



Samenloop in The Form of A Criminal Act of Joint Persecution or Participation in The Victim of Wrongful Arrest Committed by The Police Implications for Justice

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ABSTRACT <p>The phenomenon of samenloop in cases of wrongful arrest by police officers in Indonesia poses serious implications for justice and public trust. This issue arises from structural and cultural weaknesses in the policing system, leading to persecution, abuse of authority, and falsification of evidence against victims. This study aims to analyze the factors causing samenloop and its impact on victims and the criminal justice system. Using a qualitative approach, the research examines 50 documented cases of wrongful arrest from 2019 to 2023, identifying patterns of violations and systemic shortcomings. The findings reveal that samenloop frequently stems from inadequate accountability mechanisms, poor human rights training, and entrenched organizational cultures that enable misconduct. The consequences include psychological harm to victims, erosion of public confidence, and inefficiencies in the justice system. This study concludes that addressing samenloop requires comprehensive reforms, including strengthening legal frameworks, enhancing human rights-based training for police officers, and fostering a culture of accountability within police organizations. These measures are essential to uphold justice and rebuild public trust in law enforcement institutions.</p> <p>Keywords: <i>Accountability, Justice Reform, Police Misconduct, Samenloop, Wrongful Arrest</i></p>			

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INTRODUCTION

Violence committed by police officers, especially in cases of wrongful arrest, has become a serious problem that threatens the integrity of the criminal justice system and public trust in law enforcement (Lankford, 2023). This phenomenon is further exacerbated when there is a samenloop or simultaneous criminal acts, where the persecution is carried out jointly or involves the participation of several police officers (Orr et al., 2022). These cases not only violate fundamental human rights, but also reflect systemic problems in

police institutions that need to be addressed urgently (Preito-Hodge & Tomaskovic-Devey, 2021). The background of this problem can be traced from various interrelated factors. First, there is a culture of violence and abuse of authority that is still deeply rooted in police institutions in various countries (Mayshak et al., 2022). In their research at the Dallas, Texas Police Department, revealed that while no direct evidence was found of the "transmission" of deviant behavior between police members, factors such as individual tendencies, the context of the patrol environment, and in some cases, the officer's racial background, contributed to the risk of violations. These findings show that the root of the problem of police violence is complex and multidimensional (Echols, 2024).

Second, lack of accountability and transparency in handling cases of violations committed by police officers (Serrano-Montilla, Garrido-Macías, et al., 2023). In his study of COVID-19 rule enforcement in Nigeria found various forms of police aggression, including threats of physical violence, hostility, intimidation, extortion, and sexual harassment of women. Cases like these are often not followed up seriously, creating a culture of impunity that allows violations to continue to recur (Pomerantz et al., 2021). Third, there is racial and gender bias that affects the interaction between the police and the community (Pomerantz et al., 2021). Reveals how black pregnant women in the United States anticipate police brutality against their children (Hayes et al., 2022), reflecting a deep distrust of police institutions. This shows that the problem of police violence not only impacts immediate victims, but also creates trauma (Cross et al., 2022).

The phenomenon of *samenloop*, where collective criminal acts occur together in marginalized communities (Ang & Tebes, 2024). Fourth, there is a lack of adequate training on the proportionate use of force and respect for human rights (Hilton et al., 2023). Propose a behavioral science-based model to restructure law enforcement agencies to support prosocial values (Comer & Ingram, 2023). This shows the importance of a comprehensive approach to police reform that focuses not only on technical aspects, but also on organizational culture change (Saxton et al., 2022).

The formulation of the problem in this study includes: (1) What is the dynamics of *samenloop* in cases of persecution carried out jointly by police officers against victims of wrongful arrest? (2) What are the implications of such actions on justice, both for victims and the criminal justice system as a whole? (3) What are effective legal and policy strategies to prevent and handle similar cases in the future? The purpose of this study is to analyze in depth the phenomenon of *samenloop* in cases of persecution by police officers against victims of wrongful arrest, identify its impact on justice, and formulate recommendations for the improvement of police systems and practices. This research also aims to contribute to the literature on police reform and human rights protection in the context of law enforcement. The benefits of this research include both theoretical and practical aspects. Theoretically, this research will enrich the understanding of the intersectionality between police violence, systemic bias, and procedural justice in the criminal justice system (Ariel, 2023). Demonstrates the importance of understanding the impact of media exposure on police brutality on the mental health of African-American communities, which can be extended to understand the collective traumatic effects of

police violence (Fagerlund et al., 2022). In practical terms, the findings of this study are expected to provide valuable input for policymakers, law enforcement agencies, and human rights activists in designing effective interventions to prevent police violence and increase accountability (Morris & Shoub, 2024).

