

# **The Authority of the Police in Detention Viewed from the Principle of Presumption of Innocence in the Indonesian Criminal Justice System**

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## **ABSTRACT**

The authority of the police to conduct detention in Indonesia is strictly governed by positive law, particularly the Criminal Procedure Code (KUHP) and the Law on the Indonesian National Police. Detention is a temporary deprivation of liberty against a suspect to ensure the integrity of legal proceedings, prevent flight, destruction of evidence, or recidivism. Police may detain individuals suspected of crimes punishable by at least five years' imprisonment, but such authority requires judicial approval and must comply with the principles of legality, proportionality, and respect for human rights as outlined in relevant regulations. Detention procedures must align with the presumption of innocence, ensuring that suspects are not treated as guilty prior to a final court decision. KUHP mandates strict time limits and judicial oversight, while suspects retain key rights including legal assistance, the right to be informed of the reasons for detention, and the right to challenge the legality of detention through pretrial motions. Abuse of detention authority can be curtailed through mechanisms such as detention suspension requests, pretrial reviews, internal police supervision, and external oversight institutions. These measures are crucial to maintaining accountability, preventing arbitrary detention, and upholding the fundamental rights of individuals within the criminal justice system.

**Keywords:** police authority, detention, presumption of innocence

## **1. INTRODUCTION**

Detention is one of the coercive measures available to law enforcement officials, particularly the police, intended to ensure the smooth progress of investigations and to prevent suspects from destroying evidence, fleeing, or committing repeated criminal acts. However, the police's authority to detain must be exercised proportionally and in accordance with the applicable legal provisions, especially in light of the presumption of innocence, which is a fundamental principle in the Indonesian criminal justice system. This principle signifies that every person suspected of committing a crime must be considered innocent until proven guilty by a final and binding court decision. Consequently, police detention must be conducted in a manner that respects this principle, to avoid abuse of power that could infringe on the human rights of the suspect or defendant. The authority to detain is regulated under the Indonesian Criminal Procedure Code (KUHP), which provides the legal basis and limitations for detention. In practice, however, this authority often gives rise to both procedural and substantive issues. Numerous cases reveal

arbitrary detention practices, conducted without thorough consideration and failing to ensure the suspect's right to fair and lawful treatment. Such practices are in direct conflict with the presumption of innocence, which demands respect for human dignity and guarantees the protection of the suspect's human rights during the criminal justice process. (Siagian, F. S., 2023)

Moreover, disproportionate detention carries the risk of causing severe social stigma for suspects who have not yet been legally proven guilty. In an ideal criminal justice system, detention should function as a last resort (*ultima ratio*), applied only when there are compelling reasons such as the risk of flight, evidence destruction, or recidivism. Inappropriate detention undermines the basic rights of the suspect and can erode public trust in law enforcement agencies and the justice system as a whole. In Indonesia, the presumption of innocence is recognized in various laws and international instruments ratified by the state, including Article 28D paragraph (1) of the 1945 Constitution, which guarantees equal treatment before the law, and Article 1 point 3 of KUHAP, which emphasizes that suspects or defendants are presumed innocent until a final court verdict is rendered. Furthermore, this principle is a non-derogable human right, which must be upheld under all circumstances. Therefore, police detention must be carried out in a way that is consistent with the respect for the presumption of innocence.

Nonetheless, challenges persist in the implementation of police authority to detain in accordance with this principle. A primary challenge is the limited understanding among law enforcement officers regarding the rights of suspects and the precise legal standards governing detention. Inadequate training, lack of oversight, and ineffective accountability mechanisms have contributed to improper detention practices. Additionally, external pressures from society or other parties often influence police decisions to detain individuals without sufficient legal grounds. Such conditions may lead to human rights violations and damage the credibility of the police as professional and accountable law enforcers. This study is essential to examine how police detention authority is exercised and to what extent it aligns with the presumption of innocence as a foundational principle of Indonesia's criminal justice system. It also aims to identify obstacles and practical problems in detention procedures, while providing policy recommendations to improve police practices so that they comply with the rule of law and human rights standards. The findings of this research are expected to contribute to better protection of suspects' rights and reinforce the supremacy of law and justice in criminal proceedings. (Tampi, R., 2021)

