

Utilisation Of Voice Recordings as Electronic Evidence in Corruption Cases

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Abstract

Electronic evidence is essential for exposing corruption. Voice recordings and electronic trial evidence are difficult to validate, despite their importance. Thus, standardisation is needed to use this evidence to aid the judicial process, notably law enforcement, for corruption. Under this theory, the author first discusses how to validate voice recordings as electronic evidence in corruption prosecutions—a assessment of their validity and believability. Second, analyse what barriers would arise when using electronic device voice records as corruption case evidence. Researchers use normative legal research with a statutory methodology. The Main Statutory will be using Law No. 19/2016 on Information and Transactional Electronic and Law No. 8/1981 on “Kitab Undang-Undang Hukum Acara Pidana”. Data is collected using library research. This study found that clear norms are essential to ensure judicial justice. Electronic evidence, including voice recordings, must be validated for legal integrity and corruption prosecutions.

I. Introduction

The impact of globalisation on human life has been profound. It is characterised by the swift advancement of science, technology, and information. Presently, humans heavily rely on a multitude of electronic devices to facilitate and enhance their daily existence. Electronic devices have seen advancements in response to globalisation, as they serve to enhance different aspects of human life. Electronic devices have evolved into complex, cutting-edge technologies. Various devices encompass cell phones, smartphones, laptops, Netbooks, and digital cameras.

Humans are now considered contemporary because of the advancement of electronic gadgets and equipment, which have replaced paper-based communication methods like writing letters on paper. However, it is now capable of engaging in face-to-face communication over large distances via electronic devices.¹ In addition to communication, modern gadgets enable us to efficiently acquire records or information through the capture, storage, and printing of photographs, audio, or video. The increasing use of electronic-based equipment is acknowledged for its efficiency because this is very beneficial to human life.²

However, there are also negative effects that might result from technological advancements. The increase in criminal offences in society is a negative consequence of technological advancement, as technology facilitates the commission of crimes through cyberspace or virtual worlds. The term "cybercrime" typically refers to criminal activities conducted in cyberspace or virtual worlds. Crimes of this kind are typically strongly tied to applications.³ Examples of cybercrime cases include instances of fraud, data theft, defamation, pornography, copyright infringement, and more. The Indonesian Law on Electronic Information and Transactions was created to combat various forms of cybercrime.

Criminal offences and the use of electronic evidence in court are impacted by technological advancements. There are two words in foreign languages that express the meaning of evidence: evidence and proof. "Evidence" is data gathered to serve as substantiating material that can persuade individuals of the veracity of the facts, whereas "proof" pertains to the outcomes of an assessment procedure.⁴ During the trial, evidence is presented to illuminate a criminal offence and persuade the court. At this stage of the evidence, there is a procedure, technique, or action used to establish the defendant's guilt or

¹ Achmad Sodiki, 2010, *Kejahatan Mayantara*, Jakarta: Refika Aditama, p. 103.

² Edmon Makarim, 2003, *Pengantar Hukum Telematika*, Jakarta: Raja Grafindo Persada, p. 447.

³ Barda Nawawi, 2006, *Tindak Pidana Mayantara*, Jakarta: PT Raja Grafindo Persada, p. 4-5.

⁴ Eddy O.S. Hiarij, 2012, *Teori dan Hukum Pembuktian*, Jakarta: Erlangga, p. 2.

innocence in a criminal court case.⁵

In many criminal trials in Indonesia, the use of electronic evidence has started to spread. The corruption scandal, commonly referred to as the "papa minta saham" case, was perpetrated by Setya Novanto, the former Speaker of the House. An audio recording of a conversation between Setya Novanto, Riza Chalid, and Maroef Sjamsoeddin was submitted to MKD DPR by Sudirman Said, the then-Minister of Energy and Mineral Resources (ESDM), and this is how the case broke. The talk was captured using Maroef Sjamsoeddin's cellphone. Furthermore, the E-KTP mega-corruption case, which implicated Setya Novanto, came to light after a recorded discussion between Johannes Marliem, Andi Agustinus, and Setya Novanto was made public. During the call, Setya Novanto was discussing a project linked to the E-KTP charge. According to the testimony given by Andi Agustinus in court, the conversation recording was saved on Johannes Marliem's mobile device.

