ain Tanjung, "Pahami Kejahatan Narkoba, Lembaga Terpadu Pemasarakatan Anti Narkoba", Jakarta, 2005
- Romli Atmasasmita, "Tindak Pidana Narkotika Transnasional Dalam Sistem Hukum Pidana Indonesia", Citra Aditya Bakti, Bandung. 2003
- Djoko Prakoso, "Kejahatan-Kejahatan Yang Merugikan dan Membahayakan Negara", Bina Aksara, Bandung. 2000
- Moh. Taufik Makaro, Suhasril dan Moh. Zakky, *Tindak Pidana Narkotika*, Ghalia Indonesia, 2003
- Lydia Herlina Martono dan Stya Joewana, *Pencegahan dan Penanggulangan Penyalahgunaan Narkoba Berbasis Sekolah*, (Jakarta: Balai Pustaka, 2006)
- Ahmad Abidin, *Narkotika Membawa Malapetaka Bagi Kesehatan*, (Bandung: Sinergi Pustaka Indonesia, 2007)
- Ahmad Syarif, *Penyalahgunaan Narkoba dalam Perspektif Hukum Positif*, (Palu: STAIN Datokarama, 2009)
- P.A.F Lamintang. *Hukum Penitensier Indonesia*. Bandung: Amrico, 2002
- Adami Chazawi, *Pelajaran Hukum Pidana*, PT. RajaGrafinda Persada, Jakarta, 2002
- Amir Ilyas, *Asas-Asas Hukum Pidana Memahami Tindak Pidana Dan Pertanggungjawaban Pidana Sebagai Syarat Pemidanaan (Disertai Teori- Teori Pengantar Dan Beberapa Komentar)*, Rangkang Education Yogyakarta & PuKAP-Indonesia : Yogyakarta. 2012.
- Wirjono Prodjodikoro, *Asas-Asas Hukum Pidana Indonesia*, PT. Ersco, Bandung, 1996
- Martiman Prodjohamidjojo, *Memahami Dasar-Dasar Hukum Pidana Indonesia 2*, PT. Pradnya Paramitha, 1997
- Amir Ilyas. *Asas-asas Hukum Pidana*. Rangkang Education: Yogyakarta, 2012
- Teguh Prasetyo, *Hukum Pidana*, PT. Raja Grafindo Persada, 2010
- Leden Marpaung, *Unsur-Unsur Perbuatan Yang Dapat Dihukum*, Sinar Grafika, Jakarta, 1991
- Moeljatno, *Asas-Asas Hukum Pidana*, Jakarta : Rineka Cipta, 2008
- S.R. Sianturi, *Asas-asas Hukum Pidana di Indonesia dan Penerapan*, Cet. 3, Jakarta Stora Grafika, 2002

Andi Hamzah, *Asas-Asas Hukum Pidana di Indonesia & Perkembangannya*, Jakarta: PT. Sofmedia, 2012
Zainal Abidin Farid, *Hukum Pidana I*, Cetakan Kedua, Sinar Grafika, Jakarta, 2007
Andi Hamzah, *Asas-Asas Hukum Pidana*, Cetakan keempat, P.T.Rienka Cipta, Jakarta, 2010
Teguh Prasetyo, *Hukum Pidana*, Cetakan Kedua, P.T. Raja Grafindo, Jakarta, 2011
Leden Marpaung, *Asas-Teori-Praktik Hukum Pidana*, Sinar Grafika, Jakarta, 2005
Moeljatno, *Kitab Undang-Undang Hukum Pidana*, Bumi Aksara, Jakarta, 1996
Andi Hamzah, *Asas-Asas Hukum Pidana*; Jakarta, PT. Rineka Cipta, Tahun 2004

Law :

Undang-Undang Republik Indonesia Nomor 35 Tahun 2009 tentang Narkotika
Undang-Undang No 2 Tahun 2002 Tentang Kepolisian
Kitab Undang-Undang Hukum Pidana
Kitab Undang-Undang Hukum Acara Pidana

Journal :

Mansyur Kartayasa, "Restorative Justice dan Prospeknya dalam Kebijakan Legislasi" makalah disampaikan pada Seminar Nasional, Peran Hakim dalam Meningkatkan Profesionalisme. Menuju Penelitian yang Agung, Diselenggarakan IKAHI dalam rangka Ulang Tahun IKAHI ke 59, 25 April 2012, hlm. 1-2.
Agus Widjojo: Keadilan Restoratif dan Pendekatan Humanis Tidak untuk Menggantikan Keadilan Retributif, <https://www.lemhannas.go.id/index.php/berita/berita-utama/1230-agus-widjojo-keadilan-restoratif-dan-pendekatan-humanis-tidak-untuk-menggantikan-keadilan-retributif>, 27 September 2002
Prayogo Kurnia, Resti Dian Luthviati, Restika Prahanela, Penegakan Hukum Melalui Restorative Justice Yang ideal Sebagai Upaya Perlindungan Saksi dan Korban, Fakultas Hukum Universitas Sebelas Maret Surakarta GEMA, Th. XXVII/49/Agustus 2014 - Januari 2015
Jemmy Anantha Caniago, Tinjauan Yuridis Pelaku Tindak Pidana Narkotika Golongan I (satu) Jenis Sabu-Sabu Menurut Undang-Undang RI No 35 tahun 2009 Tentang narkotika Yang memutus Bersalah Terdakwa (satu) 1 Tahun 6 Bulan Penjara, (Studi Kasus : Putusan Mahkamah Agung RI Nomor 792/Pid.Sus/2017), Fakultas Hukum 17 Agustus 1945, Banyuwangi, Jurnal 2020
Wenda Hartanto, Penegakan Hukum Terhadap Kejahatan Narkotika dan Obat-Obatan Terlarang Dalam Era Perdagangan Bebas Internasional Yang Berdampak Pada Keamanan dan Kedaulatan Negara (THE LAW ENFORCEMENT AGAINST NARCOTIC AND DRUG CRIMES IMPACTING ON SECURITY AND STATE SOVEREIGNTY IN THE ERA OF INTERNATIONAL FREE TRADE), jurnal legilasi Indonesia Vol. 14 NO. 01 - Maret 2017
Roni Gunawan Raja Gukguk, Nyoman Serikat Putra Jaya, TINDAK PIDANA NARKOTIKA SEBAGAI TRANSNASIONAL ORGANIZED CRIME, Jurnal Pembangunan Hukum Indonesia Program Studi Magister Ilmu Hukum, Fakultas Hukum Universitas Diponegoro Volume 1, Nomor 3, Tahun 2019

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