This research is further motivated by the growing number of reported cases involving abuse of police detention powers, which have attracted attention from the public, scholars, and human rights organizations. The criticism is not only directed at legal formalities but also at the

social consequences of improper detention, such as stigmatization, discrimination, and psychological distress for suspects and their families. This phenomenon highlights the urgent need for detention—as a form of liberty deprivation—to be tightly regulated and monitored to prevent it from becoming a tool of oppression that violates human rights. The role of the police is strategically important in the criminal justice system, as they are the first point of contact in handling criminal cases, including making decisions on detention. Therefore, police authority must be exercised with full responsibility and within a clear legal framework. Given the significance of this authority, a thorough legal and practical investigation into police detention practices is highly necessary. This study is intended as a critical reflection and input for policymakers, law enforcement agencies, and the public in enhancing the protection of suspects' rights during the legal process.

In addition, this research will highlight relevant international legal standards that influence the implementation of the presumption of innocence, including human rights instruments adopted by Indonesia. This perspective is important to demonstrate that the exercise of police detention authority should not only be based on national law but also harmonized with international human rights standards. Accordingly, this study will comprehensively examine the police authority to detain from the perspective of the presumption of innocence, including regulatory aspects, practical challenges, and recommendations for reform. This research is highly relevant in promoting responsible use of detention as a legal instrument to ensure a fair trial and uphold human rights. It is therefore expected to make a significant contribution to the development of a just and principled criminal justice system in Indonesia. (Sari, A. P. K., 2021)

## **2. RESEARCH AND METHOD**

This research employs a normative juridical method that focuses on the analysis of laws and legal principles related to the authority of the police in conducting detention from the perspective of the presumption of innocence within Indonesia's criminal justice system. The study applies a statutory approach by examining primary legal materials such as the Criminal Procedure Code (KUHP), Law Number 2 of 2002 on the Indonesian National Police, the 1945 Constitution, and international human rights instruments ratified by Indonesia. A conceptual approach is also used to understand the theoretical foundations and implications of the presumption of innocence as a fundamental legal principle. Legal sources are categorized into primary legal materials (statutory regulations and court decisions), secondary legal materials (legal doctrines, journal articles, expert opinions), and tertiary legal materials (legal dictionaries and encyclopedias). Data collection is



conducted through literature and document review, and the analysis is carried out qualitatively using legal interpretation, argumentation, and deductive reasoning to produce prescriptive conclusions that aim to improve legal practice and policy formulation.

### **3. RESULTS AND DISCUSSION**

#### **Police Authority In Conducting Detention Under Indonesian Positive Law**

The authority of the police to carry out detention in Indonesia is explicitly regulated by various prevailing provisions of positive law, particularly the Indonesian Criminal Procedure Code (KUHAP) and complementary statutory regulations. Detention is an act of restricting the liberty of a person suspected of committing a criminal offense for the purposes of investigation and prosecution, aimed at ensuring the smooth conduct of legal proceedings and preventing the suspect or defendant from fleeing, destroying evidence, or repeating the offense. In this context, the police hold a strategic role as investigators with the authority to conduct detention. However, this authority must be exercised in accordance with legal provisions to avoid abuse. Pursuant to Article 1 point 17 of the Criminal Procedure Code (Law No. 8 of 1981), detention is defined as the placement of a person suspected of committing a criminal offense in a state detention facility or other designated place to ensure that the person is not free during the investigation and prosecution process. This affirms that detention is a temporary measure with a specific legal purpose (Soraa, J., & Irawati, S. A., *Legal Protection*), namely to ensure the integrity of the legal process without interference from the detained party.

In exercising its authority, the police as investigators are granted the power to detain suspects under Article 21 of KUHAP. This article stipulates that detention may be carried out against an individual who has been formally designated as a suspect and meets one of the specified conditions, such as being strongly suspected of committing a crime punishable by imprisonment of at least five (5) years or more. This indicates that detention cannot be applied arbitrarily and is reserved for serious offenses that pose a significant risk, such as flight, destruction of evidence, or reoffending. Furthermore, Article 21 paragraph (1) of KUHAP requires the investigator to first obtain detention authorization from the head of the local district court before initiating detention. Therefore, the police's detention authority is not absolute or without oversight, but rather subject to judicial approval as a form of control to prevent abuse of power. Such requests must be submitted in writing, including justifications such as concerns that the suspect may flee, destroy evidence, or repeat the criminal act.