The aforementioned explanation highlights the commonalities among the three cases, two of which involve corruption and include the use of audio recordings that are saved on devices and subsequently utilized for proof in court. Subsequently, issues emerge, giving rise to inquiries not just for the writer but also for legal professionals, law scholars, academics, and the general public. What barriers stand in the way of employing sound recordings from electronic devices as electronic evidence in corruption cases, and how can a recording be verified as Electronic Evidence in a Corruption Prosecution? This article's discussion will center around the scientific questions that comprise this framework. The first conversation will cover the admissibility of voice recordings as digital evidence in cases involving corruption. The standards and urgency surrounding the government's standardization of electronic evidence will also be covered in this session. The challenges that may arise when using electronic evidence to prove corruption will be covered in the second conversation. The purpose of this study is to develop standards for voice recordings used as electronic evidence. This is necessary to ensure that it is not misrepresented as proof capable of delivering accurate facts.

2. Research Method

This research applies normative legal research methodology, specifically utilizing a statutory approach. Law Number 8 of 1981 about Criminal Procedure Law and Law Number 19 of 2016 concerning the first modification to Law Number 11 of 2008 concerning Electronic Information and Transactions are the laws that were applied (KUHP). The library research approach is used in this study as the data gathering strategy. It involves looking through and analyzing a variety of previously published materials, including books, journal articles, and other supporting papers that provide proof of corruption crimes. This literature study

⁵ I Wayan Edy Kurniawan and Muhammad Zainal Abiddin, 2014, *Tentang Hukum Acara Pidana Pengantar dari Dekan Fakultas Hukum Universitas Udayana*, Depok: Indie Publishing, p. 196

must undergo a thorough evaluation and analysis in order to generate compelling and valuable findings or debates.

3. Results and Discussion

Validation of Voice Recordings as Electronic Evidence in Corruption Prosecution: A Review of Its Validity and Credibility.

The verification and authenticity of audio recordings hold significant importance in the legal proceedings of corruption offenses.⁶ In cases of corruption involving illicit transactions or questionable covert chats, voice recordings are frequently vital pieces of electronic evidence to be uncovered.⁷ Voice recordings and other electronic evidence have the potential to be the primary source of evidence used to prove criminal offenses under current legal standards. Nevertheless, in order to guarantee the accuracy and credibility of such data, a meticulous and dependable validation process is necessary.

In cases of corruption, the reliability and authenticity of voice recordings are crucial for maintaining legal certainty and the integrity of the legal system. It is feasible to prevent any uncertainty or controversy that can raise questions about the reliability of sound recordings presented as evidence in court by making sure they have gone through a thorough validation process.⁸ This is necessary to guarantee that the legal judgments rendered are just and accurate and have a real-world deterrent impact on those who commit corruption. Hence, it is imperative to focus on the verification of voice recordings while pursuing corruption offenses.

Utilizing digital forensic and linguistic techniques in the validation process can guarantee the authenticity of electronic evidence, enabling its legal admissibility.⁹ Therefore, the implementation of law enforcement measures to combat corruption can be conducted with efficiency and dependability, instilling optimism for the enforcement of justice based on relevant legal principles.

