

Overcoming the Abuse of Sharp Weapons by Children: a Study at the Dompu Police Station

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Abstract

The misuse of sharp weapons by children is a social phenomenon that is rampant and troubling the community in Indonesia, especially in the jurisdiction of Dompu Police Station. The purpose of this research is to find out the countermeasures for the misuse of sharp weapons committed by children at Dompu Police Station. The type of research used is empirical research which examines the facts that occur in the field with the statute approach and case approach methods. The results of the study found that the form of overcoming the abuse of sharp weapons by children at Dompu Police Station through 2 (two) ways, namely preventive (prevention) and repressive (handling). The preventive measures taken by the Women and Children Protection Unit at Dompu District Police are online and offline socialization: online socialization through zoom with participants from all teacher representatives from all schools in Dompu District and offline socialization at schools, coordination with Babin Kamtibmas, and patrols during vulnerable times such as at night. Meanwhile, the handling of sharp weapon abuse by children in the Women and Children Protection Unit at Dompu Police Station is carried out based on Law Number 11 of 2012 concerning the Child Criminal Justice System and has been carried out properly.

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1. INTRODUCTION

Misuse of sharp weapons is a social phenomenon that is increasingly disturbing people in various regions in Indonesia. This phenomenon not only endangers individual safety, but also disrupts the stability of security and public order. In other words, if it disturbs public order then the misuse of sharp weapons is already breaking the law.

The legal violations referred to are as regulated in Emergency Law no. 12 of 1951 concerning Sharp Weapons (hereinafter referred to as the Drt Law concerning Sharp Weapons). In Article 2 paragraph (1) of the Drt Law concerning Sharp Weapons, it is stated that:

"Any person who without the right enters Indonesia, makes, receives, attempts to obtain, hands over or attempts to hand over, controls, carries, has supplies to him or has in his possession, keeps, transports, hides, uses or takes out of Indonesia a beating weapon, stabbing weapons, or stabbing weapons, (*butcher stab or thrust weapon*).

Furthermore, Article 2 paragraph (2) of the Drt Law on Sharp Weapons states that:

"Weapons, stabbing weapons or stabbing weapons in this article, do not include items which are clearly intended to be used for agricultural purposes, or for household work for the purpose of legally carrying out work or which clearly have the purpose of being heirlooms. or ancient evidence or magical items (*remarkableness*)."

Based on Article 2 paragraph (1), it explains the prohibition on possessing sharp weapons. This means that the Law on Sharp Weapons prohibits the circulation of sharp weapons. Meanwhile, in Article 2 paragraph (2), there are exceptions to the types of sharp weapons that are permitted, namely for agricultural, household purposes, and heirlooms/ancient evidence/magical items that are legally used in accordance with the needs/interests in these fields.

The existence of a policy prohibiting the ownership of sharp weapons does not mean that there are no crimes involving carrying or misusing sharp weapons in Indonesia. Statistically, there are 892 criminal cases of citizens carrying or misusing sharp weapons in Indonesia in 2020, 1,440 in 2021, and 629 in 2022. Based on this data, the number of criminal cases of carrying or misusing sharp weapons is fluctuating and is highest in 2021 and at least in 2022. Data on these cases occurred in the Regional Police of South Sulawesi, South Sumatra and East Java.

Based on the case data above, the misuse of sharp weapons is not only carried out by adults, but by children too. A child is someone who is not yet 18 (eighteen) years old (Article 1 paragraph (1) of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection (Child Protection Law)). Therefore, the state provides guarantees for children by providing protection as regulated in Article 1 paragraph (2) of the Child Protection Law, that all activities to guarantee and protect children and their rights so that they can live, grow, develop and participate optimally in accordance with with human dignity and dignity, and receive protection from violence and discrimination.

Child protection guaranteed by the state is based on the view that children are the nation's next generation and are an inseparable part of human survival and the life of the nation and state. Therefore, children must be protected during the growth and learning process. However, during the growth and learning process, a child sometimes commits juvenile delinquencies (*juvenile delinquency*). Juvenile delinquency is a legal term. A teenager is considered a juvenile delinquent if he has been convicted of breaking the law. Meanwhile, Siegel and Walsh stated that juvenile delinquency is a form of illegal behavior by minors. Furthermore, Siegel and Welsh say that teenagers who are involved in the action of criminals are *chronic juvenile offenders* and are considered a serious social problem.

