

THE EVIDENTIARY STRENGTH OF THE EXAMINATION REPORT IN THE TRIAL OF TRAFFIC ACCIDENT CASES (STUDY OF DECISION NUMBER 1331/PID.SUS/2025/PN MDN)

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Abstract

Based on the results of the study, it shows that the strength of the Examination Report (BAP) in the evidentiary process in the trial of a traffic accident case based on Decision Number 1331 / Pid.Sus / 2025 / PN Mdn, namely the strength of the Examination Report (BAP) as evidence in the evidentiary process of a traffic accident case is highly dependent on the fulfillment of formal and material requirements according to the provisions of criminal procedure law. The BAP is considered to have sufficient evidentiary power if it meets the elements of authenticity, honesty, and integrity of the document, and is made by an authorized investigator and in accordance with applicable procedures. The judge's consideration in the evidentiary process of a traffic accident case based on Decision Number 1331 / Pid.Sus / 2025 / PN Mdn, namely the judge in deciding the traffic accident case carries out a process of assessing facts and evidence carefully, objectively, and systematically

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1. Introduction

Traffic accident cases constitute one of the criminal matters frequently brought before the courts. In the evidentiary process at trial, one of the important and commonly used forms of evidence is the Examination Report (BAP). The BAP is an official document containing the results of examinations of witnesses, suspects, and other relevant parties conducted by investigators during the investigation stage. The evidentiary strength of a BAP is crucial in determining a judicial decision, particularly in traffic accident cases involving fatalities or substantial material losses. Under criminal procedure law, a BAP must satisfy certain requirements in order to be used as lawful and reliable evidence in court. In practice, however, debate remains regarding the evidentiary weight of a BAP, especially concerning its validity and authenticity when irregularities or inconsistencies are alleged to have occurred during the examination process. Decision Number 1331/Pid.Sus/2025/PN Mdn provides an interesting case for examining the extent to which a BAP may be used as principal evidence to establish the elements of a traffic accident offense. This study is important because it provides a clearer understanding of the evidentiary strength of the BAP and the mechanism for testing it in court, thereby supporting justice and legal certainty in the enforcement of traffic accident law. Accordingly, this study aims to analyze the evidentiary strength of the Examination Report in proving traffic accident cases based on the decision under study and to examine the factors affecting its validity as lawful and convincing evidence at trial.

2. Methodology

This study employs normative legal research, namely research conducted by examining laws and regulations that apply or are applied to a particular legal issue. Normative legal research is often referred to as doctrinal research because its objects of study are statutory

documents and legal literature. The study is library-based (library research), conducted by reviewing books and literature relevant to the research topic.

The research uses two approaches: the statute approach and the case approach. The statute approach examines regulations relating to the law of evidence in traffic accident crimes, namely Law No. 1 of 2023 concerning the Criminal Code (KUHP), Law No. 22 of 2009 concerning Road Traffic and Transportation, and Law No. 8 of 1981 concerning the Criminal Procedure Code (KUHP). The case approach is carried out through an in-depth analysis of Medan District Court Decision Number 1331/Pid.Sus/2025/PN Mdn as the principal object of this study.

The data used in this study are secondary data consisting of primary, secondary, and tertiary legal materials. Primary legal materials include relevant laws and regulations and court decisions. Secondary legal materials comprise books, scholarly journals, and research results related to the law of evidence in traffic accident crimes and its enforcement. Tertiary legal materials include legal dictionaries and legal encyclopedias. Data were collected through library research.

The data were analyzed qualitatively by interpreting the legal norms and legal facts contained in the court decision. The results are presented systematically to provide a comprehensive description of the law of evidence in traffic accident crimes.

3. Research Results and Discussion

The evidentiary process is a highly important aspect of traffic offenses, including accidents resulting in death. Strong and proper evidence enables judges to decide cases fairly and on the basis of valid facts. A sound evidentiary process ensures that the actual facts are revealed and used as the basis for a court decision. This helps prevent wrongful punishment of innocent persons and ensures that culpable offenders receive appropriate punishment.

