

## LAW ENFORCEMENT AGAINST HIT-AND-RUN CASES AND THE ROLE OF THE POLICE IN PREVENTION AND PROSECUTION

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### Abstract

This research aims to analyze law enforcement and moral responsibility in hit-and-run cases as well as the role of the police in preventing traffic accidents. The approach used is descriptive qualitative with the method of document analysis of applicable regulations, literature review, and interpretation of the effectiveness of the policies applied. The results showed that hit-and-run is a criminal offense that has serious legal consequences, as stipulated in Law Number 22 of 2009. The police have a role to take preventive action through socialization and traffic surveillance, as well as repressive action by conducting investigations, arrests, and legal proceedings against the perpetrators. The main factors that encourage hit-and-runs include the perpetrator's fear of legal consequences, panic at the scene, and low public awareness of moral responsibility. The impact is not only in the form of physical and material losses, but also a deep psychosocial impact on victims and their families. Therefore, it is necessary to increase legal awareness in the community and optimize cooperation between the police and related institutions in order to reduce the number of road accidents and violations of the law.

**Keywords:** Accident, Hit-and-run, Law enforcement, Moral responsibility, Police, Prevention Traffic safety

### A. INTRODUCTION

Safe and orderly traffic is one of the important aspects of creating a good quality of life for the community. With the ever-increasing population, the challenges in traffic management are becoming more complex. The public must understand behaviors that lead to traffic safety and compliance with existing regulations to reduce the risk of accidents and improve road safety. The population in an area determines the level of traffic density and busyness and it contributes to an increase in the number of vehicles that people use to fulfill their daily needs. This, when accompanied by a low level of public awareness about traffic safety and orderliness, creates the threat of traffic accidents. Public awareness about traffic safety must be increased in order to create a safer and more orderly environment. It is not easy and is an ongoing problem.

The challenges in road use are increasingly complex, so active participation of all road users is essential to create orderly and safe traffic conditions. Traffic order is described as a state in which the use of roadways is orderly, smooth, and with minimal accidents. However, traffic accidents are one of the most serious problems faced by modern societies, especially in countries with high vehicle density. This phenomenon threatens the safety of individuals, and impacts the entire transportation system and infrastructure. With the increasing number of vehicles on the road, it is important to understand the factors that contribute to accidents and

how to prevent them. Awareness of the importance of traffic safety must be raised so that people can play an active role in creating a safer driving environment.

Traffic accidents often result from driver inattention, which can include factors such as inattention, excessive speed or disregard for traffic rules. This inattention has the potential to result in physical injuries to drivers and passengers, and can have serious repercussions for other road users, including pedestrians and cyclists. Hit-and-run is an act that violates human ethics, where the perpetrator ignores their moral responsibility to others. Hit-and-run cases generally begin as accidents caused by negligence, where the perpetrator has no intention of committing the act. However, the element of intent arises when the perpetrator does not stop the vehicle, does not provide assistance, and does not report the incident to the authorities. Therefore, strict enforcement of hit-and-run laws is essential to promote awareness and social responsibility among drivers.

The main cause of hit-and-run is the perpetrator's act of leaving the victim without any sense of responsibility after the accident (Badri et al., 2017). Willfulness is defined as the intention to do or omit an act prohibited or commanded by law. Hit-and-run perpetrators have an obligation to fulfill legal responsibilities, which implies sanctions to encourage legal compliance in society. Therefore, the perpetrator is required to report the incident and provide factual information. Often, people engage in unintentional violations of the law, which can harm others, in traffic dynamics. As such, it is important to raise legal awareness among the public in order to reduce the incidence of hit-and-runs and the negative impacts they cause.

This study aims to analyze law enforcement and moral responsibility in hit-and-run cases. The study will also explore the role of the police in law enforcement as well as efforts to prevent traffic accidents. In addition, this study will also examine the psychosocial impact of traffic accidents, both on the victims and society as a whole. With such a comprehensive approach, it is hoped that this study will provide insights into issues related to traffic safety and social responsibility.