As technology has advanced, one of the most useful tools for exposing covert corrupt activities is the use of sound evidence.¹⁰ Voice recordings are crucial electronic

⁶ Dermawan Rezki Putra, "Kekuatan Alat Bukti Rekaman Suara Dalam Proses Pembuktian Tindak Pidana Korupsi di Indonesia", JOM Fakultas Hukum Universitas Riau, Vol. 5, No. 2, Juli 2018, p. 9

⁷ Mansyur, et. al, "Alat Bukti Rekaman Suara Dalam Pembuktian Tindak Pidana Korupsi", Jurnal Komunikasi Hukum Universitas Pendidikan Ganesha Singaraja, Vol. 3 No. 1, Februari 2017, p. 112

⁸ Firza Nafira Attamimi, et. al, "Hasil Rekaman Suara Sebagai Alat Bukti Yang Dimiliki Oleh Korban Tindak Pidana", Bureaucracy journal: Indonesia Journal of Law and Social Political Governance, Vol. 2 No. 1, Januari 2022, p. 344

⁹ Mansyur, et. al, "Alat Bukti Rekaman Suara Dalam Pembuktian Tindak Pidana Korupsi", Jurnal Komunikasi Hukum Universitas Pendidikan Ganesha Singaraja, Vol. 3 No. 1, Februari 2017, p. 114

¹⁰ Yunica Windy Peggi, "Kekuatan Alat Bukti Rekaman Suara Pada Tindak Pidana Korupsi",

evidence in exposing corruption cases, as they might capture suspicious discussions or transactions among corrupt individuals. Investigators and law enforcement are expected to gather substantial evidence—hard to refute concrete evidence—using voice recordings to support the exposure of corruption cases.¹¹

Additionally, voice recordings help authorities better grasp the dynamics and relationships of corruption actors and bolster the case since they can capture context and subtleties that textual papers may miss. Consequently, audio recordings have emerged as a useful tool for exposing incidents of wrongdoing.¹² Ensuring the quality and legitimacy of voice recordings is essential in this context, as they serve as credible evidence and can form a solid basis for law enforcement actions against corrupt activities in Indonesia.¹³

As one of the nations that upholds the negative *wettelijke stelsel*, Indonesia has contributed to the notion that evidence must take into account two requirements: there must be a minimum of two reliable pieces of evidence.¹⁴ The admissible evidence that the judge must take into account in order to prosecute the defendant's culpability, as stipulated in Article 184 of Law Number 8 of 1981 about Criminal Procedure Law (KUHAP), includes:¹⁵

1. Witness Testimony
2. Expert Testimony
3. Letter
4. Instructions
5. Defendant's Statement

According to the Article's rules, electronic evidence is not admissible as evidence in a court of law. In practice, specific legislation or special criminal procedure rules have accepted electronic evidence as one of the valid forms of evidence, unlike the KUHAP, which does not include it.¹⁶ Confusion has resulted from this regulatory dualism in criminal trials since certain specific laws acknowledge electronic evidence as separate and independent evidence from KUHAP. On the other hand, some argue that electronic evidence expands the scope of letters and clues.

Several distinct legal frameworks, apart from KUHAP, employ diverse

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¹¹ Dimas Tomy Purwosongko, *Kekuatan Alat Bukti Rekaman Suara Dalam Proses Pemberantasan Tindak Pidana Korupsi (Studi Kasus di Komisi Pemberantasan Korupsi Republik Indonesia)*, (Surakarta: Universitas Muhammadiyah Surakarta, 2015), p. 12

¹² Mansyur, Op. Cit, p, 114

¹³ Alfitra, 2014, *Hukum Pembuktian dalam Beracara Pidana, Perdata, dan Korupsi di Indonesia*, Jakarta: Raih Asa Sukses, p. 25.

¹⁴ Ali Imron, et. al, 2019, *Hukum Pembuktian*, Tangerang Selatan: Unpam Press, p. 3

¹⁵ See on Kitab Undang-Undang Hukum Acara Pidana (KUHAP)

¹⁶ Imron, Ali, et. al, Op. Cit, p. 26

nomenclature to denote electronic evidence. For instance, the laws that pertain to company documents, corruption, terrorism eradication, trafficking in persons, money laundering, and electronic information and transactions.¹⁷ These laws are influenced by the different terminology used, which in turn impact how electronic evidence is interpreted and positioned.