In traffic accident cases, evidence is required to establish the elements of the offense, such as negligence, intent, or conduct violating traffic regulations. Without sufficient evidence, an offender cannot lawfully be convicted. The Public Prosecutor must be able to prove both causation and consequence. This process helps identify the cause of the accident and its connection with the conduct of the offender. Evidence such as CCTV recordings, crime-scene examination results, and witness testimony is important in establishing the relationship between the offender's conduct and the resulting consequences.

The evidentiary strength of the Examination Report (BAP) in the trial of traffic accident cases is an important issue that frequently gives rise to debate within the criminal justice system. A BAP is an official document prepared by police investigators after examining a suspect, witness, or other relevant party in a criminal case, including a traffic accident case. It may contain statements, admissions, and data obtained during the examination process.

At the investigation stage, the BAP functions as lawful preliminary evidence used to build the case file and to serve as a basis for prosecution. At trial, under Article 184 of the Criminal Procedure Code (KUHP), information recorded in a BAP may be used in the evidentiary process, but its weight is not automatically binding in the same manner as testimony delivered directly before the court.

Although the BAP is important during the investigation and may be used at trial, it has limitations as evidence. Its evidentiary weight is not equivalent to direct testimony and it must be supported by other evidence in order to be used effectively in proving a traffic accident case. Therefore, the honesty, accuracy, and validity of the BAP significantly affect the fairness of the court's decision.

A BAP may be used to corroborate witness testimony, establish the elements of a criminal offense, and describe the circumstances at the scene. The judge assesses the validity and

reliability of its contents, including whether pressure, coercion, or errors occurred during the investigation. In traffic accident cases, a BAP is often used to record statements from suspects and witnesses as well as the results of crime-scene examinations. It may show the chronology of events, the violations committed, and the responsibility of the offender. Nevertheless, its validity must still be tested at trial and it is not automatically binding when it conflicts with direct testimony or other evidence.

Based on the research results and discussion, it may be concluded that the evidentiary strength of the Examination Report (BAP) in the trial of a traffic accident case under Decision Number 1331/Pid.Sus/2025/PN Mdn depends greatly on compliance with the formal and material requirements of criminal procedure law. A BAP has sufficient evidentiary strength when it satisfies the requirements of authenticity, honesty, and documentary integrity and is prepared by an authorized investigator in accordance with applicable procedures. Its contents must also be consistent with other evidence and obtained voluntarily without pressure or coercion. In the decision, the Court emphasized that a BAP cannot stand alone as the sole principal evidence but must be supported by other evidence, such as witness testimony, physical evidence, and other examination results, in order to ensure the fairness and validity of the judgment. Thus, the evidentiary strength of the BAP in traffic accident cases depends on the lawfulness of the procedure by which it was prepared, the authenticity and integrity of its contents, and its consistency with the overall body of evidence. This principle is intended to ensure that judicial decisions are based on lawful, fair, and legally accountable evidence.

The evidentiary process in traffic accident cases, as reflected in Decision Number 1331/Pid.Sus/2025/PN Mdn, is crucial to ensuring the fairness and validity of the court's decision. A proper evidentiary process that complies with legal requirements serves as the principal basis for assessing the facts revealed during trial. Its success depends not only on the existence of the Examination Report (BAP), but also on the authenticity, reliability, and consistency of all evidence submitted. This is particularly important in traffic accident cases because evidence such as witness testimony, physical examination results, and other documents must support and reinforce one another.

A proper and fair evidentiary process ensures that the judge's decision is based on accurate and legally valid facts. It also protects the rights of the defendant and other relevant parties from possible misuse of evidence or errors in evaluating the facts at trial. Accordingly, an adequate evidentiary process conducted in accordance with the law is essential to guarantee justice, accountability, and legal certainty in the resolution of traffic accident cases, as emphasized in the decision.