## **B. LITERATURE REVIEW**

Hit-and-run is one of the most serious forms of traffic offenses and has a significant impact on victims and society. According to Arif (2019), a hit-and-run is defined as a traffic accident in which the driver involved leaves the scene without rendering aid or reporting the incident to the authorities. The main characteristic of hit-and-run cases is the perpetrator's attempt to avoid legal and moral responsibility for his or her actions. Sulistyono (2021) added that hit-and-run cases often involve factors such as alcohol influence, driver fatigue, or non-compliance with traffic rules. His research shows that most hit-and-run cases occur at night or early morning, when visibility is low and traffic surveillance tends to be reduced.

From a legal perspective, hit-and-runs not only violate traffic rules but can also be categorized as a criminal offense. Widodo (2020) explained that hit-and-run perpetrators can be charged with multiple articles, including articles on traffic accidents resulting in death or injury (Article 310 of Law Number 22 of 2009 on Road Traffic and Transportation) and articles on victim neglect (Article 531 of the KUHP). Furthermore, Pratiwi (2022) analyzed that law enforcement against hit-and-run cases often faces challenges in terms of proof and identification of perpetrators. This is due to the nature of the case which involves the escape of the perpetrator, so that physical evidence and eyewitnesses become very crucial in the investigation process.

The police have a central role in the prevention and prosecution of hit-and-run cases. According to Sulistyono (2021), an effective prevention strategy involves a combination of increased traffic surveillance, public education, and the application of technology such as surveillance cameras and automatic speed detection systems. In terms of enforcement,

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Widodo (2020) emphasizes the importance of quick response and thorough investigation by the police. This includes collecting evidence at the scene, analyzing CCTV footage, and coordinating with the community to obtain information related to the perpetrator. Pratiwi (2022) added that the successful prosecution of hit-and-run cases relies heavily on cooperation between the police, the community, and various other stakeholders. Her research shows that the active involvement of the community to report incidents and provide information can significantly increase the case resolution rate.

Despite consistent efforts in law enforcement, hit-and-run cases remain a serious challenge. Arif (2019) identified several factors that complicate law enforcement, including limited police resources, lack of public awareness, and complexity in the evidentiary process. Sulisty (2021) also highlighted the importance of updating regulations and increasing the capacity of law enforcement to deal with developments in vehicle technology and driver behavior patterns. He argues that an adaptive and technology-based law enforcement approach is needed to keep up with the complexity of hit-and-run cases in the modern era.

In addition to the legal aspects, hit-and-run cases also have significant social and psychological implications. Pratiwi (2022) explored the long-term impact on victims and their families, including psychological trauma and financial burden due to medical treatment or loss of family members. Widodo (2020) added that the hit-and-run phenomenon can also reduce public trust in the justice system and public safety. Therefore, handling hit-and-run cases is not only important from a law enforcement perspective, but also to maintain social cohesion and a sense of justice in society. This literature review shows that law enforcement of hit-and-run cases is a complex issue that requires a multidimensional approach. The role of the police is crucial, both in the prevention and prosecution aspects, but the success of this effort also depends on the active participation of the community and the continuous improvement of the legal system.

### C. RESEARCH METHODOLOGY

The research method used in this study is descriptive with a qualitative approach to analyze law enforcement and moral responsibility in hit-and-run cases. This research relies on secondary data obtained through document studies of applicable laws and regulations, such as Law Number 22 of 2009 concerning Road Traffic and Transportation and Law Number 2 of 2002 concerning the Indonesian National Police. In addition, this research also uses literature review from academic journals, research reports, and relevant scientific publications to understand the role of the police to enforce the law as well as efforts to prevent traffic accidents. Data analysis was conducted qualitatively by examining the content of various legal sources, comparing existing regulations, and interpreting the effectiveness of policy implementation to reduce the number of violations and increase legal awareness in the community. This study also identifies factors that contribute to the occurrence of hit-and-runs, including psychosocial aspects that influence the behavior of perpetrators and their impact on victims and society at large. The results of this study are expected to provide insight into the applicable legal mechanisms, the effectiveness of repressive and preventive measures implemented by the police, and the role of the community to support compliance with traffic rules.