A serious problem related to juvenile delinquency which is currently a social phenomenon is the misuse of sharp weapons by children, especially in Dompu Regency which is the jurisdiction of the Dompu Police. Based on pre-research at the Dompu Police, there is still abuse of sharp weapons at the Dompu Police every year, starting from the misuse of sharp weapons for assault, mugging, theft, murder and threats. Children abuse sharp weapons. This can be seen from the case example in 2023, that a junior high school (SMP) student with the initials MA is 13 (thirteen) years old from Rasanggaro Hamlet, Mangge Asi Village and MM is 12 (twelve) years old from Rato Neighborhood, Karijawa village brought sharp weapons and tools for making them, namely one machete, one bow, four arrows and one grinder used to make sharp arrow-type weapons to their school. This incident indicates that the misuse of sharp weapons among children in the Dompu Police jurisdiction is increasingly common.

The widespread misuse of sharp weapons among children has reached disturbing levels. This is caused by various factors, ranging from environmental influences, weak parental supervision, to promiscuity which triggers criminal acts. On the other hand, there is easy access to sharp weapons and a lack of understanding regarding the dangers and legal consequences of misuse of sharp weapons. Therefore, it is necessary to overcome the misuse of sharp weapons by children in the Dompu Police jurisdiction.

Crime prevention efforts include preventive (prevention) and repressive (handling) activities. Preventive efforts can be made before a crime occurs by preventing the

occurrence or emergence of a crime. Meanwhile, handling efforts are efforts after a crime occurs. Efforts to overcome this hour can be carried out by the Police as one of the law enforcement agencies in Indonesia. However, in dealing with the misuse of sharp weapons by children, order and justice must be created to reduce sharp weapon crimes.

The police at the Dompu Police Station as a law enforcement institution have an important role in efforts to prevent and handle the misuse of sharp weapons by children. Therefore, this research aims to explore various strategies that have been implemented by the police in dealing with the misuse of sharp weapons by children. Thus, it is hoped that the results of this research can provide more effective recommendations in dealing with the misuse of sharp weapons by children in the Dompu Police jurisdiction.

2. RESEARCH METHOD

This research is a type of empirical normative research using a statutory approach (*statute approach*) and case approach (*cases approach*) using primary data through interviews with sources, namely investigators at the Dompu Police Women and Children Protection Unit and secondary data from other references such as books, articles and other scientific works that are related to the research. The analytical method used is descriptive qualitative, a method of analyzing, describing and summarizing various conditions or data collected in the field in the form of interviews or observations related to research.

3. RESULTS AND DISCUSSION

The police are an instrument of the State which maintains security and order, which provides guidance and protection to the community. Without the presence of the police, there will be chaos and disorder in the order of social life. So that its existence will try to create order, security and social peace. This means that the police must be able to influence society with various approaches to maintain and maintain social harmony as well as the prospects for society in general.

In general, the police have the authority to deal with criminal acts to create order in society. Overcoming these criminal acts can be done in 2 (two) ways, namely: *preventive* (prevention) and *PUNITIVE* (handling). These 2 (two) methods are part of realizing social harmony and order as the implementation of the police function. The further explanation of these 2 (two) methods is as follows:

A. Forms of Prevention of Abuse of Sharp Weapons by Children at the Dompu Police Station

Preventive/Prevention is an effort to prevent problems before they occur. *Preventive* can be understood as an activity carried out systematically, planned, structured and directed to prevent something from happening or developing. In other words, *prevention* is the first step that can be taken by the Police to prevent criminal acts. Furthermore, the preventive principle always prioritizes preventative action rather than taking action against the community.

Preventive Criminal acts can be carried out in various ways, namely socialization/counseling with various actors (government) implementing policies to prevent criminal acts from various aspects. In this effort, an approach to the community is prioritized or a social approach whose main aim is to make the public aware of the importance of obeying the law so that there is no intention to violate the law. This means that the police can influence society with various approaches to maintain and maintain social harmony as well as the prospects for society in general.