The implementation of police detention is also regulated under Article 22 of KUHAP, which states that the initial period of detention is limited to 20 (twenty) days. If the case file is not completed within this period, the investigator must submit a request for an extension of detention to the head of the district court. This request must also include valid reasons and receive approval from the court. The extension may be granted for up to 40 (forty) days, making the maximum total duration of detention during the investigation stage up to 60 (sixty) days. This provision serves as a safeguard to protect the rights of the suspect from arbitrary or prolonged detention. In addition to KUHAP, the authority of the police in carrying out detention is also influenced by Law No. 2 of 2002 concerning the Indonesian National Police (Polri Law). Article 13 of the Polri Law outlines that the core duties of the police include conducting criminal investigations and maintaining public order and safety. Accordingly, detention by the police constitutes a form of law enforcement and investigatory function intended to protect the public from criminal acts. However, the Polri Law also emphasizes that in performing their duties, the police are obligated to uphold and respect human rights, including the right to personal liberty, which means detention must be conducted lawfully and without arbitrariness (Pura, M. H., & Faridah, H., 2021).

Procedural regulations on detention are further elaborated in Police Regulation No. 8 of 2009 on Detention Procedures, which provides technical guidance for police officers in conducting detention. This regulation mandates that detention must be based on a written detention order issued by the investigator, which must specify the identity of the suspect, reasons for detention, the start date of the detention, and the place of detention. Moreover, detention must observe the rights of the suspect, such as the right to legal counsel, the right to be informed of the grounds for detention, and the right to visitation from family members and attorneys during the detention period. The principle of legality and the principle of proportionality must also serve as guiding foundations for police detention. The legality principle requires that all acts of detention be strictly based on valid legal provisions and must not be carried out arbitrarily. Meanwhile, the proportionality principle demands that detention be imposed only when truly necessary and proportionate to the severity of the alleged crime. This is essential to prevent excessive detention that could result in human rights violations.

In practice, the authority of the police to detain suspects is often subject to criticism due to its potential for misuse, such as excessively long detention periods, lack of clear legal grounds, or detention of individuals who may otherwise be eligible for bail or non-custodial supervision. Therefore, judicial oversight and the pretrial (praperadilan) mechanism are vital to ensure that police detention remains lawful and does not unjustly harm the suspect. This pretrial mechanism is



provided under Article 77 of KUHAP, allowing the suspect or their family to file a motion with the district court to challenge or nullify unlawful or unjustified detention. Pretrial rulings may result in the release of suspects if procedural violations or a lack of legal grounds are found. This mechanism enhances the transparency and accountability of police detention and serves as legal protection for suspects.

Moreover, the exercise of police detention authority must also consider special protections, such as for minors, pregnant women, or individuals who are ill, as stipulated under Article 31 of KUHAP and other related legislation. In such cases, the police must assess the suspect's condition and apply appropriate treatment to ensure that human rights are respected despite the detention status. In summary, the police authority to conduct detention in Indonesia is an integral component of criminal law enforcement, governed strictly by KUHAP, the Polri Law, and implementing regulations. Detention is intended to ensure the proper functioning of legal processes and to prevent any actions by the suspect that could disrupt the legal proceedings. However, the implementation of detention must always observe human rights principles, the legality principle, and the proportionality principle, while being subject to judicial oversight to prevent abuse of power. As such, police detention authority represents a balance between law enforcement interests and the protection of individual rights within the Indonesian criminal justice system.

In addition to the legal and procedural aspects governed by KUHAP and the Polri Law, it is essential to understand that the police's authority to detain must be grounded in the principle of respect for human rights recognized both nationally and internationally. As a rule-of-law state that upholds human rights, Indonesia has ratified various international instruments that serve as guidelines for lawful detention practices. For instance, Article 9 of the Universal Declaration of Human Rights (UDHR) asserts that no one shall be subjected to arbitrary arrest or detention, and similar protections are enshrined in the Convention on the Rights of the Child (for juvenile cases) and other human rights instruments applicable to detainees. In this regard, the police must implement humane detention practices, ensuring that basic rights such as personal liberty, fair treatment, and clear information about the grounds for detention are upheld. Detention must not be regarded as punishment but as a preventive administrative measure that must be exercised with utmost caution. Violating this principle could lead to both legal consequences and potential criminal liability for officers who abuse their authority.