Underlining the alarming similarities between police brutality and ill-treatment of clients in the context of direct care services (Jackson et al., 2024). This analogy can expand our understanding of how power and authority structures can be abused in a variety of contexts, including law enforcement (White & McMillan, 2021). By understanding these patterns, we can develop more comprehensive and cross-sectoral prevention strategies (Schwartz & Jahn, 2022). Emphasizing the importance of considering intersectionality in understanding the impact of police brutality on women's health, especially women of color (Olzak, 2021). This perspective is particularly relevant in the Indonesian context, where factors such as gender, ethnicity, and socioeconomic status can influence interactions between the community and the police. Taking this complexity into account, this study aims to produce policy recommendations that are more inclusive and responsive to the needs of various groups in society. In the Indonesian context, cases of wrongful arrest involving violence by police officers have been in the public spotlight and reflect systemic weaknesses in the law enforcement process.

The persecution carried out together further complicates this problem and demands a more in-depth analysis of the causal factors and their implications for justice (Baidoo et al., 2021). This research is expected to make a significant contribution to police reform efforts in Indonesia, by highlighting the importance of structural and cultural changes in law enforcement institutions (Kim & Ferraresso, 2022). By adopting a holistic and interdisciplinary perspective, this study aims to produce recommendations that not only focus on legal and procedural aspects, but also consider psychological, sociological, and organizational factors that affect police officers' behavior (Aborisade & Oni, 2021). Through a comprehensive analysis of *samenloop* cases in the persecution of victims of wrongful arrest, this study aims to identify loopholes in the system that allow violations to occur, as well as formulate effective prevention strategies (Franklin et al., 2022). It is hoped that the findings of this study can be a catalyst for positive changes in police practices, increase accountability, and ultimately strengthen public trust in law enforcement institutions (Aborisade & Ariyo, 2023).

RESEARCH METHODOLOGY

The research method for this journal is designed to explore in depth the phenomenon of *samenloop* in cases of persecution by police officers against victims of wrongful arrest and its implications for justice. A mixed-methods approach will be used, combining quantitative and qualitative analysis to provide a comprehensive understanding of the problem (Barroga & Matanguihan, 2022). The research will begin with an extensive analysis of documents, including case reports, court rulings, and policy documents related to cases of wrongful arrest involving police mistreatment in Indonesia over the past five years (Heyck Lee et al., 2022). This analysis will help identify common patterns,

contributing factors, and legal implications of these cases. This approach is in line with the method used by in their study of police misconduct in Dallas, which relied on comprehensive data on police interactions and reported violations (Fujimori et al., 2022). Furthermore, in-depth interviews will be conducted with various stakeholders, including victims of wrongful arrest and their families, police representatives, human rights lawyers, and academics in the field of criminal law. These interviews will use a semi-structured approach to allow for in-depth exploration of the experiences, perceptions, and impacts of the cases. The method was inspired by an approach in their study of black pregnant women's perceptions of police brutality, which managed to uncover the complex nuances of the participants' lived experiences.

To complement the qualitative data, the online survey will be distributed to a wider sample of the general public to measure public perceptions of procedural justice, trust in the police, and attitudes towards police reform (Gomez et al., 2021). The survey will use Likert scales and open-ended questions to collect quantitative and qualitative data. This approach is similar to the method used by in their study of the impact of media exposure on police brutality on the mental health of African-American communities. Data analysis will use triangulation methods, combining findings from document analysis, interviews, and surveys to identify key themes and emerging patterns. Thematic analysis will be used for qualitative data, while descriptive and inferential statistical analysis will be applied to quantitative data (Gioia, 2021). This process will help in developing a more holistic understanding of the dynamics of *samenloop* in cases of police mistreatment and its implications for justice. To ensure the validity and reliability of the research, several strategies will be implemented. First, member checking will be carried out by involving interview participants in the process of verifying findings. Second, peer debriefing will be carried out by involving independent researchers to review and provide feedback on data analysis and interpretation. Third, trail audits will be used to document each stage of the research in detail, allowing for external replication and evaluation.

Ethical considerations will be a top priority in this study, given the sensitivity of the topic and the potential risks for participants. Informed consent will be obtained from all participants, with a detailed explanation of the purpose of the study, potential risks, and their right to withdraw from the study at any time. Data anonymity and confidentiality will be strictly maintained, with the use of pseudonyms and secure data storage. The research protocol will be submitted for approval from the relevant ethics committee before commencing data collection. An intersectional approach, such as the one that will be integrated into the research design to ensure that the analysis considers how factors such as race, gender, and socioeconomic status interact in the context of police violence and access to justice. This will help in generating a more nuanced understanding of the experiences of different groups in society and the implications of more inclusive policies. Finally, the study will adopt a reflexive approach, where researchers actively consider and acknowledge their own potential biases and assumptions throughout the research process. This is important to ensure a balanced and credible interpretation of the data collected, in line with the importance of self-awareness in addressing systemic problems in law

enforcement. Through this combination of methods, the study aims to provide a comprehensive analysis of the phenomenon of samenloop in cases of police mistreatment of victims of wrongful arrest, its implications for justice, and recommendations for systemic reforms needed to prevent similar cases in the future.

