



Analysis of Sentencing Disparity in Online Gambling Offenses (A Study of Decisions Number 180/Pid.Sus/2024/PN Gto and Number 270/Pid.Sus/2024/PN Gto)

^{1st} Anwar Saman*, ^{2nd} Dian Ekawaty Ismail, and ^{3rd} Apripari

¹Universitas Negeri Gorontalo, Indonesia,

²Universitas Negeri Gorontalo, Indonesia,

³Universitas Negeri Gorontalo, Indonesia

email: anwar_slhukum@mahasiswa.ung.ac.id*

ABSTRACT

Keywords:

Sentencing
Disparity; Online
Gambling;
Judge's Decision;
Objectives of Law.

The proliferation of online gambling promotion by personal social media account holders demands the consistent application of law, while judges' freedom in imposing sentences (judicial discretion) has the potential to create disparities that undermine public trust in the judiciary. This study aims to analyze the judicial considerations that give rise to sentencing disparity in Decision Number 180/Pid.Sus/2024/PN Gto and Decision Number 270/Pid.Sus/2024/PN Gto, as well as the application of the objectives of law in both decisions. This study uses a normative legal method with statutory, conceptual, and case approaches. Primary legal materials, consisting of both decisions and related regulations, together with secondary and tertiary materials, were analyzed descriptively and qualitatively by examining the judges' considerations, the elements of the offense, and the aggravating/mitigating circumstances of the defendants. The findings show that a sentencing disparity has occurred: Decision Number 180 imposed a sentence of 4 (four) months, while Decision Number 270 imposed 3 (three) months, even though both applied Article 45(2) in conjunction with Article 27(2) of Law Number 19 of 2016. This disparity is influenced by differences in the judges' convictions, the emphasis placed on aggravating and mitigating factors, and the composition of the panel of judges. the Supreme Court develop more detailed sentencing guidelines to reduce the potential for disparity in similar cases.

1. INTRODUCTION

Advances in digital technology have driven the widespread expansion of gambling into the online sphere. Such gambling is then promoted through personal social media accounts in exchange for a certain fee, allowing it to reach various segments of society, including school and university students (Sahputra et al., 2022).

In general, gambling can be defined as a form of game in which the outcome or the chance of obtaining a profit depends heavily on luck, as provided for in Articles 426 and 427 of Law Number 1 of 2023 concerning the Criminal Code (Law of the Republic of Indonesia Number 1 of 2023). The development of information technology has also driven the emergence of online gambling, the criminal liability for which is regulated under Article 27(2) in conjunction with Article 45(2) of the Law on Electronic Information and Transactions (the ITE Law) (Law of the

Republic of Indonesia Number 19 of 2016). This activity is considered to have a negative impact on the morals and mental health of society, particularly the younger generation, and is regarded as one of the social ills developing within the community (Burlian, 2021); this development has recently become increasingly widespread, reaching school and university students, who have also become involved in online betting through various digital platforms (Sahputra et al., 2022). The criminal provisions set out in Article 45(2) in conjunction with Article 27(2) of the ITE Law form the primary legal basis for the two Gorontalo District Court decisions examined in this study.

In pursuing law enforcement that is just, Gustav Radbruch argued that law must be based on three fundamental values, namely justice, utility, and legal certainty, with justice placed as the foremost value (Wantu, 2011; Nasution, 2014). Ideally, these three values are reflected in every judicial decision (Wantu, 2012). However, the authority and independence of judges in determining and imposing sentences (judicial discretion), as guaranteed under Law Number 48 of 2009 concerning Judicial Power, can become one of the factors giving rise to sentencing disparity. Such disparity takes the form of differing sanctions imposed on cases with relatively similar criminal characteristics and degrees of culpability, but which are not always accompanied by a rational and accountable basis for the decision (Alimuddin, 2025). Disparity that occurs disproportionately can generate injustice for the community and has the potential to diminish the level of public trust in judicial institutions (Sukma & Agustanti, 2023). This problem of disparity is not merely theoretical but occurs in reality at the district-court level. This is evident in two decisions with similar legal facts that nevertheless produced differing sentences, and which form the main focus of this study.

Previous research has shown that social media influences the formation of public perception and the implementation of criminal law enforcement (Yatnih, 2024). The phenomenon of sentencing disparity has also been found in other types of offenses, such as hate speech (Sukma & Agustanti, 2023) and document forgery (Imran & Gailea, 2025). This study seeks to complement such research by examining sentencing disparity in cases of online gambling promotion through a comparison of two decisions with similar legal facts, situated within the same jurisdiction, and rendered within a close time frame. This kind of comparative approach is still relatively rarely used compared with research focusing on cassation-level decisions or decisions from different jurisdictions.

