

## **The Implementation of the Return of Criminal Evidence in the Probolinggo District Court Based on Prosecutor's Regulation Number 7 of 2020**

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### **Abstract**

This study discusses the implementation of the return of evidence in criminal cases at the Probolinggo City District Attorney's Office based on Prosecutor's Regulation Number 7 of 2020 concerning Asset Recovery. The main focus of this study is to describe the administrative mechanisms and obstacles faced in the process of returning evidence after a court decision with permanent legal force. This research was analyzed using the Lawrence M. Friedman Legal System Theory approach which includes three main elements, namely legal structure, legal substance, and legal culture. The method used is an empirical juridical approach with a combination of legislative and socio-legal approaches. Data was obtained through literature studies, observations, and interviews with prosecutors, evidence officers, and the recipient of goods. The results of the study show that the return of evidence is carried out through the digital service system "Sobat Ali" (Evidence Return Solution by the State Attorney Ali), but its implementation still faces several obstacles, including the ignorance of the owner of the goods, low public awareness, and limited evidence storage facilities.

**Keywords:** Evidence, Criminal Cases, Prosecutor's Regulation Number 7 of 2020, Probolinggo Prosecutor's Office.

### **Abstrak**

Penelitian ini membahas pelaksanaan pengembalian barang bukti dalam perkara pidana di Kejaksaan Negeri Kota Probolinggo berdasarkan Peraturan Kejaksaan Nomor 7 Tahun 2020 tentang Pemulihan Aset. Fokus utama penelitian ini adalah menguraikan mekanisme administrasi serta hambatan yang dihadapi dalam proses pengembalian barang bukti setelah adanya putusan pengadilan yang berkekuatan hukum tetap. Penelitian ini dianalisis menggunakan pendekatan Teori Sistem Hukum Lawrence M. Friedman yang mencakup tiga elemen utama, yaitu struktur hukum, substansi hukum, dan budaya hukum. Metode yang digunakan adalah pendekatan yuridis empiris dengan kombinasi pendekatan perundang-undangan dan sosio-legal. Data diperoleh melalui studi kepustakaan, observasi, dan wawancara dengan jaksa, petugas barang bukti, serta pihak penerima barang. Hasil penelitian menunjukkan bahwa pengembalian barang bukti dilakukan melalui sistem layanan digital "Sobat Ali" (Solusi Pengembalian Barang Bukti oleh Jaksa Pengacara Negara Ali), namun pelaksanaannya masih menghadapi beberapa kendala, antara lain ketidaktahuan pemilik barang, rendahnya kesadaran masyarakat, serta keterbatasan fasilitas penyimpanan barang bukti.

**Kata Kunci:** Barang Bukti, Perkara Pidana, Peraturan Kejaksaan Nomor 7 Tahun 2020, Kejaksaan Probolinggo.

## **Introduction**

Evidence is an integral part of the criminal law proof system. Evidence plays a role as a tool in upholding the material truth in the trial, as well as as a legal object whose existence must be managed professionally. Philosophically, the management and return of evidence concerns the restoration of substantive justice, where a person's property rights to objects related to a case must be protected by law. The return of evidence is not only an administrative obligation, but also a form of respect for human rights and legal certainty for the parties involved in the criminal justice process.<sup>1</sup>

From a juridical perspective, the return of evidence is regulated in Article 46 of the Criminal Code which emphasizes that confiscated objects must be returned to the rightful party after the verdict has permanent legal force. In a sociological framework, delays or errors in the return of evidence can cause public distrust of law enforcement officials.<sup>2</sup> Therefore, the practice of returning evidence needs to be carried out in a transparent, fast, and accountable manner.