The preventive measures that have been carried out by the Dompu Police UPPA are carried out in 2 (two) ways, namely socialization *offline* (direct) and online via *zoom*. As for prevention through socialization which has been carried out regularly *offline* (direct) is a discussion through crime, going directly to schools, coordinating with Babin

Kamtibnas to provide outreach regarding understanding and handling of children, such as understanding laws and handling procedures and so on. Apart from that, the police also carry out patrols at vulnerable times, such as at night, where there is often misuse of sharp weapons because at night children are prone to carrying out their actions. The patrol was assisted by another team at the Dompu Police to increase security during the patrol. Meanwhile, socialization *online* via zoom, what was done by the Dompu Police UPPA was to give an appeal to schools which was held on teachers' day which was attended by all teachers in Dompu Regency. In carrying out outreach to prevent the misuse of sharp weapons, the Dompu Police UPPA is collaborating with the Dompu Regency DP3A, the Dompu Regency Child Protection Agency, and the Dompu Regency Regional Government.

However, the outreach carried out by the Dompu Police UPPA was less effective considering the location or domicile of the perpetrators of sharp weapon abuse in various areas in Dompu Regency. The locations prone to misuse of sharp weapons in Dompu Regency are as follows:

No	Location of incident	Amount
1	Simpasai Village, Woja District	1
2	Monta Baru Village, Woja District	2
3	Kandai II Village, Woja District	3
4	Nowa Village, Woja District	1
5	Bara Village, Woja District	1
6	Mbawi Village, Dompu District	1
7	Bali I Village, Dompu District	3
8	Dorotangga Village, Dompu District	4
9	Bada Village, Dompu District	1
10	Karijawa Village, Dompu District	4
11	Kandai I Village, Dompu District	1
12	Dompu Police Station	1

Table 1: Number and locations prone to misuse of sharp weapons in Dompu Regency

Based on locations prone to misuse of sharp weapons, there were 23 cases, including those in Kel. Simpasai has 1 case, Ex. Monta Baru there are 2 cases, Ex. Kandai II had 3 cases, Nowa Village had 1 case, and Bara Village had 1 case, all of which are located in Kec. Wow. Apart from that, there was also a vulnerable location in Mbawi Village, where there was 1 case, Ex. Bali I there were 3 cases, Ex. Dorotangga there are 4 cases, Ex. Bada has 1 case, Ex. Karijawa there are 4 cases, Ex. Kandai I had 1 case, and the Dompu Police Station had 1 case, all of which were in Kec. Dompu. This means, based on these vulnerable locations, that it is not only schools that require preventative outreach to both students and teachers. However, socialization is also needed by people in areas prone to sharp weapon abuse in order to prevent them from becoming victims of sharp weapon abuse. Therefore, the location for conducting outreach is not only in schools, but in locations prone to misuse of sharp weapons as described previously in order to increase public awareness so that they do not become victims of misuse of sharp weapons.

