Abstract

This study aims to analyze police actions in handling the crowd during the riot at Kanjuruhan Stadium in Malang, focusing on the Surabaya District Court Decision No. 13/Pid.B/2023/PN Sby. This case attracted public attention due to the significant loss of life due to the use of tear gas by security forces. The research method used was normative juridical, with a case approach and a statute approach. Data were obtained through a literature review of court decisions, relevant laws and regulations, and official documents such as reports from the National Commission on Human Rights and FIFA. The results indicate that police actions during the incident did not fully comply with the principles of crowd control procedures, proportional use of force, and protection of human rights as stipulated in National Police Chief Regulation No. 1 of 2009 and international law enforcement standards. Decision No. 13/Pid.B/2023/PN Sby indicates elements of negligence and procedural violations in the officers' actions, thus providing the basis for criminal liability for certain parties. This study emphasizes the importance of a systemic evaluation of crowd control policies by security forces to ensure they align with the principles of law and justice.

***Keywords**: Legal analysis, police action, crowd control, Kanjuruhan, Decision, No. 13/Pid.B/2023/PNSby*

Abstrak

Penelitian ini bertujuan untuk menganalisis tindakan kepolisian dalam penanganan massa pada peristiwa kerusuhan di Stadion Kanjuruhan Malang, dengan fokus pada Putusan Pengadilan Negeri Surabaya Nomor 13/Pid.B/2023/PN Sby. Kasus ini menjadi sorotan publik karena menimbulkan korban jiwa yang signifikan akibat penggunaan gas air mata oleh aparat keamanan. Metode penelitian yang digunakan adalah yuridis normatif dengan pendekatan kasus (case approach) dan perundang-undangan (statute approach). Data diperoleh melalui studi pustaka terhadap putusan pengadilan, peraturan perundang-undangan yang relevan, serta dokumen resmi seperti laporan Komnas HAM dan FIFA. Hasil penelitian menunjukkan bahwa tindakan kepolisian dalam peristiwa tersebut tidak sepenuhnya sesuai dengan prinsip-prinsip prosedur pengendalian massa, proposionalitas penggunaan kekuatan, serta perlindungan hak asasi manusia sebagaimana diatur dalam Peraturan Kapolri No. 1 Tahun 2009 dan standar internasional penegakan hukum. Putusan No.13/Pid.B/2023/PN Sby menunjukkan bahwa terdapat unsur kelalaian dan pelanggaran prosedur dalam tindakan aparat, sehingga menjadi dasar pertanggungjawaban pidana bagi pihak tertentu. Penelitian ini menegaskan pentingnya evaluasi sistemik terhadap kebijakan pengendalian massa oleh aparat keamanan agar sejalan dengan prinsip hukum dan keadilan.

Kata Kunci: Analisis hukum, tindakan kepolisian, penanganan massa, Kanjuruhan, Putusan,No.13/Pid.B/2023/PNSby