A number of previous studies have discussed aspects of evidence management in various prosecutor's institutions. Bagaskara's research (2024) at the Semarang District Attorney's Office shows that the management of evidence faces administrative and human resource constraints.<sup>3</sup> Febriana (2023) highlighted the weak supervision in the storage of crime evidence in Bandar Lampung<sup>4</sup>, while Rizqi (2022) revealed the lack of optimal storage system at the Semarang Regency Prosecutor's Office.<sup>5</sup> However, most of these studies focus on the management and storage of evidence, not on the aspect of its return after a court decision. This shows that there is still a research gap related to the implementation of post-verdict evidence return in accordance with the Prosecutor's Regulation.

The novelty in this study lies in the focus on the implementation of the return of evidence based on the Prosecutor's Regulation Number 7 of 2020 concerning Asset Recovery, which has not been widely studied in the local context. Unlike previous research that highlighted the aspect of storage or destruction, this study focuses on administrative procedures and real obstacles in

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<sup>1</sup> Amalia Yuniar Fadlilah, "Pelaksanaan Pengembalian Barang Bukti Dalam Penyelesaian Perkara Tindak Pidana Pencurian Di Kejaksaan Negeri Jambi," *S1 Thesis*, 2023.

<sup>2</sup> Juanda Sitorus, "The Position of Confiscated Evidence for Corruption Crimes Reviewed from a Civil Aspect," *Journal Equitable*, 2021, <https://doi.org/10.37859/Jeq.V5i1.2463>.

<sup>3</sup> Maulana Fajar Bagaskara, "The Process of Evidence Management in Criminal Cases at the District Attorney's Office of the Sultan Agung Islamic University," 2024.

<sup>4</sup> Ira Febriana, "Policy Implementation in the Management of Crime Evidence (Study at the Bandar Lampung Provincial Prosecutor's Office on Crime Evidence in the Form of Motorcycles)," *Journal of Administrative Studies*, 2023, <https://doi.org/10.47995/jian.v5i2.196>.

<sup>5</sup> Muhammad Farid Rizqi, "Management of Criminal Evidence at the Semarang District Attorney's Office," 2022.

returns to the rightful parties. In addition, the approach used in this study combines normative review with direct observation of practices at the Probolinggo City District Attorney's Office. Thus, this article makes an empirical contribution while enriching the legal study of asset recovery.

In this study, the theoretical framework used is *Lawrence M. Friedman's* Legal System Theory and Legal Effectiveness Theory. *Friedman's theory* explains that the success of law is not only determined by written rules (substance), but also by the structure of the implementing institutions and the legal culture of society.<sup>6</sup> This is relevant to examine the extent to which the Probolinggo City District Attorney's Office is able to implement Prosecutor's Regulation Number 7 of 2020 effectively and fairly. Meanwhile, the theory of legal effectiveness is used to assess whether the procedure for returning evidence is actually carried out as it should be in the field. Both theories are in line with the empirical juridical approach used in the research, as it allows an analysis of the relationship between legal norms and social realities in the prosecutor's environment.

The urgency of this research arises from the fact that the delay in the return of evidence not only hinders the restoration of individual legal rights, but also has the potential to cause material losses and legal uncertainty. Convolutioned administrative procedures, lack of socialization to the owners of goods, and weak coordination between institutions are often obstacles in the implementation of the return of evidence. This condition needs to be further examined so that asset recovery policies can truly provide fair and sustainable benefits. In the context of modern law enforcement, efficiency and procedural justice are non-negotiable demands.

The legal problem that is the focus of this research is how to implement the return of evidence in criminal cases at the Probolinggo City District Attorney's Office based on Prosecutor's Regulation Number 7 of 2020 concerning Asset Recovery. In addition, this article also discusses the factual and structural obstacles that hinder the smooth return of evidence to the rightful parties. This problem needs to be analyzed normatively and empirically to obtain a complete understanding.

This study aims to explain the mechanism for the return of evidence at the Probolinggo City District Attorney's Office in accordance with applicable regulations and identify inhibiting factors in its implementation. In addition, this article aims to provide alternative policy solutions that can improve the process of returning evidence in the future. The analysis used combines a positive legal framework with field findings that are descriptive and analytical.