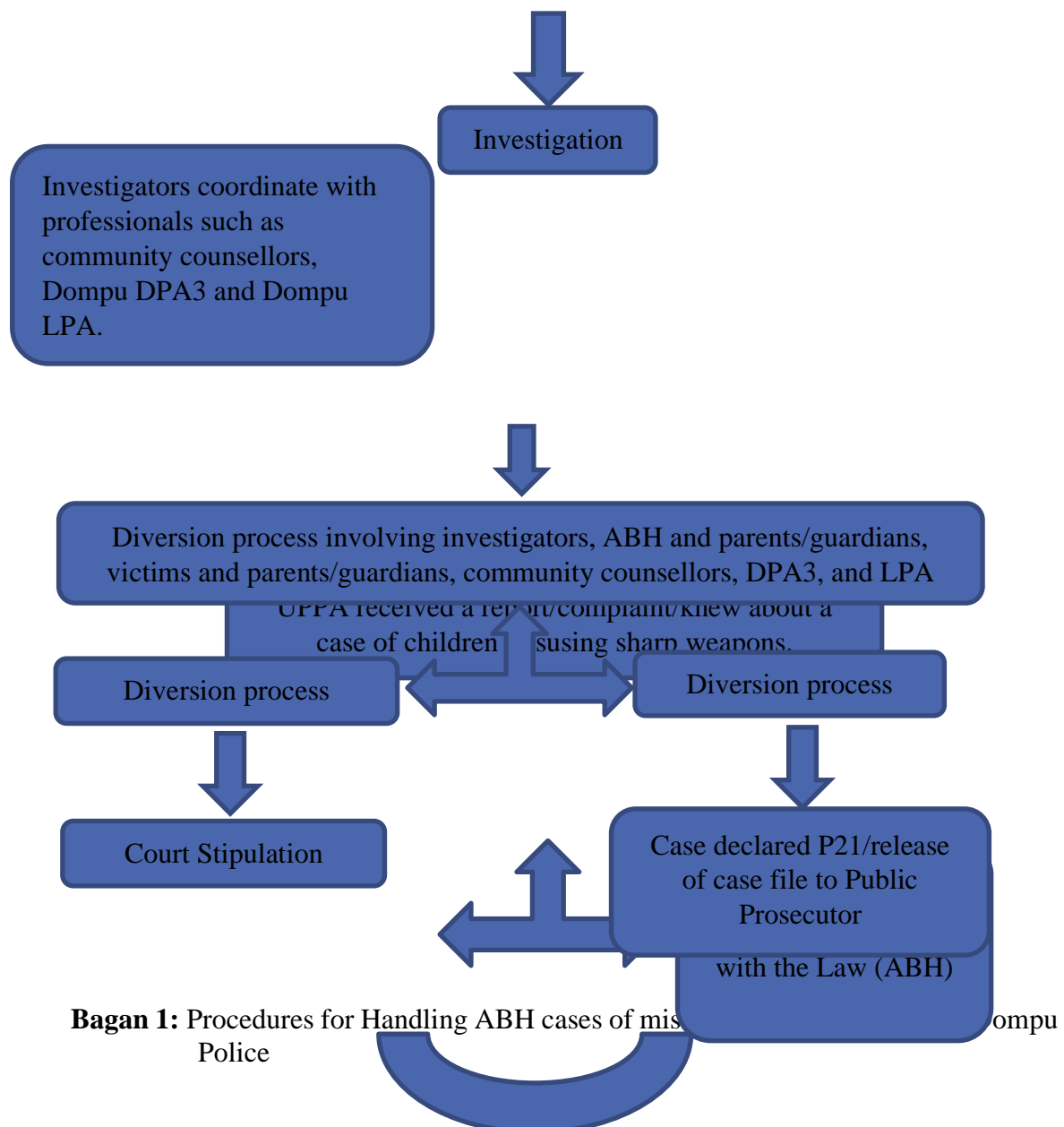
B. Forms of Handling Abuse of Sharp Weapons by Children at the Dompu Police Station

Repressive/Treatment is an action taken after a criminal act has occurred. Action *PUNITIVE* focuses on efforts to deal with people who commit criminal acts. The actions that can be taken against people who have committed criminal acts include, among other

things, providing appropriate criminal law for their actions. This action can actually also be seen as a prevention for the future so that people do not commit the same crime.

Effort *repressive* This can also be done by the police. The police are a state instrument that has a dominant role in handling someone who commits a criminal act. This means that the police have an important role in dealing with criminal acts such as misuse of sharp weapons by children.

One of the police stations that handles the misuse of sharp weapons is the police at UPPA Dompu Police. In responding to cases of misuse of sharp weapons by children in Dompu Regency, UPPA Investigators carried out the implementation as regulated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (UU SPPA). The handling procedures carried out by the Dompu Police UPPA based on the SPPA Law are as follows:



Bagan 1: Procedures for Handling ABH cases of misuse of sharp weapons by children at Dompu Police

Based on the chart above, the process of handling children who abuse sharp weapons by the Dompu Police UPPA begins with receiving a report/complaint. Based on this report, an investigation was then carried out. After the investigation, UPPA coordinated with professional staff such as Community Counselor, DPA3 Kab. Dompu and LPA Kab. Dompu to accompany ABH during the investigation process. The term ABH is regulated in Law Number 35 of 2014 concerning Child Protection and the SPPA Law.). In the investigation process, diversion is attempted involving investigators, ABH and parents/guardians, victims and parents/guardians, community counselors, DPA3, and District LPA. Dompu. In the diversion process, if it is accepted, it will be determined by court order. However, if diversion is rejected, the case is declared P21/handover of case files to the Public Prosecutor.