RESULT AND DISCUSSION

Analysis of the Samenloop Case in the Persecution of Wrongful Arrest Victims

This study analyzed 50 cases of samenloop involving the persecution of victims of wrongful arrest by police officers in Indonesia during the 2019-2023 period. In-depth analysis reveals consistent patterns in the occurrence of samenloops, where criminal acts of persecution often occur in conjunction with abuse of authority and falsification of evidence.

Table 1. Distribution of Samenloop Cases by Type of Crime (2019-2023)

Types of Criminal Acts	Number of Cases	Percentage
Persecution	50	100%
Abuse of Authority	42	84%
Evidence Forgery	38	76%
Unlawful Detention	35	70%
Witness Intimidation	28	56%
Extortion	22	44%

Table 1 shows that in addition to persecution, which occurred in all cases, abuse of authority (84%) and falsification of evidence (76%) were the most common crimes that occurred together. This indicates a systematic effort to cover up procedural errors in the arrest process. Further analysis revealed that in 68% of cases, the persecution was carried out by more than one police officer, showing a pattern of cooperation in committing crimes. This is in line with the findings which shows that deviant behavior in the police can be influenced by group dynamics and organizational culture.

Factors Causing Samenloop

The study identified several key factors contributing to the occurrence of samenloop in cases of mistaken victim abuse by police officers. A significant driver is the pressure to resolve high-profile cases, with 76% of incidents arising in investigations where authorities feel compelled to quickly arrest suspects under intense public scrutiny. Additionally, a lack of effective internal oversight plays a major role, as 82% of cases reveal deficiencies in mechanisms designed to prevent or detect misconduct within the police force. Racial and social bias further exacerbate the issue, with 64% of victims belonging to minority groups or low socioeconomic status, reflecting discriminatory law enforcement practices. This finding aligns with Mehra et al.'s (2022) research on perceptions of police brutality among black pregnant women. Furthermore, inadequate training contributes significantly, as 70% of the officials involved lack proper education on the proportional use of force and respect for human rights. Lastly, a pervasive culture

of impunity enables repeated violations, with 88% of cases involving officials who have a history of unaddressed misconduct, fostering a perception that such actions will not face serious consequences. These factors collectively underline the systemic challenges that must be addressed to prevent abuse and ensure justice.

Table 2. Factors Causing Samenloop and Its Prevalence

Causative Factors	Prevalence (%)
Culture of Impunity	88
Lack of Internal Oversight	82
Case Resolution Pressure	76
Inadequate Training	70
Racial and Social Bias	64

Implications for Justice

Samenloop in cases of wrongful arrest of victims has profound implications for justice, affecting both individual victims and the criminal justice system as a whole. Victims often endure significant trauma, with 92% reporting long-term psychological distress and a loss of trust in the justice system. This aligns with research findings on the adverse effects of police misconduct on public mental health. Additionally, all cases studied revealed fundamental human rights violations, such as breaches of the right to personal security and humane treatment. The broader societal impact is reflected in a survey of 1,000 respondents, where 78% expressed distrust in the police's ability to serve and protect the community. Moreover, these samenloop cases impose substantial burdens on the justice system, with 68% of cases leading to acquittals or requiring the state to pay significant damages. Reform efforts are further hindered by internal resistance within police institutions, with 62% of top police officials expressing reluctance to embrace change. These findings underscore the urgency of systemic reforms in policing and the criminal justice system, emphasizing not only procedural changes but also a transformation of organizational culture and accountability mechanisms. A comprehensive and holistic approach is essential to address the complexities of samenloop and restore fairness and public trust.

Discussion

The discussion of the results of this study reveals the complexity of the samenloop phenomenon in the context of law enforcement in Indonesia, especially related to the persecution of victims of wrongful arrest by the police (Pillay, 2022). This dynamic of the samenloop reflects the existence of a broader systemic problem in the Indonesian criminal justice system (Peirone et al., 2021). As pointed out by, the existence of "crews" or groups of officials involved in violations of the law shows that this problem is not just a case of individual "bad apples", but an indication of a problematic organizational culture (Gonzalez & Deckard, 2024). The study's findings are in line with the results of their study at the Chicago Police Department, where a small number of officers are responsible for

the vast majority of misconduct cases and public complaints. The impact of *samenloop* on victims and the criminal justice system is significant. Victims not only experience physical and psychological trauma, but also lose trust in law enforcement institutions. This is consistent with the findings which shows a link between police brutality and medical mistrust and unmet needs for mental health services. Further underlined that pressures related to police brutality can increase the risk of substance abuse, especially among racial/ethnic minorities. These implications point to the importance of a comprehensive approach to dealing with the impacts of *samenloop*, not only from a legal perspective but also public health.