### D. RESULT AND DISCUSSION

#### Law Enforcement and Moral Responsibility in Hit-and-Run Cases

Traffic and transportation have a close relationship, where traffic refers to the regulation and adherence to transportation rules by the public when using roads. According to Law of the Republic of Indonesia Number 22 of 2009, road traffic and transportation is defined as an

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integrated system that includes traffic, transportation, and supporting infrastructure, with traffic defined as the movement of people and vehicles on roads.

Traffic accidents are a serious problem facing society today. According to Law Number 22 of 2009, traffic accidents are recognized as sudden calamities that are generally caused by inattention. Article 1 Point 24 of this Law states that a traffic accident is an unexpected and unintentional road event involving a vehicle with or without other road users that results in human casualties and/or property damage. These accidents involve vehicles and can result in injury or property damage. One of the problems that arises is the ineffectiveness in the application of Article 231, which creates obstacles in the investigation and determination of perpetrator responsibility. The act of hit-and-run, which leaves the victim without assistance is both illegal and unethical. Therefore, stricter law enforcement as well as increased public awareness is required to reduce traffic accidents. By raising awareness and implementing effective laws, it is hoped that the incidence of accidents can be reduced thereby improving safety and order in traffic.

Hit-and-run is one of the most serious offenses in traffic accidents, and it often has a significant impact on individuals and society. It demonstrates a lack of empathy and responsibility on the part of the perpetrator, which harms victims and creates uncertainty and insecurity on the roads. Given the negative impacts, it is important to understand the legal and ethical implications of hit-and-runs. Efforts to prevent these acts should be the focus of attention, so that road safety is maintained and victims are not further victimized.

One act that violates humanitarian ethics is hit-and-run, where the perpetrator ignores moral responsibility towards others. This action harms the victim, and is also considered a crime under the law due to the negative impact it causes, especially for other road users (Pribadi & Maryana, 2020). Hit-and-run is categorized as a crime under Article 316 Paragraph (2) of Law Number 22 of 2009 on Road Traffic and Transportation. This act includes offenses regulated in several articles, such as Article 273, Article 275 Paragraph (2), Article 277, Article 310, Article 311, and Article 312. Thus, hit-and-run is an act that is prohibited by society and has been designated as a criminal act by the state to protect the rights of citizens and the public interest from private interests.

Law enforcement in hit-and-run cases involves the application of various regulations aimed at ensuring that offenders are held accountable for their actions. The law provides strict sanctions for hit-and-run offenders, such as prison sentences and fines, to emphasize that the act is unacceptable. Hit-and-run is an act that violates human ethics, where the perpetrator ignores their moral responsibility towards others. Hit-and-run cases generally begin as accidents caused by negligence, where the perpetrator has no intention of committing the act. However, the element of intent arises when the perpetrator does not stop the vehicle, does not provide assistance, and does not report the incident to the authorities. Moral responsibility also plays an important role, as it is expected that perpetrators should consider the legal consequences, and be ethically accountable for their actions towards the victim and society. This awareness of moral responsibility is expected to reduce hit-and-run incidents on the highway. This is regulated in Article 312 of the Road Traffic and Transportation Law, which states that perpetrators can be sentenced to imprisonment of up to three years and a maximum fine of IDR 75 million. As such, strict law enforcement against hit-and-runs is essential to promote awareness and social responsibility among drivers.

Police efforts to deal with hit-and-run cases have been carried out through various actions, both repressive and preventive. They conduct information gathering, investigations, as well as preventive measures to avoid similar incidents in the future. However, obstacles in the law enforcement process still often arise, one of which is the perpetrator who manages to escape, which shows the cruelty of the act, especially if it causes fatalities. As law enforcers,

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the police have the responsibility to maintain security, order, and provide protection to the community, as stipulated in Article 13 of Law Number 2 of 2002 concerning the Indonesian National Police. However, low understanding and compliance with existing regulations are still the main factors that increase the risk of hit-and-run. Therefore, collaboration between the police and the community is needed to increase legal awareness and compliance in traffic. There is a significant difference between violations committed intentionally and those that occur without intention, where violators who act with full awareness will be subject to more severe sanctions in order to improve discipline and legal awareness in the community.