Meanwhile, ABH cases of misuse of sharp weapons handled by the Dompu Police UPPA in the last 4 years are as follows:

N	Year	Report	Number of ABH	Age	Solution
1	2020	4	8 people	14-15 years old	P21
2	2021	3	5 people	13,15, 16 years old	P21
3	2022	12	12 people	15-17 years old	P21 9 and 3 Diversion
4	2023	7	10 people	14-17 years old	P21 5 and 3 Diversion

Table 10: Number of cases of children abusing sharp weapons at UPPA Dompu Police

Based on data on cases of misuse of sharp weapons by children from 2020-2024, there were 26 reports. In 2020 there were 4 reports and the number of ABH was 8 people, in 2021 there were 3 reports and the number of ABH was 5 people, in 2022 there were 12 reports with a total of 12 ABH people, and in 2023 there were 7 reports with a total of 10 ABH people. This means that the number of ABH reports and data varies, where in each report there is more than one ABH person who misused sharp weapons.

Apart from that, the age of ABH who abuse sharp weapons from 2020-2023 is around 13 years to 17 years. In 2020, children who abuse sharp weapons are aged 14-15 years. In 2021, children who abuse sharp weapons will be aged 13-16 years. In 2022, children who abuse sharp weapons will be 15-17 years old. And in 2023, children who abuse sharp weapons will be aged 14-17 years. From the age of children who abuse sharp weapons, if you refer to Article 1 paragraph 3 of the SPPA Law, children who are 12 (twelve) years old, but not yet 18 (eighteen) years old who are suspected of committing a criminal offense may be subject to legal proceedings. Meanwhile, children under 12 years of age cannot be prosecuted. Meanwhile, children under the age of 14 or over 12 years may be processed and cannot be detained. Apart from that, those aged 14 years and over or under 18 years of age can be prosecuted and detained. This means that children aged 12 years and over can be prosecuted if they commit a crime and children 14 years and over can be prosecuted and detained if they commit a crime.

Based on the age of children who can be prosecuted, children who abuse sharp weapons at the Dompu Police UPPA can also be prosecuted because the vulnerable age of children who abuse sharp weapons from 2020-2023 is around 13 years to 17 years,

namely in 2020 they will be around 14- 15 years old, in 2021 around 13-16 years old, in 2022 around 15-17 years old years, and 2023 will be around 14-17 years old.

Based on 26 reports of cases of misuse of sharp weapons, the resolution to the prosecution stage, namely the file was declared complete or called P21, was 21 cases, namely 4 cases in 2020, 3 cases in 2021, 9 cases in 2022, and 5 cases in 2023. Meanwhile, the resolution was carried out by diversion in 5 cases, namely 3 cases in 2022 and 2 cases in 2023. Of the 5 cases that were successful the diversion is completed in a timely manner *restorative justice* involving investigators, ABH and parents/guardians, victims and parents/guardians, Community Counselors, DPA3 Kab. Dompu, and LPA Kab. Dompu. *Restorative justice* is an alternative resolution of children's criminal cases outside the courts which is defined as a fair settlement involving the relevant parties. By means of diversion *restorative justice* This means that children are returned to their parents to receive guidance so that they do not repeat their actions. This means that from the data on case reports of children abusing sharp weapons from 2020-2023, the resolution has reached the stage of being declared P21 and diverted. Apart from that, data on reports of cases of misuse of sharp weapons by children is fluctuating, namely in 2021 and the highest in 2022.

The types of sharp weapons used by children who abuse sharp weapons at the Dompu Police UPPA are as follows:

No	Year	Types of Sharp Weapons
1	2020	Arrows/bows, machetes, and daggers
2	2021	Arrows/bows, slingshots and machetes
3	2022	Machetes, machetes, arrows/bows, samurai, knives, axes and daggers
4	2023	Arrows/bows, machetes and machetes

Table 11: Types of sharp weapons used by children at UPPA Dompu Police

Based on the types of sharp weapons from 2020-2023 above, consisting of arrows/bows, machetes, daggers, slingshots, machetes, samurai, knives, axes. This means that there are 8 types of sharp weapons used from 2020 to 2024. In 2020, 2021 and 2023 each there will be 3 types of sharp weapons and in 2022 there will be 7 types of sharp weapons. There are 4 sharp weapons used as arrows from 2020 to 2024. 4 sharp weapons used as machetes from 2020 to 2023. 2 sharp weapons used as daggers in 2020 and 2022. 1 sharp weapon used as a slingshot. in 2021. 2 machete type sharp weapons used in 2022 and 2023. There are 1 samurai-type sharp weapons used in 2022. 1 knife-type sharp weapons used in 2022. And 1 axe-type sharp weapons used in 2022. Of the various types of sharp weapons used, the types of sharp weapons vary the most in 2022, namely 7 types of sharp weapons such as machetes, machetes, arrows/bows, samurai, knives, axes and daggers.