Furthermore, in field investigations, tensions often arise between the need to expedite legal proceedings and the protection of suspects' rights. Therefore, it is critical to emphasize that police authority to detain must never serve as a tool for coercion or undue pressure during investigations.





KUHAP explicitly prohibits torture, inhuman treatment, and coercion that violates human dignity throughout the detention and investigation process. It is also important to note that the police's authority to detain is limited to the investigation and prosecution phases. Once a case enters the trial phase, the authority shifts to the correctional institution responsible for executing sentences. Thus, police detention is merely a temporary part of the criminal justice process and does not constitute a final adjudication (*inkracht van gewijsde*). Moreover, supervision of police detention authority is a critical component of the Indonesian criminal justice system. Oversight is conducted not only through judicial mechanisms such as detention approvals and pretrial proceedings but also by external institutions such as the National Police Commission (Kompolnas), the National Commission on Human Rights (Komnas HAM), and internal police oversight bodies such as the Division of Profession and Security (Propam). Effective oversight helps minimize the risk of detention abuse and ensures that police authority is exercised in accordance with the law and ethical standards.

Additionally, in the context of legal reform and the improvement of the criminal justice system, various supplementary regulations have been updated to enhance protection of the rights of detainees. For example, police regulations and circulars issued by the Attorney General's Office provide human rights-friendly guidelines for detention and guarantee the minimum rights of suspects during custody. This demonstrates that the police's authority to detain must not function in isolation but must align with broader human rights protection efforts and adherence to fair trial principles. Judicial developments, including decisions by the Constitutional Court (Mahkamah Konstitusi) and the Supreme Court (Mahkamah Agung), have clarified the interpretation of detention authority and suspects' rights. The Constitutional Court, in several rulings, emphasized that detention must be based on clear and proportionate reasons and rejected arbitrary detention lacking sufficient legal basis. These precedents encourage the police to exercise their authority with caution and strike a balance between the interests of law enforcement and individual rights protection. Furthermore, in certain contexts, police detention authority is regulated by specific legislation, such as the Anti-Terrorism Law (Law No. 5 of 2018) or the Narcotics Law (Law No. 35 of 2009). These cases involve special provisions that correspond to the nature of the criminal offenses in question, yet must still adhere to general legal principles and human rights protections.

Another important aspect is the obligation of the police to provide adequate and humane detention facilities that meet both national and international standards. This includes providing clean detention environments, access to healthcare, and opportunities for detainees to receive legal assistance and maintain contact with their families. Failure to provide such standards may



constitute a human rights violation and may lead to legal accountability for the authorities. From an administrative law perspective, improper police detention may also be challenged administratively if there is abuse of power. Suspects or their families may file administrative lawsuits with the State Administrative Court (TUN) if detention procedures are deemed unlawful or lack legal justification. This serves as an alternative to pretrial proceedings in ensuring that detention remains within legal and ethical boundaries. A major challenge in the exercise of detention authority is the persistence of abuses, such as arbitrary or prolonged detention without proper extensions, or the use of detention as a political or economic tool. Legal reform and professional training for police officers are crucial to ensuring that they understand the limits of their authority and the imperative to respect suspects' rights under applicable laws.

Furthermore, the Witness and Victim Protection Agency (LPSK) also plays a significant role in providing special protection for vulnerable parties such as witnesses or victims who are also suspects or require protection during the legal process, including during detention. This represents an essential element of a fair and humane criminal justice system, in which police detention authority must be balanced with the protection of vulnerable individuals. Through continuous legal reform, it is hoped that police authority in detention will become more transparent, accountable, and grounded in the principles of the rule of law and respect for human rights. Strategic efforts such as strengthening internal oversight, optimizing pretrial mechanisms, promoting legal literacy among the public, and utilizing information technology for detention data management are vital for reforming the detention system to prevent it from becoming a tool of legal or human rights violations. Police authority in conducting detention under Indonesian positive law is a vital instrument for effective criminal law enforcement, but it must be exercised responsibly, transparently, and with respect for human rights to achieve true justice. Detention is not the ultimate goal but a procedural measure to ensure due process and allow suspects to be fairly tried in court, thereby supporting legal certainty and the protection of all citizens' rights.