In the context of law enforcement pertaining to electronic evidence, discussion of the place of electronic evidence in relation to the extension of documentary evidence and the guidelines in Article 184 of the Criminal Procedure Code is a pertinent topic.¹⁸ The Criminal Procedure Code lists five categories of evidence that can be introduced in court: expert testimony, letters, instructions, defendant statements, and witness statements (Article 184). Although Article 184 of the Criminal Procedure Code does not directly refer to electronic evidence, it can be inferred that electronic evidence falls under the category of growing documented evidence and instructions.¹⁹ While electronic evidence is not specifically stated, its significance is growing as information and communication technology advances.

A growing part of the evidentiary procedure during a trial is the use of electronic evidence as a supplement to written testimony and guidelines. Due to technology advancements, a significant amount of evidence that was once in physical form, such as letters or written papers, has now been converted into a digital format. To allow for the use of electronic evidence in trials, including voice recordings from electronic devices, the legal system must be modified. In criminal trials, particularly those involving corruption, evidence frequently consists of audio or video recordings, computer transactions, or other digital records that can offer pertinent information.

However, there are drawbacks to the legal system when employing electronic evidence. Trials primarily center on issues related to the legitimacy, integrity, and validity of electronic evidence.²⁰ Hence, it is imperative for law enforcement to possess the capability to meticulously gather, authenticate, and safeguard digital evidence in order for it to be deemed legally acceptable in a court of law. It is imperative to make significant endeavors in establishing unambiguous criteria and directives pertaining to the utilization of electronic evidence in criminal justice proceedings, in order to guarantee the equity and validity of legal processes.

¹⁷ Muhammad Glennardy Fairuz Alifta, *Penggunaan Rekaman Suara Yang Direkam Menggunakan Gawai Sebagai Alat Bukti Elektronik Dalam Perkara Tindak Pidana Korupsi*, (Jakarta: Fakultas Hukum dan Syariah UIN Syarif Hidayatullah, 2023), p. 47

¹⁸ Eddy O.S. Hiarij, "Hasil Wawancara dengan selaku Guru Besar Hukum Pidana Fakultas Hukum Universitas Gadjah Mada", 17 April 2014.

¹⁹ Laili Nur Isma, et. al, "Kekuatan Pembuktian Alat Bukti Informasi Elektronik Pada Dokumen Elektronik Serta Hasil Cetakannya Dalam Pembuktian Tindak Pidana", *Jurnal Penelitian Hukum*, Vol, 1 No. 2, Juli 2014, p. 112

²⁰ Ibid, p. 115

Moreover, the status of electronic evidence as a distinct and separate entity is acknowledged in multiple legislations in Indonesia.²¹ The validity of electronic evidence as admissible evidence is specifically established in Law Number 25 of 2003 cf. Law Number 15 of 2002 on the Crime of Money Laundering (UU TPPU). Within this particular framework, electronic evidence, including text messages, emails, and video recordings, is regarded as evidence of equal legal significance to conventional physical evidence. In situations involving TPPU (Transnational Organized Crime and Illicit Financial operations), electronic evidence can be utilized to examine digital financial transactions, which are crucial for uncovering evidence of money laundering operations. The widespread adoption of electronic evidence demonstrates the recognition of the crucial role that information technology plays in the criminal justice system.

In addition, Law Number 21 of 2007 regarding the Crime of Human Trafficking acknowledges the special significance of electronic evidence in the investigation and prosecution of human trafficking cases.²² Article 29 of the TPPU Law highlights the significance of electronic evidence, such as records of electronic conversations or online financial transactions, as admissible evidence in human trafficking prosecutions. Therefore, employing electronic evidence proves to be a successful tactic for dismantling ever sophisticated and concealed people trafficking networks.