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<sup>6</sup> Mustafa 'Afifi Ab. Halim and Shabrina Zata Amni, "Legal System in the Perspectives of H.L.A Hart and Lawrence M. Friedman," *Peradaban Journal of Law and Society*, 2023, <https://doi.org/10.59001/pjls.v2i1.83>.

## **Research Methods**

This research uses an empirical juridical method, which is to examine the law both as a written norm (*in abstracto*) and its application in practice (*in concreto*)<sup>7</sup> at the Probolinggo City District Attorney's Office. Normatively, the study focuses on Prosecutor's Regulation Number 7 of 2020, the Criminal Code, and other related regulations, while empirically this study examines the implementation and obstacles in the return of evidence. The approaches used include a legislative approach to analyze legal norms, a socio-legal approach to understand the implementation of law in a social context, and a case study approach to examine concrete practices at research sites. Legal materials consist of primary sources such as laws and regulations, and secondary sources in the form of legal literature and official documents. Data was collected through document studies and field studies in the form of interviews and observations of relevant officials. The analysis is carried out qualitatively to relate empirical findings to legal norms and to evaluate the gap between rules and practices, in order to formulate applicable juridical solutions.<sup>8</sup> This study also considers social, cultural, and administrative factors that affect the effectiveness of policy implementation, so that the results of the study are not only descriptive, but also able to provide contextual and applicable recommendations for improving the governance of evidence. This approach was chosen so that legal understanding does not only stop at the textual level, but covers the dynamics of the field as a whole.

## **Results and Discussion**

### **Return of Evidence in Criminal Cases Based on Prosecutor's Regulation Number 7 of 2020**

Evidence is a crucial element in proving criminal cases and has legal and social values that are important for the parties in the judicial process.<sup>9</sup> From the perspective of criminal procedure law, the existence and sustainability of evidence management not only reflects administrative functions, but is also part of the principle of protection of human rights, especially property rights.<sup>10</sup> Therefore, the mechanism for returning evidence after the court decision needs to be implemented by prioritizing the principles of justice, utility, and legal certainty in a balanced manner.

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<sup>7</sup> Yati Nurhayati, Ifrani Ifrani, and M. Yasir Said, "Normative and Empirical Methodology in Legal Perspectives," *Indonesian Law Enforcement Journal*, 2021, <https://doi.org/10.51749/jphi.v2i1.14>.

<sup>8</sup> Sulistyowati Irianto, "Qualitative Research Methods in Legal Science Research Methodology," *Journal of Law & Development*, 2017, <https://doi.org/10.21143/jhp.vol32.no2.1339>.

<sup>9</sup> Wisjnu Wardhana, Edi Yunara, and Mahmud Mulyadi, "Return of Evidence to the Right in Corruption Crimes," *Locus Journal of Academic Literature Review*, 2023.

<sup>10</sup> Halida Zia, Mario Agusta, and Desy Afriyanti, "Legal Knowledge of Civil Procedure Law," *RIO LAW JOURNAL*, 2020, <https://doi.org/10.36355/.v1i2.404>.

In practice, the return of evidence is often a weak point in the judicial system, both for administrative technical reasons and because of the absence of a standardized system in various prosecutor's offices.<sup>11</sup> This research places the Probolinggo City District Attorney's Office as the focus of the study to illustrate in real terms how regulations are implemented at the local level. The selection of this location is based on the geographical background, the complexity of the cases handled, and the innovation of public services through a digital system called *Sobat Ali*, which is one of the breakthroughs in evidence services.

This study not only examines the normative aspects of Prosecutor's Regulation Number 7 of 2020, but also presents empirical findings from the implementation of the return of evidence based on the results of observations and direct interviews. With this approach, the results of the discussion do not only describe the legal text, but also examine the extent to which the regulation runs in reality and how the public and the prosecutor's office respond to the applicable regulations. This is important to assess the effectiveness of policies and identify potential improvements in the asset recovery system within the prosecutor's office.