Strict law enforcement against hit-and-run cases is needed to increase awareness and responsibility among drivers. This is due to the element of intentionality in the hit-and-run act, such as not stopping the vehicle, not providing assistance, and not reporting the incident to the authorities, as stipulated in Article 312 of Law Number 22 of 2009. Initially, this offense can occur due to driver negligence that causes harm without any intention to create an accident. However, this action has developed into a crime that is contrary to moral norms, even though it has gone through an investigation and investigation process (Setiawan, 2017). Based on Article 316 Paragraph (2) of Law Number 22 of 2009, hit-and-run is categorized as an offense that has serious legal repercussions. The action reflects a clear violation of the law, as a driver who causes an accident should be responsible for the consequences. Legally, an action can be considered a criminal offense if it has been declared as an offense in the applicable regulations and has a threat of punishment for the perpetrator. A criminal act, also referred to as a criminal offense or strafbaar feit, refers to an act that is prohibited by law and has legal consequences for the perpetrator.

Efforts to raise public awareness and tighten law enforcement in hit-and-run prone areas are important steps to reduce such incidents. Hit-and-run incidents tend to occur more often in deserted areas due to the lack of witnesses, which provides opportunities for perpetrators to escape unnoticed. Research has also shown that the main factors driving offenders to leave the scene are fear of legal consequences, feelings of guilt, or fear of a mob reaction that could lead to aggressive actions from the surrounding community. These fears often lead offenders to consider running away as the only way to avoid a difficult situation. A hit-and-run is defined as an incident where a driver hits someone or something and then leaves the scene without rendering aid to the victim. Many hit-and-run cases do not receive enough attention from the media, so they are often forgotten and lack decisive follow-up. In many incidents, the perpetrator tends to be irresponsible by leaving the injured victim at the scene.

### **The Role of the Police in Law Enforcement and Traffic Accident Prevention**

The police play a key role in law enforcement related to traffic accidents, especially when it comes to cases involving violations of the law, such as hit-and-runs. Their main task is to investigate accidents, collect evidence, and identify responsible offenders. With proper reporting and consistent enforcement, the police can have a deterrent effect on offenders and create awareness of the legal consequences of their actions. This process also involves working with relevant parties, including victims and witnesses, to ensure that all relevant information is obtained.

Effective collaboration between the police and the community is an important element in creating a safer and more orderly driving environment. Traffic police have duties that involve direct interaction with the public, making them vulnerable to external scrutiny. However, achieving safe driving cannot be achieved through police efforts alone, but requires the active involvement of all road users. To reduce the number of violations and accidents, the traffic police proactively socialize Law Number 22 of 2009 to motorists, both motorcycles and cars, so that they are more disciplined in obeying traffic rules and signs. In addition to being in



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charge of law enforcement, the police have an important role to play in handling traffic accidents and cracking down on road violations. These authorities and responsibilities are in line with the definition of policing contained in Article 1 Point (1) of Law Number 2 of 2002 concerning the Indonesian National Police, which states that policing includes all aspects related to police duties and functions in accordance with statutory provisions. As a state instrument, the police have the main task of maintaining security and public order, providing protection, and protecting the community from various threats (Rochman & Djanggih, 2020).

Increasing the intensity and effectiveness of preventive measures is an important step towards reducing crime. Crime prevention aims to improve social conditions, and is an integral part of broader criminal policy. In addition to the police, the community can also play an active role in reducing the potential for crime by minimizing the factors that cause it. Compared to repressive measures taken after a crime has occurred, preventive approaches are favored because they are considered more effective in reducing the negative impacts caused. Prevention includes strategies that address crimes that have already occurred and prevent the possibility of future criminal activity. While eliminating crime entirely is difficult, ongoing prevention efforts remain a top priority to maintain social order. This is in line with Law Number 2 of 2002 on the Indonesian National Police, especially Article 13, which emphasizes that police duties include maintaining security and order, enforcing the law, and providing protection, protection and services to the community.