Of the 8 (eight) types of sharp weapons used by children, misuse of sharp weapons from 2020-2023, consisting of arrows/bows, machetes, daggers, slingshots, machetes, samurai, knives, axes, does not affect the application of sanctions. In other words, there is no difference in the application of criminal sanctions given to children who abuse sharp weapons based on the type of sharp weapon used. However, criminal sanctions given to children who misuse sharp weapons are applied based on the method of their actions.

Meanwhile, according to Bripka Alvian, the factors behind the misuse of sharp weapons by children are as follows:

- a. Lack of parental attention to children;
- b. Offended by the words of his peers;
- c. there is revenge between gangs

Meanwhile, in handling sharp weapon abuse by children, the Dompu Police UPPA coordinates with the Bapas (Linmas) if there are ABH related to sharp weapon abuse. Meanwhile, if a child is a victim of misuse of sharp weapons, the Mataram Police UPPA will collaborate with the Dompu Regency Social Service, Dompu Regency DP3A, and the Dompu Regency Child Protection Agency.

In the process of handling the misuse of sharp weapons by children, the Dompu Police UPPA did not face any difficult challenges so there was no need for coercive efforts in arresting and it was easy because the community supports every action taken by the Police considering that children who abuse sharp weapons are very disturbing to the community so that support the community assisted the police in handling it.

Thus, based on the method for dealing with misuse of sharp weapons by children which has been carried out by the Dompu Police UPPA, both prevention and handling have been implemented. However, countermeasures from the preventive aspect should not only be carried out in the community through socialization to teachers *online* but it must be done by providing education to the community in the form of legal counseling. Legal education is one form of police force's efforts to prevent criminal acts of misuse of sharp weapons among the community, namely by holding legal education about the impacts and dangers posed by the misuse of sharp weapons. This counseling is not limited to teachers in all schools in Dompu Regency, but must be carried out from elementary school (SD) to high school (SMA) levels to students in order to provide an understanding of the impacts and dangers posed by the misuse of sharp weapons.

Meanwhile, the handling aspects carried out by the Dompu Police UPPA Police need to involve various parties because the Dompu Police UPPA also has limitations in handling, both in terms of the availability of personnel, equipment and operational budget so that the involvement of the community itself is needed to create public order, such as involving religious leaders, community leaders, local government, and teachers. In other words, by carrying out comprehensive countermeasures against the misuse of sharp weapons as an effort to make all forms of countermeasures more effective so that there is no re-abuse of sharp weapons by children in the Dompu Police jurisdiction.

4. CONCLUSION

The form of response to the misuse of sharp weapons by children by the Women and Children Protection Unit at the Dompu Police is divided into 2 (two) efforts, namely: *preventive* (prevention) and *PUNITIVE* (handling). Effort *prevention* What is done to prevent misuse of sharp weapons by children is by carrying out good socialization *offline* (directly) or indirectly *online*. Forms of socialization carried out online and offline is direct outreach to schools in Dompu Regency. Apart from that, the Police also coordinate with Babin Kamtibmas to provide children with an understanding of the laws and procedures for handling the misuse of sharp weapons and the Police also carry out patrols in places and times prone to criminal acts of misuse of sharp weapons. Meanwhile, socialization *online* via zoom, carried out with teachers in schools in Dompu Regency to provide advice to children in schools regarding the misuse of sharp weapons. The outreach was held by the Dompu Police Women and Children Protection Unit in collaboration with DP3A, LPA, and the Dompu Regency Government.

Based on the conclusions, there are suggestions for good coping methods *preventive* or *PUNITIVE* The Dompu Police Women's and Children's Protection Unit has carried out the abuse of sharp weapons towards children. However, socialization on the prevention of misuse of sharp weapons is not carried out in schools or only with teachers, it would be better if the socialization of prevention is carried out in locations prone to criminal acts of

misuse of sharp weapons in order to prevent the emergence of victims and participants, students or the surrounding community.

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