Moreover, Law Number 15 of 2003, which deals with the eradication of criminal acts of terrorism, acknowledges the significance of electronic evidence in situations involving people trafficking.²³ Article 27 of the Terrorism Law explicitly states that electronic evidence, including recordings of telephone conversations or text messages pertaining to terrorist operations, might be admissible as acceptable evidence in proceedings related to terrorism. Recognizing the importance of this law, law enforcement is encouraged to use information technology as a crucial tool in battling intricate and ever-changing security risks posed by terrorists.²⁴

When it comes to pursuing allegations of corruption, the authenticity and validity of voice recordings made on technological devices are crucial. However, a rigorous validation procedure is necessary to guarantee the legitimacy and integrity of voice

²¹ Muhammad Glennardy Fairuz Alifta, *Penggunaan Rekaman Suara Yang Direkam Menggunakan Gawai Sebagai Alat Bukti Elektronik Dalam Perkara Tindak Pidana Korupsi*, (Jakarta: Fakultas Hukum dan Syariah UIN Syarif Hidayatullah, 2023), p. 48

²² Wulandari, Cahya, et. al, "Tindak Pidana Perdagangan Orang (*Human Trafficking*) Khususnya Terhadap Perempuan dan Anak: Suatu Permasalahan dan Penanganannya Di Kota Semarang", *Jurnal Yustisia*. Vol. 3 No. 3, September 2014, p. 16

²³ Gunawan, Erwin, et. al, "Tinjauan Yuridis Penggunaan *Digital Evidence* Sebagai Alat Bukti Dalam Tindak Pidana Terorisme Di Polrestabes Makassar", *Alauddin Law Development Journal (Aldev)*, Vol. 4 No. 3, November 2022, p. 574

²⁴ *Ibid*, p. 575

recordings made on electronic devices before they may be admitted as admissible evidence in court. Maintaining integrity and confidence in the judicial system as a whole, in addition to the legal considerations of a specific case, is why this validation is so important.

Validating sound recordings from electronic devices is a multi-step procedure that calls for specialized knowledge. Digital forensic experts are tasked with scrutinizing the technical integrity of recordings, which includes analyzing recording techniques, file formats, and potential instances of editing or manipulation.²⁵ Linguistic analysis is employed to verify the genuineness of speech content, encompassing speaker identification, comprehension of conversational material, and identification of potential alterations. Thorough forensic investigation is necessary to ensure that audio recordings presented as evidence in court are precise and reliable depictions of real occurrences.

Furthermore, a significant change in law enforcement in situations like terrorism and human trafficking is shown by the recognition of the role of voice recordings and other technological evidence in specific statutes.²⁶ However, the dichotomy of legislation in criminal law leads to ambiguity regarding the handling of electronic evidence in legal proceedings. Ensuring fairness and legitimacy of the legal process in the face of new challenges requires clear legal definition and adaptability to changes in information technology.²⁷ Therefore, the verification of voice recordings and the utilization of electronic evidence, in general, are essential in efficient and reliable law enforcement endeavors, instilling confidence in the application of legal principles to achieve justice.²⁸ Nevertheless, it is important to recognize that the utilization of speech recordings obtained from electronic devices as electronic evidence in corruption trials encounters certain impediments and complexities. These include disparities in recording fidelity among electronic devices and the possibility of surreptitious tampering that is arduous to identify. Thus, employing sophisticated technology and technique during the validation process is crucial for guaranteeing the authenticity of the evidence and upholding the integrity of the legal proceedings in their entirety.

Barriers to the Use of Voice Recordings from Electronic Devices as Electronic Evidence in the Context of Corruption Case Trials.