Close collaboration between various parties in the criminal justice system is key to improving the effectiveness of handling traffic accident cases. In criminal law, proving an event requires the collection of valid evidence, such as witness testimony, expert opinions, documents, clues, and the testimony of the defendant. The police play an important role in this process by conducting an investigation at the scene to determine whether or not the accident is a hit-and-run case. Various factors, including road conditions, vehicles, the environment, as well as driver behavior, contribute to the incidence of traffic accidents. Infrastructure modernization and better traffic management are also important elements to create a safer transportation system (Agung, 2018). Increased monitoring of roadworthiness, transportation facilities, and vehicles are also part of preventive measures to reduce the risk of accidents. The density of activities on the highway increases the potential for incidents with varying levels of risk. In addition to preventive and repressive approaches, there are additional strategies to address crime, such as the application of criminal law, deterrence without punishment, and the role of the media to shape public perceptions of crime and punishment. Repressive approaches differ from preventive methods in that they are applied after a crime has occurred with the aim of preventing reoffending by both the perpetrator and the general public.

Collaboration in the criminal justice system involves the police, and includes the role of prosecutors, courts and prisons to ensure that justice is effectively served. The police are responsible for the investigation and prosecution stages to gather evidence that can be used in the judicial process (Kartika & Astuti, 2017). Prosecutors then have the role of assessing the appropriateness of the evidence and drafting a strong indictment so that the case can be brought to trial. Next, the court is tasked with ensuring that all legal procedures are fair and transparent before handing down a verdict against the defendant. After the verdict is handed down, correctional institutions have an important role to play in providing guidance to inmates in order to prevent repeat criminal acts in the future. In addition, cooperation with communities and non-governmental organizations also contributes to crime prevention efforts by providing legal education and encouraging awareness of the importance of public involvement to create a safer environment. Synergy between various government agencies, such as the Department of Transportation, the police, and other related bodies, is needed to

ensure that a safe and orderly transportation system can be realized. Therefore, without proper coordination between all parties involved in the criminal justice system and traffic management, effective law enforcement in traffic accident cases will be difficult to achieve. By involving all elements of society as well as related agencies to create a safer environment, the police hope to significantly reduce the number of traffic accidents. Through this comprehensive approach, the police are expected to contribute to law enforcement, and create a better safety culture on the road.

### **Psychosocial Impact of Traffic Accidents on Victims and Society**

Traffic accidents cause physical impacts, and profound psychosocial effects for victims and their families. These effects include psychological trauma that can be prolonged, often leading to post-traumatic stress disorder (PTSD), depression and anxiety. Individuals who experience traffic accidents are at high risk of developing PTSD, which can interfere with their daily lives (Romeidin et al., 2020). In addition, the fear of driving or even the trauma of crossing the road can interfere with the daily functioning of affected individuals, resulting in them avoiding traffic-related situations. These psychosocial impacts affect individuals, and can impact social relationships and family dynamics, making it important to provide adequate psychological support for those affected.

The impact on victims' families is often complex and multidimensional. Families struggle with the direct impact of injury or loss of a family member, and face economic stress from loss of income or high medical costs (Asri et al., 2017). Financial stress can worsen the psychological state of the whole family, increasing the risk of depression and anxiety among remaining family members. In addition, financial uncertainty can disrupt emotional and social stability, widening the social impact of the accident. Therefore, it is important to consider comprehensive support for victims' families, including financial assistance and counseling services, to help them cope with the challenges posed by the accident.

People who witness or are indirectly involved in crashes may also experience psychosocial impacts. Witnessing a crash often leaves traumatic marks, which can affect perceptions of traffic safety and reduce trust in the traffic management system. Individuals who witness crashes may experience symptoms of anxiety and stress, potentially compromising their mental well-being. This points to the importance of victim-focused crash management, and of support for witnesses and the communities involved, to help them cope with the psychological impacts of the experience.