The researcher finds that the judge examined in detail whether all elements of Article 310 paragraph (4) of Law No. 22 of 2009 concerning Road Traffic had been fulfilled. These include the occurrence of a traffic accident resulting in serious injury or death and negligence or fault on the part of the defendant that caused the accident. The researcher considers fulfillment of these elements to be the principal basis for finding the defendant guilty and determining the appropriate sentence.

The researcher notes that the judge found neither grounds of justification, such as emergency circumstances, compulsion, or other exculpatory circumstances, nor grounds of excuse capable of eliminating the defendant's criminal responsibility. This indicates that the defendant was considered fully responsible for the conduct under the applicable law. The researcher further considers that the judge determined the defendant to be legally capable of bearing responsibility and therefore subject to punishment. This is consistent with the basic principle of criminal law that a person proven to have committed a criminal offense must be held accountable for that conduct.

The researcher also considers that the judge appropriately treated the period of the defendant's arrest and detention as part of the lawful legal process and as time to be credited

against the sentence imposed. This is consistent with the legal rule that time spent in detention must be deducted from the sentence as a matter of fairness and respect for the defendant's rights.

Based on the research results and discussion, it may be concluded that in the evidentiary process of the traffic accident case under Decision Number 1331/Pid.Sus/2025/PN Mdn, the judge assessed the facts and evidence carefully, objectively, and systematically. The judge thoroughly considered the relationship among witness testimony, the examination of physical evidence, and expert testimony to ensure that the elements of the offense, including the defendant's negligence or fault, were legally and convincingly proven. The judge also assessed whether the defendant had breached an applicable duty or standard of care and whether that negligence caused an accident resulting in harm to others. In this process, the relationship between the facts established at trial and the legal considerations became the principal basis for determining the elements of the offense and ultimately imposing a criminal sentence. This conclusion confirms that the evidentiary process applied by the judge fulfilled the principles of justice and legal certainty and demonstrates the importance of comprehensive factual analysis in criminal law enforcement.

The BAP is an official document containing formal statements from witnesses, defendants, and other relevant parties obtained during the police investigation. In the Indonesian criminal justice system, the BAP is often treated as an important evidentiary document because it records facts stated by the relevant parties. Under criminal procedure law, a BAP has legal evidentiary value when it satisfies formal and material requirements and is prepared in accordance with applicable legal procedures. The information contained in a BAP may be used on its own where legally permissible or as part of a broader body of evidence presented at trial.

The advantages of using a BAP include its accessibility as a basis for examining facts at trial, its ability to facilitate the evidentiary process, and its recording of statements made directly by parties who play important roles in the case. A BAP must be lawfully prepared in accordance with procedure, including the signatures and verification of the persons examined. Statements contained in it must be truthful, free from coercion, and not affected by material error. If a party objects to the contents of a BAP, that party has the right to challenge or reject the statement. The use of a BAP as principal evidence therefore requires attention to its authenticity and validity and confirmation that its contents correspond with facts in the field. Problems may arise when a BAP is prepared without the proper presence of witnesses or defendants or without adequate supervision, thereby creating doubt regarding its validity.

Judges and prosecutors must critically analyze the contents of a BAP, verify them where necessary, and assess their evidentiary weight in light of all facts revealed at trial. The use of the BAP is important in criminal proceedings, including traffic accident cases, but its effectiveness depends on its validity, accuracy, and clarity. Strict procedural compliance and careful supervision are therefore necessary so that the BAP can function optimally as a basis for judicial decision-making.

Based on an interview with Mr. Cipto Hosari Parsaoran Nababan, S.H., M.H., a judge at the Medan District Court, he explained the process used to verify the authenticity and validity of a BAP before relying on it as principal evidence in a traffic accident trial. In deciding whether to use the BAP in the case under Decision Number 1331/Pid.Sus/2025/PN Mdn, he conducted several verification steps. First, he ensured that the BAP had been prepared in accordance with applicable legal procedures through direct examination of witnesses, the defendant, and other relevant parties by the police. Second, he examined the signatures and identities of the persons who prepared and signed the BAP to ensure that the document genuinely originated from the parties concerned and had not been falsified. Third, he cross-checked the contents of the BAP against other evidence at trial, including other witness

testimony, medical examination results, and physical evidence, in order to confirm the consistency and accuracy of the information recorded. He also considered whether the BAP had been prepared transparently and without coercion or pressure from any party and whether the examination had been conducted lawfully and in accordance with procedure. Only after completing this verification process did he regard the BAP as lawful and accountable evidence capable of being used at trial.