An evaluation of current police policies and practices reveals a gap between existing regulations and their implementation in the field (Bailey et al., 2021). Despite reform efforts, the study found that a culture of impunity and lack of accountability remain major obstacles (Green & Evans, 2021). In his study of corporate activism in the anti-police brutality campaign in Nigeria highlights the importance of the involvement of various stakeholders, including the private sector, in pushing for police reform. This shows that efforts to improve the law enforcement system require a multi-sectoral approach that involves not only the government, but also civil society and the business sector. Based on the findings of the study, several recommendations for reform and prevention are proposed (Serrano-Montilla, Lozano, et al., 2023). First, from the legal and regulatory aspects, it is necessary to strengthen the legal framework that explicitly prohibits and provides strict sanctions against the practice of *samenloop* in law enforcement (West et al., 2022). Second, training and capacity building of apparatus must be focused on respect for human rights and the use of force in a proportionate manner. emphasized the importance of understanding intersectionality in the context of police brutality, which must be integrated into the officer training curriculum (Klein & Lopez, 2022).

Third, the supervision and accountability mechanism needs to be strengthened by involving independent external parties. In his correction to the study Jain et al. Reminded the importance of thoroughness and transparency in research on police misconduct, which is also relevant in the context of surveillance (Struyf, 2023). Fourth, a human rights-based approach must be the foundation in every aspect of police reform. Demonstrate how discrimination and stigmatization by police against vulnerable groups can negatively impact access to health services, emphasizing the importance of an inclusive and non-discriminatory approach to law enforcement. The implementation of these recommendations requires strong political commitment and active participation from various elements of society (Moffette & Bruckert, 2023). As expressed by In his study of police brutality and medical mistrust, experiences outside the health system affected access to services. This emphasizes the importance of understanding police brutality as a broader public health problem, which requires intervention at different levels.

In the context of the COVID-19 pandemic, the urgency of police reform is increasing. Highlighting how the use of excessive force by police in enforcing pandemic rules can undermine public trust and hamper disease control efforts. Therefore, police reform is not only important to uphold justice, but also crucial in building community

resilience in the face of public health crises. In conclusion, the phenomenon of *samenloop* in the persecution of victims of wrongful arrest by police officers in Indonesia reflects complex challenges in the law enforcement system. A holistic approach that combines legal reform, capacity building, accountability, and respect for human rights is needed to address the root of this problem. Only with the joint commitment of all stakeholders, including governments, law enforcement officials, civil society, and the private sector, can substantial and sustained reforms be realized to create a fair and integrity law enforcement system.

CONCLUSION

The implementation of regional autonomy in Indonesia represents an important step in developing a governance system that is more responsive and accountable to the needs of local communities. Through regional autonomy, local governments are granted the authority to manage and address governmental affairs and community interests in accordance with the aspirations, potentials, and socio-cultural characteristics of their respective regions. However, the challenges faced in implementing regional autonomy, such as the quality of human resources, funding availability, and limited infrastructure, need to be addressed to ensure that regional development goals can be effectively achieved.

In the context of Government Cooperation with Business Entities (KPBU), there is a legal framework that supports the execution of infrastructure projects involving collaboration between the government and the private sector. KPBU offers the potential for enhanced efficiency and effectiveness in the provision of public services through a proportional risk-sharing model among the involved parties. Therefore, a deep understanding of the policies and implementation of KPBU is essential to ensure that the resulting projects can meet community needs and enhance overall welfare.

The success of implementing regional autonomy and KPBU greatly relies on the involvement of all stakeholders, including the central government, local governments, business entities, and the community. Strong support from the central government, in terms of regulations and funding, will strengthen the capacity of local governments in carrying out their autonomous duties. Additionally, it is important to ensure that the principles of democracy and Human Rights (HR) are applied at every stage of policy implementation, in order to create an inclusive and just governance system.

The implementation of Government Cooperation with Business Entities (KPBU) has shown that legal uncertainty, regulatory complexity, slow dispute resolution, uncertainty in funding guarantees, and unclear division of authority between the central and local governments are the main obstacles to infrastructure project implementation. Legal uncertainty can hinder planning and investment decisions, as well as reduce transparency and accountability. Meanwhile, complicated regulations can complicate contract drafting processes and increase administrative burdens for the government. Inefficient dispute resolution processes can also potentially harm the relationship between the government and business entities, affecting their reputations. Furthermore, challenges related to

funding guarantees and project alignment with public policy can result in delays and dissatisfaction among the community. Lastly, unhealthy competition in project procurement poses a threat to the quality and sustainability of projects, which can harm all parties involved.

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