The implementation of this return does not only concern procedural aspects, but also touches on the substance of justice in the restoration of the rights of the parties entitled to the evidence. At the Probolinggo City District Attorney's Office, this process is carried out through *the Sobat Ali service* as a digital administrative innovation based on One-Stop Integrated Services (PTSP), in order to speed up and simplify management by the community.

### **Administrative Mechanism for Returning Evidence**

The following is the flow of the implementation of the return of evidence at the Probolinggo City District Attorney's Office based on the results of an interview with Yusuf Kurniawan Abadi, S.H., as the Head of the Evidence and Confiscated Section<sup>12</sup>:

Tabel. 1

Flow of Implementation of Return of Evidence at the Probolinggo City District Attorney's Office

Process Stages	Person in Charge
The applicant scans the form barcode	Owner/Applicant of evidence
Filling in personal data and supporting documents	Owner/Applicant of evidence
Verify the form at PTSP Kejari	One-stop integrated service officer

<sup>11</sup> Wardhana, Yunara, and Mulyadi, "Return of Evidence to the Right in Corruption Crimes."

<sup>12</sup> Hasil wawancara dengan narasumber Yusuf Kurniawan A, pada hari Rabu, 16/04/2025, 10.00 wib.

The process of return by the prosecutor and BB officer		Public Prosecutor and Evidence Officer
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*Source: Analyzed from primary sources (results of observations and interviews at the  
Probolinggo City District Attorney's Office)*

The table above illustrates the systematic evidence return service scheme implemented by the Probolinggo City District Attorney's Office. This process marks a paradigm shift from manual services to digital-based and legal certainty-based services. The first stage shows that the process starts from the applicant's initiative, namely by scanning the barcode on the digital form. This indicates that the Prosecutor's Office has adapted to the information technology approach in providing efficient early access for justice-seeking communities.

The second stage, namely filling in data and supporting documents, is a crucial stage of identity and ownership verification to avoid mistakes or false claims. This process is administrative, but it is the main basis for the validity of the return. In practice, applicants who cannot complete documents or cannot prove legal identity will experience obstacles, so the role of officers in providing administrative assistance is important.

The third stage is carried out by PTSP Kejari officers who are in charge of verifying documents. This stage shows the integration of one-stop public services aimed at reducing convoluted bureaucracy. The verification carried out includes administrative completeness, data validity, and matching with a copy of the judgment. This is where data accuracy and system integrity are important elements so that the next process runs smoothly.

The fourth stage is the culmination of this mechanism, namely the execution of returns by the Public Prosecutor and the evidence officer. In this stage, there is a physical handover of evidence accompanied by the signing of the minutes of the event. The involvement of prosecutors in this final stage shows that although the process has been administratively structured, the substantive aspects of the law are still guarded by formal law enforcement. The existence of the minutes also serves as administrative evidence that protects both parties if there is a dispute or follow-up reporting.

This entire flow reflects institutional awareness of the importance of accountability, transparency, and efficiency in the implementation of court decisions. However, the effectiveness of its implementation is still largely determined by the technical competence of the apparatus, the clarity of supporting regulations, and the support of adequate technological infrastructure. Therefore, even though the administrative scheme has been well organized, its implementation

still requires continuous supervision and refinement, especially in the context of restorative justice-based legal services and the protection of citizens' rights.

The return of evidence is carried out only if there is a court decision that orders the return to a certain party.<sup>13</sup> After the administrative process is completed, the evidence is handed over to the entitled party based on the court decision, complete with an official minutes. This is as explained by Yusuf Kurniawan Abadi, S.H., Head of the Evidence and Confiscated Section of the Probolinggo City District Attorney's Office, that: "We have used the barcode scanning system as a first step so that the applicant can directly access the evidence return service independently and faster."<sup>14</sup>

The above mechanism shows that the process of returning evidence has undergone procedural modernization through a barcode-based digital system, which reduces reliance on manual services and speeds up the verification process. The implementation of this system is also part of information technology-based public service innovation that is in line with the principles of transparency and efficiency in the governance of evidence.<sup>15</sup>