This problem of disparity is not only theoretical but is also clearly visible in the two Gorontalo District Court decisions that form the main research puzzle of this study, namely Decision Number 180/Pid.Sus/2024/PN Gto and Decision Number 270/Pid.Sus/2024/PN Gto. Both cases share relatively similar characteristics: the defendants were women who owned Instagram accounts and accepted offers to promote online slot-gambling advertisements through a third-party endorsement scheme in exchange for a fee of IDR 800,000. In addition to sharing a similar *modus operandi*, both defendants were also charged under the same legal provisions, namely Article 45(2) in conjunction with Article 27(2) of the ITE Law (Law of the Republic of Indonesia Number 19 of 2016). Nevertheless, there were differences in the scale and duration of the promotional activity carried out. The defendant in Decision Number 180/Pid.Sus/2024/PN Gto had a larger number of followers but promoted the gambling advertisement only once. Meanwhile, the defendant in Decision Number 270/Pid.Sus/2024/PN Gto carried out the

promotion repeatedly, so that her conduct was categorized as a “continuing act” under Article 64(1) of the Criminal Code. Although the second defendant's conduct was repeated and generated greater profit, the judge instead imposed a prison sentence of 3 (three) months, whereas in the first case the sentence imposed was 4 (four) months. This difference demonstrates a disparity in sentencing, even though the degree and intensity of the conduct in the second case were quantitatively greater. This anomaly, in which a lighter sentence was imposed for conduct that objectively carried a greater degree of culpability, constitutes the fundamental problem this study seeks to analyze.

The difference in outcomes between cases with substantially similar legal facts forms the basis for this study to examine in greater depth two main problems: (1) whether the judges' considerations in the two decisions constitute a factor giving rise to sentencing disparity; and (2) whether the sentences imposed in the two decisions reflect the attainment of the objectives of law. This study is expected to complement previous research on sentencing disparity across various types of offenses, including corruption (Alimuddin, 2025), hate speech (Sukma & Agustanti, 2023), and document forgery (Imran & Gailea, 2025). The realization of a fair judicial process for defendants cannot be separated from the importance of legal assistance, as emphasized in research on the role and existence of advocates in supporting law enforcement for Indonesian society (Wijaya, 2024); legal assistance is likewise an important factor in guaranteeing that a defendant's rights are fulfilled throughout the trial process. This study is expected to make a theoretical contribution by enriching research on sentencing disparity, as well as to provide practical benefits as a consideration for judges and policymakers in developing more proportionate sentencing guidelines for cases involving the promotion of online gambling.

2. RESEARCH METHOD

This study uses the normative (doctrinal) legal research method, treating legal norms, doctrine, and court decisions as its primary objects of study (Marzuki, 2010; Soekanto & Mamudji, 2006). It applies three approaches: the statute approach, to analyze the legal provisions used by both panels of judges; the conceptual approach, to examine the concepts of sentencing disparity and the objectives of law; and the case approach, as the primary approach. The case approach is used because this study focuses on a direct comparison of two decisions that share similar legal facts, the same charged articles, and the same jurisdiction. Through this approach, the legal reasoning (*ratio decidendi*) of each judge can be traced and analyzed systematically, something that could not be optimally achieved through the statute and conceptual approaches alone (Fajar & Achmad, 2010).

The primary legal materials in this study consist of Decision Number 180/Pid.Sus/2024/PN Gto and Decision Number 270/Pid.Sus/2024/PN Gto, together with relevant laws and regulations, in particular Article 45(2) in conjunction with Article 27(2) of Law Number 19 of 2016. These primary legal materials are supported by secondary legal materials in the form of books and journals, and tertiary legal materials in the form of legal dictionaries. Legal materials were collected through library research, while the analysis employed a descriptive-qualitative method by comparing the *ratio decidendi* of the two decisions, identifying the similarities and differences in the legal facts, and interpreting them on the basis of the theory of

sentencing disparity and Gustav Radbruch's objectives of law. As a piece of normative legal research, this study has a limitation in that its analysis is based solely on the text of the decisions and does not include a direct examination of the judges' subjective considerations that were not set out in writing. Accordingly, the finding regarding a “difference in the judges' convictions” is the result of an inference drawn from the pattern of reasoning in the decisions, rather than something obtained through direct interviews with the judges.