In contemporary court procedures, voice recordings serve as an important form of technological evidence.²⁹ Voice recordings serve as electronic evidence, capturing

²⁵ Surya Prahara, 2022, *Pembuktian Elektronik dan Digital Forensik Di Indonesia*, Karang Padang: LPPM Universitas Bung Hatta, p. 68

²⁶ Sigid Suseno, 2012, *Yuridiksi Tindak Pidana Siber*, Bandung: Refika Aditama, p. 222

²⁷ Ibid, p. 123

²⁸ Feri Sulianta, 2008, *Komputer Forensik*, Jakarta: Elex Media Komputindo, p. 2

²⁹ Firza Nafira Attamimi, et. al, "Hasil Rekaman Suara Sebagai Alat Bukti Yang Dimiliki Oleh Korban Tindak Pidana". Bureaucracy journal: Indonesia Journal of Law and Social

conversations or occurrences that are pertinent to a case. Audio recordings can be a very useful tool for law enforcement and investigators to help them acquire the evidence they need to prove a case in investigations and trials.³⁰ Its presence enables the provision of a more thorough explanation of a situation or legal matter.

The use of voice recordings from technological devices is particularly relevant when pursuing accusations of corruption. Audio recordings are frequently vital evidence in revealing covert corrupt activities, such as illicit transactions or clandestine agreements between participants. Having voice recordings can enhance the evidentiary value given during a trial and aid in the conviction of individuals involved in corrupt activities.³¹ Nevertheless, it is crucial to bear in mind that the authenticity and reliability of these audio recordings must be meticulously guaranteed. In order for a voice recording to be considered admissible evidence in court, it is necessary to have a comprehensive and sufficient validation process. Furthermore, it is imperative to address technical obstacles, such as variations in recording fidelity among electronic devices, in order to establish voice recordings as reliable evidence for prosecuting corruption cases.

There are a number of challenges with using voice recordings from electronic devices as electronic evidence, which need to be recognized. An inherent challenge is in the disparity of recording fidelity among various technological equipment.³² Every electronic equipment possesses distinct recording attributes, including microphone sensitivity, audio fidelity, and signal potency. These disparities can impact the lucidity and excellence of audio recordings, making the assessment and analysis of recordings for legal purposes more intricate. Moreover, the presence of undetectable alteration or editing poses a significant obstacle when utilizing voice recordings as electronic evidence. Due to technology advancements, it has become progressively simpler for irresponsible individuals to modify sound recordings through the alteration of the recording's content or the creation of counterfeit recordings. This casts uncertainty on the integrity and credibility of the evidence, jeopardizing trust in the legal system.

Another obstacle is in the process of verifying the accuracy and language proficiency of audio recordings. The validation procedure necessitates expertise in examining the technical soundness of documents, including analyzing file formats and identifying potential instances of alteration. Furthermore, linguistic analysis is required to authenticate conversational communication, including tasks such as speaker

Political Governance, Vol. 2 No. 1, Januari 2022, p. 348

³⁰ Bakhri. S, 2012, *Beban Pembuktian Dalam Beberapa Praktik Peradilan*, Jakarta: Gramata Publishing, p. 73

³¹ Mansyur, et. al, "Alat Bukti Rekaman Suara Dalam Pembuktian Tindak Pidana Korupsi", *Jurnal Komunikasi Hukum Universitas Pendidikan Ganesha Singaraja*, Vol. 3 No. 1, Februari 2017, p. 114

³² Wilyana, Januar Rezy, *Pembuktian Bukti Elektronik di Persidangan*. *Jurnal Singaperbangsa Law Review*, Vol. 1 No. 1, Oktober 2020, p. 173

identification and interpretation of the content. The validation process for voice recordings as electronic evidence in trials requires a high level of competence and precision from digital forensic and linguistic experts to assure their validity and integrity.