However, the effectiveness of this system still requires the support of adequate quality of human resources and consistency in the implementation of procedures. In some field findings, the barcode-based system still requires the assistance of officers for applicants who are not familiar with the use of digital devices, especially for people with low educational backgrounds. This shows the importance of providing inclusive and user-friendly service access.<sup>16</sup>

In addition, although the procedure seems simple in the table, the internal coordination process between the service department and the evidence field remains crucial, especially in the filing of supporting documents, validation of ownership, and the physical availability of evidence in the storage warehouse. Data mismatches, or delays in internal information synchronization, can be a barrier that slows down the handover process. Therefore, even though the system has been structured, the quality of its implementation is still highly determined by the internal supervision and work discipline of the prosecutor's office.

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<sup>13</sup> Annisa Hafizah, Madiasa Ablisar, and Rafiqoh Lubis, "The Principle of Legality in Indonesian Criminal Law and Islamic Criminal Law," *Mabadi: Indonesia Journal of Law*, 2022, <https://doi.org/10.32734/mah.v1i1.8311>.

<sup>14</sup> The results of the interview with the resource person Yusuf Kurniawan A, on Wednesday, 16/04/2025, 10.00 WIB.

<sup>15</sup> Aras Solong and Muliadi Muliadi, "Public Service Innovation," *Al Qisthi Journal of Social and Politics*, 2021, <https://doi.org/10.47030/aq.v10i2.82>.

<sup>16</sup> Dila Erlianti, E Maznah Hijeriah, and Windi Adriani, "Public Service Analysis in the Collection of Ticket Evidence at the Dumai District Attorney's Office," *Multidisciplinary Scientific Journal*, 2022, <https://doi.org/10.56127/jukim.v1i06.405>.

## **Effectiveness of Regulation in the Field**

The implementation of the return of this evidence has basically followed the normative framework in the Prosecutor's Regulation Number 7 of 2020. However, its implementation in the field is influenced by several factors, including limited human resources, the lack of optimal use of information systems, and obstacles in reaching the owner of evidence who is not present or whose whereabouts are unknown. These barriers point to the gap between legal texts and practical realities, especially in terms of coordination and administrative enforcement.

This condition shows that the effectiveness of regulations is not only determined by the quality of the formulation of legal norms, but also depends on the capacity of the institution that implements it.<sup>17</sup> In the Probolinggo City District Attorney's Office, for example, there is still a reliance on manual initiatives in verifying and scheduling the return of evidence because there is no integration system between court decisions and real-time digital data of evidence. This slows down the follow-up process of a verdict that already has permanent legal force, as well as opening up administrative loopholes that allow for the accumulation of evidence.

This was also acknowledged by Mr. Khudori, as the Head of Administration and Personnel of the Probolinggo City District Attorney's Office, that:

We are indeed still in the process of developing an integrated information system. Currently, some procedures are still carried out manually, especially in scheduling and tracking evidence data, due to limited human resources and the unavailability of a joint platform with the court and the police<sup>18</sup>

In addition, the implementation of regulations is also influenced by the officers' internal perception of the urgency of returning evidence. In some cases, the return of goods that do not have high economic value is often less of a priority, even though it is still legally mandatory. This aspect shows that the formation of professional attitudes and integrity of law enforcement officials is also an important factor in the successful implementation of regulations. Therefore, in addition to providing systems and regulations, the development of a proactive and responsive legal culture is a strategic agenda that cannot be ignored in the implementation of asset recovery.

The practice of returning evidence at the Surabaya District Attorney's Office, as studied by Devnar (2025), shows that the successful implementation of Prosecutor's Regulation Number 7 of 2020 is supported by the existence of an internal information system that is integrated with the court and the police. This is an important comparison that shows that synergy between law

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<sup>17</sup> Niru Anita Sinaga, "Code of Ethics as a Guideline for the Implementation of a Good Legal Profession," *Aerospace Law Scientific Journal*, 2020, <https://doi.org/10.35968/jh.v10i2.460>.