Treatment of accident victims should include psychological support and rehabilitation, not just medical care. Traffic accidents often leave deep psychosocial impacts, such as trauma, anxiety and depression, which require special attention. A comprehensive psychological support program should be designed to address various aspects of this impact, including individual and group counseling, cognitive behavioral therapy, and emotional support for families. With certain approaches, individuals can more easily cope with feelings of loss and uncertainty, and rebuild confidence and the ability to function in daily life.

In addition, physical rehabilitation should also be integrated with psychological support to ensure a thorough recovery. The rehabilitation process focuses on physical recovery, and on developing the social and emotional skills needed to adapt to life changes after an accident. These programs may include life skills training, support to find employment, and social activities that help individuals interact with others. As such, comprehensive and ongoing support will assist victims and their families in long-term recovery, reduce the risk of prolonged psychological impact, and improve overall quality of life.

Finally, increasing public awareness and education about traffic safety is key to preventing crashes and reducing their psychosocial impact. Effective education programs

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should include comprehensive information on the psychological impacts of crashes, such as trauma and stress, and how these can affect individuals and families. In addition, the program should also include safe driving strategies, such as defensive techniques, understanding of traffic rules, and the importance of concentration while driving. By providing the right knowledge, people will be better prepared to deal with risky situations and reduce the likelihood of accidents occurring.

Creating a more responsible driving culture requires collaboration between various parties, including the government, educational institutions and community organizations. Awareness campaigns involving social media, seminars and workshops can help disseminate important information about traffic safety and the psychosocial impact of accidents. By actively engaging the public in safety-related discussions and activities, positive behavioral changes among drivers and other road users are expected. This will reduce the number of crashes, and will help build a community that is more aware of and responsible for traffic safety.

Law Number 22 of 2002 on Road Traffic and Transportation states that the road traffic and transportation system is a unity that includes various elements, such as vehicles, drivers, and other road users. Effective traffic regulation is one of the main pillars for creating a safe and efficient transportation system. With the increasing number of vehicles and road users, the challenge of maintaining safety and order on the road is increasingly urgent. Public awareness of the importance of obeying traffic rules is key to reducing the number of accidents and creating a better driving environment. Therefore, an understanding of the relationship between traffic and transportation is necessary to support these efforts.

## E. CONCLUSION

This research shows that hit-and-run is a serious violation of the law that not only affects the victim physically and materially, but also psychosocially. Based on Law Number 22 of 2009, hit-and-run is categorized as a criminal offense with severe sanctions for perpetrators who neglect their responsibilities. The police have a strategic role to enforce the law by implementing preventive and repressive measures, which include socialization, patrol, investigation, and prosecution of violators. The main factors that cause hit-and-runs include fear of legal consequences, psychological distress when an accident occurs, and low public awareness of traffic ethics and laws. In addition, the effectiveness of law enforcement still faces challenges, especially in terms of surveillance, identification of perpetrators, and lack of community participation to assist the legal process. Therefore, increasing legal awareness and compliance with traffic rules is key to reducing the number of road accidents and violations.

Increasing the effectiveness of law enforcement against hit-and-run cases needs to be done through cooperation between the police, the government, and the community. The police should strengthen preventive measures by increasing socialization about legal sanctions for hit-and-run perpetrators and increasing traffic surveillance, especially in accident-prone locations. In addition, the use of technology such as CCTV-based monitoring systems and digital recordings of vehicles can help to identify perpetrators more quickly. The government needs to develop stricter policies related to traffic safety and ensure the implementation of strict penalties for violators. The public is also expected to be more active in reporting hit-and-run incidents and raising awareness of the importance of moral responsibility in traffic. With the right approach that includes legal, educational, and technological aspects, it is hoped that the number of hit-and-runs can be reduced to create safer and more orderly traffic conditions for all road users.

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