Based on the research results and discussion, the obstacles and challenges faced by judges and prosecutors in using the BAP as principal evidence in the traffic accident trial under Decision Number 1331/Pid.Sus/2025/PN Mdn may be summarized as follows. First, questions may arise regarding the authenticity and validity of the BAP, particularly where there are indications of manipulation or inconsistency with facts in the field. This creates difficulty in ensuring that the document accurately reflects the actual event. Second, shortcomings remain in the quality and professionalism of officers who prepare BAPs, including inadequate procedural training and supervision. These shortcomings create risks of administrative errors, forged signatures, or record-making that fails to meet applicable legal standards. Third, the system for verifying and examining the contents of BAPs is not always fully transparent and fair, making it difficult for prosecutors and judges to cross-examine or test their contents and potentially affecting confidence in the evidence. Fourth, reliance on a BAP as principal evidence may be problematic where other supporting evidence is insufficient; if doubts arise regarding the BAP, the evidentiary process may become incomplete and create a risk of injustice. Fifth, external factors, such as pressure from certain parties and insufficient systematic oversight, may further undermine efforts to ensure authenticity and validity. Overall, the principal challenge is the need to improve procedures, oversight systems, and the professionalism of officers preparing BAPs while strengthening verification mechanisms and the use of corroborating evidence. These measures are important to increase judicial and prosecutorial confidence in BAPs and to ensure a fair trial consistent with the law in traffic accident cases.

In the researcher's analysis, the judge's answer demonstrates a highly cautious and procedural approach to the use of a BAP as principal evidence in a traffic accident case. First, the judge emphasized the importance of ensuring that the BAP was prepared in accordance with applicable legal procedures, including direct examination of witnesses, the defendant, and other relevant parties. This shows that the judge did not accept the BAP at face value but subjected it to initial verification based on formal procedures.

Second, the emphasis on examining the signatures and identities of the persons who prepared and signed the BAP shows that documentary authenticity was a principal concern. This is consistent with the need to guard against document falsification that could undermine the judicial process.

Third, cross-checking the BAP against other evidence, such as witness testimony, medical examination results, and physical evidence, shows that the judge sought to integrate different sources of evidence to ensure accuracy and consistency. This approach reflects an effort to avoid relying on an invalid BAP or one containing inaccurate information. In addition, attention to transparency and freedom from pressure or coercion demonstrates the judge's effort to preserve procedural fairness and to ensure that the BAP was prepared lawfully and fairly.

Overall, this analysis shows that the judge paid close attention to legal, procedural, and authenticity considerations in the use of the BAP. This approach seeks to strengthen confidence in the evidence and to ensure that the decision is based on lawful, valid, and accountable proof. It is also consistent with the principles of justice and integrity in judicial proceedings, which are central to the realization of both substantive and procedural justice.

4. Conclusion

The evidentiary strength of the Examination Report (BAP) in the trial of the traffic accident case under Decision Number 1331/Pid.Sus/2025/PN Mdn depends greatly on fulfillment of the formal and material requirements prescribed by criminal procedure law. A BAP has sufficient evidentiary strength when it satisfies the requirements of authenticity, honesty, and documentary integrity and is prepared by an authorized investigator in accordance with applicable procedures. Its contents must also be consistent with other evidence and obtained voluntarily without pressure or coercion. In the decision, the Court emphasized that the BAP cannot stand alone as the sole principal evidence but must be supported by other evidence, such as witness testimony, physical evidence, and other examination results, in order to ensure the fairness and validity of the judgment.

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