On the other hand, one notable instance of how electronic evidence is essential to establishing the existence of corruption is the e-KTP case in Indonesia.³³ Electronic evidence, such as digital bank transactions, text messages, emails, and voice recordings, was utilized to expose corrupt activities in the acquisition and distribution of e-KTPs. Furthermore, electronic evidence underscores the disparity between physical and electronic data, so enabling the concealment of fraudulent activities. The legitimacy of this evidence is assessed by meticulous digital forensic examination to guarantee its integrity and authenticity.³⁴

After a meticulous validation process, the electronic evidence gathered in the e-KTP case was ultimately determined to be valid and acceptable in court. The existence of corrupt practices concealed behind electronic transactions and digital interactions was established by law enforcement investigations assisted by digital forensic specialists and language analyzers. The authenticity of this electronic evidence serves as a solid basis for bolstering prosecution cases against individuals involved in corrupt activities, therefore facilitating more robust and efficient law enforcement.³⁵

Electronic evidence has been essential in revealing covert corrupt practices in a number of corruption cases, including the e-KTP case.³⁶ In instances such as bribery or corruption cases, the utilization of text messages or emails for communication between the implicated parties serves as substantial technological evidence. Similarly, in instances of money laundering, digital financial transactions or voice recordings of discussions are regarded as electronic evidence that offers a thorough depiction of the flow of funds stemming from corrupt activities. In the cases of e-KTP and "Papa minta saham," voice recordings obtained from electronic devices have played a vital role as electronic evidence in bolstering the proof of criminal corruption activities.³⁷ The voice recordings play a crucial role in substantiating the agreements or demands made by the persons engaged in the incident.

³³ Lihat Kedalam Putusan Mahkamah Agung Nomor 42/PUU-XV/2017

³⁴ Lihat Kedalam Putusan Mahkamah Agung Nomor 42/PUU-XV/2017

³⁵ Lihat Kedalam Putusan Mahkamah Agung Nomor 42/PUU-XV/2017

³⁶ Nasuiton Muhammad Azani Ramadhan B, et. al, "Tinjauan Yuridis Kekuatan Alat Bukti Digital Dalam Peradilan Tindak Pidana Korupsi (Studi Putusan No. 1195 K/Pid.Sus/2014)", E-journal Universitas Dharmawangsa, Vol. 15 No. 2, April 2021, p. 179

³⁷ Ade Pandu Narwastu, Dugaan, "Papa Minta Saham" Setya Novanto Kepada PT Freeport Dalam Rangka Perpanjangan Kontrak Perusahaan Kepada Pemerintah Indonesia (Analisis Framing Pemberitaan Vivanews.com dan Tempo.co Perode Bulan Desember 2015), (Yogyakarta: Fakultas Psikologi dan Ilmu Sosial Budaya Universitas Islam Indonesia, Yogyakarta, 2018), p. 30

The "Papa minta saham" case serves as an example of a corruption case, and proving it requires law enforcement organizations like Indonesia's Corruption Eradication Commission (KPK) to conduct a number of investigations and gather evidence. The procedures involved in the investigation process encompass the gathering of both tangible and digital evidence, questioning individuals with relevant information, conducting forensic analysis, and utilizing evidence such as voice recordings obtained from technological devices. This voice recording is vital evidence utilized to substantiate the purported agreement or solicitation between the parties implicated in the scandal. The investigation additionally examines financial transactions, digital interactions, and other pertinent data. The ongoing court proceedings of the "Papa Minta Shares" corruption case are still capturing the interest of the general public. However, this case has been kept confidential, and there has been no additional information after Setya Novanto's retirement as chairman of the DPR RI in 2015. Nevertheless, inquiries and legal proceedings pertaining to this matter may still be under progress. Occur. The outcomes may differ based on the evidence discovered and the legal determinations rendered. These two case examples demonstrate that electronic evidence enhances the strength of occurrence cases and demonstrates that technology can be a powerful tool in eliminating corruption.³⁸