### **The Implementation of Police Detention Authority In Line With The Presumption of Innocence Principle**

The implementation of detention authority by the police is a vital instrument in the criminal investigation process. Detention is conducted to ensure the smooth progression of the investigation and to prevent the suspect from fleeing, destroying evidence, or committing further offenses. Nevertheless, the exercise of detention by the police must always be guided by the presumption of innocence, a fundamental principle in the criminal justice system. This principle asserts that any person suspected of committing a crime must be considered innocent until proven





guilty by a final and binding court decision. Therefore, police detention must not be carried out arbitrarily and must respect the human rights of the suspect.

The legal basis for police detention is primarily stipulated in the Indonesian Criminal Procedure Code (KUHP), particularly Articles 21 to 26. Article 21 of KUHP states that detention may be imposed if two cumulative conditions are met: (1) there is sufficient preliminary evidence that the person has committed a crime, and (2) there is reasonable ground to suspect that the person will flee, destroy evidence, or reoffend. Consequently, detention is not an absolute right of the police but a tightly regulated measure that can only be exercised under clear and objective grounds.

Additionally, Article 28 of KUHP regulates the limited duration of detention and its extension, which must be authorized by a prosecutor and approved by the head of the district court. This provision ensures that the rights of the suspect are protected and prevents indefinite detention. The practice of detention must also align with the principle of legality—detention may only be exercised if permitted by law—and the principle of proportionality—detention should only be applied when no alternative measures suffice to secure the legal process.

The presumption of innocence is explicitly affirmed in Article 8 paragraph (1) of Law No. 39 of 1999 on Human Rights, which stipulates that anyone accused of a criminal act shall be presumed innocent until a final court decision declares otherwise. This principle safeguards suspects and defendants from being treated as if guilty before undergoing a fair and transparent trial. In the context of detention, this means that police custody must not serve as punishment prior to conviction but rather as a procedural guarantee. Thus, even while in detention, suspects retain fundamental rights, including the right to be informed of the grounds for detention, the right to legal counsel, and the right to challenge the legality of the detention through pretrial proceedings.

In practice, the authority of the police to detain an individual must be exercised with caution and based on strong legal grounds. Detention should not rely on assumptions or prejudice but on sufficient initial evidence (*prima facie*). This aligns with Constitutional Court Decision No. 31/PUU-XIV/2016, which emphasizes that detention should not be used arbitrarily and must uphold human rights principles. Moreover, the implementation of detention must comply with the standards on the treatment of detainees as regulated in Law No. 12 of 1995 on Corrections and the National Police Regulation No. 1 of 2008 concerning Detention Procedures. The police are obligated to ensure that the rights of detainees are respected, including access to health services, hygiene, and communication with family or legal counsel. Any violation of these rights may invalidate the detention and even jeopardize the criminal case at hand.



A detention procedure aligned with the presumption of innocence also requires transparency and accountability at every stage. Investigators must clearly and formally inform the suspect and their counsel of the reasons and legal grounds for the detention and regularly report the detention to the judiciary. This prevents abuse of authority and ensures that detention is only used as a last resort after other alternatives have been considered.

In cases of unlawful or excessive detention, suspects are entitled to file a pretrial motion to challenge the legality of the detention. This legal mechanism serves to protect the rights of suspects and ensures the presumption of innocence is upheld. Pretrial rulings can order the release of suspects if the detention lacks legal grounds or fails to meet procedural requirements. Furthermore, the implementation of detention authority must also consider international standards ratified by Indonesia, such as the International Covenant on Civil and Political Rights (ICCPR), which emphasizes the protection of suspects' rights and prohibits arbitrary detention. As a state governed by law, Indonesia must harmonize its police detention practices with these international human rights standards.

Police detention must strike a balance between public interest in law enforcement and the protection of the suspect's human rights. Detention should be a last resort after other preventive measures, such as mandatory reporting or bail, have been considered. This reflects the principles of proportionality and necessity that must guide the exercise of detention powers. This is crucial to avoid abuse of power, such as prolonged detention without strong justification or without a fair judicial process.

KUHAP imposes strict time limits on detention: a maximum of 20 days during the investigation phase (Article 24(1) KUHAP) and an extension of up to 40 days during the prosecution phase (Article 24(2) KUHAP). Further extensions require judicial approval, providing a mechanism of judicial oversight over the prosecutor and investigator's authority. This court supervision is an implementation of the legality principle and ensures that detention does not turn into a form of pretrial punishment. Relatedly, Article 14 paragraph (1) of KUHAP affirms that individuals under investigation shall be treated as innocent until a final judgment proves otherwise. This norm underscores that police detention is an administrative act meant to secure the suspect's presence, not a preemptive punishment.