<sup>18</sup> The results of the interview with the resource person Khudori, on Wednesday, 15/04/2025, 09.00 WIB.



enforcement agencies is the key to accelerating asset recovery.<sup>19</sup> Therefore, the Probolinggo City District Attorney's Office can adopt the system interoperability model on a local scale, by integrating evidence databases with the District Court, the Resort Police (Polres), and the State Confiscated Property Storage House (RUPBASAN).

In addition, a national SOPs that are technical-operational in nature are needed, as a derivative of Prosecutor's Regulation Number 7 of 2020, to ensure consistency in the implementation of procedures in all District Attorney's Offices in Indonesia. Without standardized SOPs, disparities in regulatory interpretation will continue to recur and create legal uncertainty at the implementation level.

### **Obstacles in the Return of Evidence**

The return of evidence at the Probolinggo City District Attorney's Office still encounters structural and cultural obstacles. These obstacles have an impact on the speed and accuracy of restoring the rights of the owners of goods: a) Structural Obstacles: Structural obstacles are related to the limitations of storage facilities and human resources. Not all evidence is stored in a proper place, considering that the warehouse of the Prosecutor's Office and the Storage of State Confiscated Objects (RUPBASAN) has limited capacity and has not been fully integrated with technology-based data collection systems. b) Cultural and Social Barriers: Obstacles also arise from the social aspect of the community. Some property owners do not understand the retrieval procedure, or feel reluctant for fear of being associated with criminal acts again. In addition, the low level of legal literacy in the community causes the process of taking evidence to be delayed for a long period of time. In some cases, evidence even becomes *nonclaimable* after a summons is not heeded for six months.

In addition to technical and administrative obstacles, juridical obstacles also affect the process of returning evidence. Some normative arrangements have not provided operational technical instructions, so prosecutors at the regional level often interpret them differently in practice. The absence of uniform technical instructions or SOPs between prosecutors has the potential to cause procedural inconsistencies, even causing perceptions of injustice for the public.

Another obstacle is the lack of integration between the prosecutor's office system and other supporting institutions such as the police and RUPBASAN. The absence of a cross-agency accessible evidence database leads to delays in document validation and ownership, as well as

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<sup>19</sup> Muhammad Devnar Farros, "Return of Evidence in the Crime of Extortion with Violence Based on the Perspective of Criminal Law and Islamic Criminal Law Case Study in the Surabaya Region)," *UIN Sunan Ampel*, 2025, 6, [http://digilib.uinsa.ac.id/80135/1/Muhammad Devna Farros\\_05040321108.pdf](http://digilib.uinsa.ac.id/80135/1/Muhammad%20Devna%20Farros_05040321108.pdf).

increases the risk of evidence being scattered, lost, or untraceable. This condition shows that the return of evidence does not only depend on the implementing unit, but on the interconnectedness of the law enforcement system as a whole.

The findings of this study confirm that the success of regulatory implementation, especially in the return of evidence, does not solely depend on the clarity of legal norms, but also on institutional readiness and community responsiveness. Although Prosecutor's Regulation Number 7 of 2020 has provided an adequate normative framework, implementation practices in the field show obstacles at the structural, technical, and participatory levels. This inequality indicates that the applicability of the law in society cannot be separated from the social context in which the law is implemented.

In this case, the law in action approach is important to understand how the law works in real terms. Regulations that are formally written (*law in the book*) are not necessarily fully implemented without the support of legal awareness, administrative efficiency, and solid inter-institutional coordination. This study found that obstacles such as low public legal literacy, lack of synchronization of information systems between the Prosecutor's Office and other supporting institutions, as well as public perception of legal procedures, are part of the sociological implementation challenges.