Nevertheless, despite the effectiveness of electronic evidence in exposing instances of corruption, it is undeniable that, in reality, it frequently gives rise to skepticism and disagreement during legal proceedings.³⁹ The primary issues encountered with utilizing electronic evidence typically include variations in recording fidelity across different devices, the potential for surreptitious tampering or editing that is challenging to identify, and the difficulties associated with both technical and language validation. This highlights the necessity for additional endeavors to establish unambiguous norms and guidelines for the utilization of electronic evidence in the criminal justice system, particularly in cases involving corruption, in order to guarantee the impartiality and validity of the judicial proceedings. Furthermore, the enhancement of proficiency and advancements in digital forensics and language analysis are vital for reducing any possible uncertainties and disputes that may emerge during trials. While the utilization of electronic evidence has proven beneficial in revealing instances of corruption, it is crucial to prioritize the development of awareness and proficiency in this field to guarantee just and efficient law enforcement.

Various tactics might be employed to confront barriers by utilizing voice recordings from technological devices as electronic proof. To enhance the technical and linguistic validation processes of sound recordings, law enforcement should establish stronger partnership with digital forensics and linguistic experts. This entails the advancement

³⁸ Jeremy P, 2003, *Strategi Memberantas Korupsi : Elemen Sistem Integritas Nasional*, Jakarta: Yayasan Obor Indonesia, p. 54

³⁹ Faqih Gustianto, *Validasi Alat Bukti Elektronik Pada Pembuktian Perkara Pidana Intersepsi Dalam Cybercrime*, (Tegal: Fakultas Hukum Universitas Pancasakti, 2023), p. 5

of cutting-edge techniques and technology in the examination of audio recordings, along with continuous education for investigators and forensic specialists. In addition, it is imperative to enhance the public's legal consciousness regarding the significance of maintaining the integrity of electronic evidence throughout legal proceedings, in order to mitigate the possibility of manipulation or disputes that may develop during trials.

Nevertheless, there are other barriers that need to be surmounted in order to confront these issues. One of the requirements is the necessity for well-defined regulations pertaining to the utilization and authentication of electronic evidence within the judicial system. Hence, it is imperative to enhance the legal structure by making it broad and adaptable to technological advancements in this domain. Furthermore, there is a requirement for increased proficiency and personnel in the fields of digital forensic analysis and languages, which presents an additional challenge that must be addressed. Through the identification and subsequent resolution of these hindrances, the law enforcement procedure pertaining to corruption cases is expected to be executed with more efficiency and dependability.

In order to ensure that the law enforcement process is successful, particularly when it comes to prosecuting cases of corruption, it is imperative that barriers to the use of voice recordings from mobile devices as electronic evidence be addressed. Ensuring the integrity and validity of electronic evidence can be achieved by carefully considering variations in recording quality among electronic devices, the possibility of undetectable manipulation, and the complexities involved in technical and linguistic validation. The significance of this endeavor extends beyond technical considerations and encompasses elements of honesty and confidence in the entirety of the legal process. By surmounting these challenges, the aspiration to establish a legislative framework that is more efficient and reliable in combating corrupt behaviors becomes ever more precise. Consequently, in order to guarantee that voice recordings made on electronic devices can be admitted into evidence during court proceedings and promote the development of a more equitable and open legal system, it is imperative that strategies and tactics for addressing these issues be developed on a regular basis.

4. Conclusion

The conclusions of this study are as follows:

- a. Implementation Electronic evidence, encompassing voice recordings, text messages, emails, and digital money transactions, plays a crucial role in unveiling corrupt activities, particularly in the context of the e-KTP case in Indonesia. This digital evidence aids in revealing covert corrupt activities and enhances the legal argument for prosecuting those involved in corruption.
- b. Electronic evidence plays a crucial role in the criminal justice process, but it also presents obstacles in terms of technical and linguistic validation, potential manipulation, and variations in recording quality across different electronic devices. Hence, more endeavors are required to establish unambiguous criteria and directives pertaining to the utilization of electronic evidence, in order to guarantee

the equity and validity of legal proceedings. Validating electronic evidence, such as voice recordings, is crucial for maintaining the integrity of the legal process and bolstering the prosecution's case against corruption.

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