During detention, the suspect's rights are guaranteed under Article 56 of KUHAP, including the right to health care, communication with legal counsel and family, and the right to challenge detention through pretrial review. These rights are essential as detention can lead to psychological and physical stress. The police must ensure that detention facilities meet humane



standards and avoid inhumane treatment or torture, as prohibited by Law No. 39 of 1999 on Human Rights and Law No. 26 of 2000 on Human Rights Court. The role of pretrial review is vital in ensuring police detention complies with legal requirements and respects the presumption of innocence. Through this mechanism, suspects or their attorneys may challenge unlawful detention. A ruling that releases the suspect highlights that detention authority is not absolute and must be monitored to prevent abuse.

In the broader context of implementing the presumption of innocence, it is important to address how law enforcement officers handle cases across diverse social and cultural backgrounds. In some instances, suspects are treated as guilty before court decisions, contrary to legal principles and detrimental to the suspect's psychological and social well-being. Thus, education and training for police on the importance of human rights and the presumption of innocence are essential to ensure professional, fair, and humane detention practices. External oversight bodies such as the National Human Rights Commission (Komnas HAM) and the Ombudsman of the Republic of Indonesia also play an important role in monitoring detention practices. These institutions can act on public complaints regarding violations of suspects' rights and thereby apply pressure on the police to operate within a human rights framework. This aligns with Indonesia's commitment to uphold various international human rights instruments, including the ICCPR, which prohibits arbitrary detention and guarantees legal protection for all individuals.

From a criminal law perspective, detention also serves to protect public interests and ensure the effectiveness of legal proceedings. Police detention functions as a preventive measure to avoid interference with the investigation process. However, detention procedures must be carefully designed to prevent injustice or discrimination, particularly against vulnerable groups such as women, children, or persons with disabilities. The principle of non-discrimination, as outlined in the Human Rights Law, must be applied to ensure fair treatment for all suspects. Transparency and accountability are equally important: every act of detention must be thoroughly documented, including the reasons for detention, supporting evidence, and the condition of the suspect. These records are essential for legal auditing and oversight by the judiciary and human rights institutions. Furthermore, investigators must allow suspects to access legal assistance to ensure a fair legal process, in accordance with Article 54 paragraph (1) of KUHAP.

In practice, several cases in Indonesia demonstrate misuse of detention authority, including detention without legal basis, prolonged detention, and inhumane treatment of suspects. These practices contradict the presumption of innocence and human rights principles. Therefore, legal reform efforts—including police training on human rights, strengthening pretrial mechanisms, and



enhancing supervision—are necessary to ensure the professional and lawful use of detention authority. More broadly, the implementation of detention authority consistent with the presumption of innocence reflects the maturity of a legal system that upholds justice and the protection of human rights. A sound legal system does not merely focus on strict law enforcement but ensures that every legal process respects individual rights.

In this regard, the police, as a strategic institution in the criminal justice process, must exemplify adherence to the presumption of innocence. Public trust in the criminal justice system hinges on this commitment. It must be emphasized that police detention is not a form of conviction or punishment but an administrative measure to secure procedural integrity. Detention must be proportional, transparent, and accountable, and must be accompanied by the protection of detainees' rights. Upholding detention authority in line with the presumption of innocence reflects the respect for fair and civilized legal values and is a vital component in building an integrity-based and trustworthy criminal justice system in Indonesia.

#### **4. CONCLUSION**

In conclusion, the authority of the police to carry out detention in Indonesia is strictly regulated by positive law, particularly in the Criminal Procedure Code (KUHAP) and other related legislation, which emphasize that detention is a limited and temporary measure intended to ensure the smooth progress of investigation and prosecution. The implementation of detention must comply with the principles of legality, proportionality, and respect for the presumption of innocence in order to safeguard the human rights of suspects and prevent abuse of authority. Furthermore, detention must be authorized by the court and is subject to clear time limits, with mechanisms for extension and strict judicial oversight. To prevent misuse of detention authority, legal remedies such as detention suspension and pretrial proceedings are available, along with supervision by judicial institutions that function as checks on police investigatory actions. Therefore, the exercise of police detention authority must always be grounded in legal principles and human rights norms to ensure that the process of law enforcement proceeds fairly and transparently.

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