Lawrence M. Friedman's framework of *legal systems theory* provides a relevant analytical instrument in looking at this practice. The <sup>20</sup> legal system consists of structure (implementing institutions and mechanisms), substance (legal rules and norms), and culture (values and perceptions of the law). In the context of the return of evidence, the imbalance between these three elements is at the root of the ineffectiveness of implementation at the local level. <sup>21</sup> The institutional structure has not been fully able to carry out the substance of the law optimally because it has not been supported by a strong legal culture, both in terms of officers and the community.

Therefore, it is necessary to strengthen these three aspects in an integrated manner. First, through the improvement of institutional technical capacity, including the integration of information systems. Second, through the socialization of regulations to the public, especially for people who are not familiar with the formal legal system. Third, through the formation of a legal culture that favors the principles of public service and the restoration of rights. This synergy is a

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<sup>20</sup> Ab. Halim and Amni, "Legal System in the Perspectives of H.L.A Hart and Lawrence M. Friedman."

<sup>21</sup> Wardhana, Yunara, and Mulyadi, "Return of Evidence to the Right in Corruption Crimes."

prerequisite for bridging the gap between legal norms and the reality of their implementation, as well as creating procedural and substantive justice in the implementation of the return of evidence.

Conceptually, the *socio-legal approach* has been proven to be able to explain the dynamics of legal implementation that go beyond the limits of regulatory documents alone. This approach not only looks at whether the law is being obeyed, but also traces how the law is understood, implemented, interpreted, and accepted by its implementers and affected communities.<sup>22</sup> In the context of asset recovery through the return of evidence, the findings of this study lead to the recommendation that the success of regulation is greatly influenced by the extent to which the law is able to be aligned with social realities and the needs of society. This requires the involvement of all elements of the legal system in a participatory and justice-based policy unit.

### **Conclusion**

The implementation of the return of evidence in criminal cases at the Probolinggo City District Attorney's Office has referred to the Prosecutor's Regulation Number 7 of 2020 concerning Asset Recovery, especially after a court decision has permanent legal force. The mechanism used through *Sobat Ali's services* reflects efforts to modernize digital-based services and transparency. The novelty of this study lies in the focus on the implementation of asset recovery regulations in the context of administrative return of evidence, which has not been studied in particular. The urgency of this research can be seen from the importance of the implementation of the return of evidence as a form of restoring people's legal rights and increasing public trust in the prosecutor's office as a law enforcement institution. Obstacles in the implementation of the return of evidence include limited storage facilities, low participation of evidence owners, and lack of public legal awareness. Although regulations have been drafted systematically, their implementation in the field has not been fully optimal due to structural and cultural factors. This research confirms that the effectiveness of asset recovery does not only depend on legal norms, but also on the suitability between regulations and the social dynamics in which the law is implemented.

### **Bibliography**

Ab. Halim, Mustafa 'Afifi, and Shabrina Zata Amni. "Legal System in the Perspectives of H.L.A Hart and Lawrence M. Friedman." *Peradaban Journal of Law and Society*, 2023. <https://doi.org/10.59001/pjls.v2i1.83>.

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<sup>22</sup> Syafri Hariansah, "Analysis of the Implementation of Legal Cultural Values in the Life of the Nation and State: A Critical Study of Community, Culture and Legal Approaches," *KRTHA BHAYANGKARA*, 2022, <https://doi.org/10.31599/krtha.v16i1.1000>.

- Anita Sinaga, Niru. "Kode Etik Sebagai Pedoman Pelaksanaan Profesi Hukum Yang Baik." *Jurnal Ilmiah Hukum Dirgantara*, 2020. <https://doi.org/10.35968/jh.v10i2.460>.
- Bagaskara, Maulana Fajar. "Proses Pengelolaan Barang Bukti Dalam Perkara Tindak Pidana Di Kejaksaan Negeri Universitas Islam Sultan Agung," 2024.
- Devnar Farros, Muhammad. "Pengembalian Barang Bukti Dalam Tindak Pidana Pemerasan Dengan Kekerasan Berdasarkan Perspektif Hukum Pidana Dan Hukum Pidana Islam Studi Kasus Di Wilayah Surabaya)." *UIN Sunan Ampel*, 2025, 6. [http://digilib.uinsa.ac.id/80135/1/Muhammad Devna Farros\\_05040321108.pdf](http://digilib.uinsa.ac.id/80135/1/Muhammad%20Devna%20Farros_05040321108.pdf).
- Erlianti, Dila, E Maznah Hijeriah, and Windi Adriani. "Analisis Pelayanan Publik Dalam Pengambilan Barang Bukti Tilang Pada Kantor Kejaksaan Negeri Dumai." *Jurnal Ilmiah Multidisiplin*, 2022. <https://doi.org/10.56127/jukim.v1i06.405>.
- Febriana, Ira. "Implementasi Kebijakan Dalam Pengelolaan Barang Bukti Kejahatan (Studi Pada Kantor Kejaksaan Provinsi Bandar Lampung Terhadap Barang Bukti Kejahatan Berupa Sepeda Motor)." *Jurnal Studia Administrasi*, 2023. <https://doi.org/10.47995/jian.v5i2.196>.
- Hafizah, Annisa, Madiasa Ablisar, and Rafiqoh Lubis. "Asas Legalitas Dalam Hukum Pidana Indonesia Dan Hukum Pidana Islam." *Mahadi: Indonesia Journal of Law*, 2022. <https://doi.org/10.32734/mah.v1i1.8311>.
- Irianto, Sulistyowati. "Metode Penelitian Kualitatif Dalam Metodologi Penelitian Ilmu Hukum." *Jurnal Hukum & Pembangunan*, 2017. <https://doi.org/10.21143/jhp.vol32.no2.1339>.
- Juanda Sitorus. "Kedudukan Barang Bukti Sitaan Tindak Pidana Korupsi Di Tinjau Dari Aspek Keperdataan." *Journal Equitable*, 2021. <https://doi.org/10.37859/jeq.v5i1.2463>.
- Muhammad Farid Rizqi. "Pengelolaan Barang Bukti Tindak Pidana Di Kejaksaan Negeri Kabupaten Semarang," 2022.
- Nurhayati, Yati, Ifrani Ifrani, and M. Yasir Said. "Metodologi Normatif Dan Empiris Dalam Perspektif Ilmu Hukum." *Jurnal Penegakan Hukum Indonesia*, 2021. <https://doi.org/10.51749/jphi.v2i1.14>.
- Solong, Aras, and Muliadi Muliadi. "Inovasi Pelayanan Publik." *Al Qisthi Jurnal Sosial Dan Politik*, 2021. <https://doi.org/10.47030/aq.v10i2.82>.
- Syafri Hariansah. "Analisis Implementasi Nilai-Nilai Budaya Hukum Dalam Kehidupan Berbangsa Dan Bernegara: Studi Kritis Pendekatan Masyarakat, Budaya Dan Hukum." *Krtha Bhayangkara*, 2022. <https://doi.org/10.31599/krtha.v16i1.1000>.
- Wardhana, Wisjnu, Edi Yunara, and Mahmud Mulyadi. "Pengembalian Barang Bukti Kepada Yang Berhak Dalam Tindak Pidana Korupsi." *Locus Journal of Academic Literature Review*, 2023.
- Yuniar Fadlilah, Amalia. "Pelaksanaan Pengembalian Barang Bukti Dalam Penyelesaian Perkara Tindak Pidana Pencurian Di Kejaksaan Negeri Jambi." *S1 Thesis*, 2023.
- Zia, Halida, Mario Agusta, and Desy Afriyanti. "Pengetahuan Hukum Tentang Hukum Acara Perdata." *RIO LAW JURNAL*, 2020. <https://doi.org/10.36355/.v1i2.404>.
- Yusuf Kurniawan Abadi, wawancara (Kantor Kejaksaan Probolinggo, 16 April 2025).
- Khudori, Wawancara (Kantor Kejaksaan Probolinggo, 15 April 2025).