3. RESULTS AND DISCUSSION

3.1 Judicial Considerations and the Factors Causing the Disparity between the Decisions

Decision Number 180/Pid.Sus/2024/PN Gto and Decision Number 270/Pid.Sus/2024/PN Gto both hold that the element of “every person” and the element of “intentionally and without right distributing and/or transmitting and/or making accessible electronic information containing gambling content” have been satisfied. This finding is consistent with the pattern of judicial reasoning in deciding similar offenses in other jurisdictions (Dani et al., 2025). The difference lies in the second decision, which also applies the element of “a continuing act” under Article 64(1) of the Criminal Code, since the defendant was proven to have carried out the promotion on two separate occasions. Once all the elements of the offense were declared satisfied, both defendants were then found legally and convincingly guilty of the offense set out in Article 45(2) in conjunction with Article 27(2) of Law Number 19 of 2016 (Law of the Republic of Indonesia Number 19 of 2016).

A comparison of the judges' considerations in both decisions is presented in the following table:

Table 1. Comparison of the judges' considerations in both decisions.

Aspect of Consideration	Decision Number 180/Pid.Sus/2024/PN Gto (4 months)	Decision Number 270/Pid.Sus/2024/PN Gto (3 months)	Ratio Decidendi (Paraphrase of the Judges' Reasoning)
Nature of the conduct and profit	Promotion carried out once; relatively small profit	Promotion carried out continuingly; greater profit	Both decisions describe this fact descriptively in the statement of facts, without the judge explicitly linking it to the severity of the sentence imposed.
Aggravating factor	One reason: the conduct is classified as a social ill	Two reasons: a social ill, and contrary to the government's program to eradicate gambling	The judge in Decision 180 regarded the defendant's conduct as a form of social deviance classified as a social ill. The judge in Decision 270 used the same basis while also adding the reason that the conduct was contrary to the government's efforts to eradicate gambling. Although Decision 270 cites more aggravating reasons, this addition is not proportionally reflected in the sentence imposed, which is in fact lighter.
Mitigating factor	Four factors: courteous, admitted and regretted the	Three factors: courteous, regretted the act, no prior	The judge in Decision 180 specifically considered the

	act, student status, no prior conviction	conviction (without any additional mitigating status)	defendant's status as a student as a mitigating reason, on the ground that the defendant should have the opportunity to reform. A similar consideration is not found in Decision 270, even though the defendant's profile is relatively comparable, so that the weight given to the mitigating factors in Decision 180 is set out in greater detail by the judge than in Decision 270.
Sentence imposed	4 (four) months' imprisonment	3 (three) months' imprisonment	This one-month difference in sentence is not accompanied by any explanation from the judges regarding the proportionality between the weight of the aggravating/mitigating factors and the length of the sentence imposed in each decision.

Source: Copies of Decision Number 180/Pid.Sus/2024/PN Gto and Decision Number 270/Pid.Sus/2024/PN Gto, 2024.

The table shows an inconsistency in sentencing logic. Decision Number 270/Pid.Sus/2024/PN Gto contains more aggravating factors, fewer mitigating factors, and greater financial gain than Decision Number 180/Pid.Sus/2024/PN Gto. Nevertheless, the sentence imposed is in fact lighter. If sentencing is consistently based on the degree of culpability (schuld), as set out in studies of criminal procedure, then this difference points to a problem in the proportionality of the sentence imposed (Mulyadi, 2019). Accordingly, the sentence imposed in the second case should have been equal to, or even heavier than, that of the first case, rather than lighter.

This study identifies three main factors underlying this disparity. First, there is a difference in the judges' convictions in assessing the facts revealed during trial. This is consistent with the theory of negative statutory proof (negatief wettelijk bewijstheorie), which places legally valid evidence under statute and the judge's inner conviction as the basis for determining whether an offense has been proven (Muhammad, 2007). Second, there is a difference in the emphasis given to the aggravating and mitigating factors. Although both panels of judges considered relatively the same categories of factors, the weight given to them differed, resulting in sentences that are disproportionate to the degree of culpability and the profit obtained by each defendant. A similar pattern is found in cases of document forgery, which show differences in the assessment of sentencing factors (Imran & Gailea, 2025), and in hate-speech cases (Sukma & Agustanti, 2023). Third, there is a difference in the composition of the panel of judges examining and deciding each case. This difference in panel composition can naturally give rise to differing perspectives and interpretations of legal facts that are, in essence, substantially similar. Accordingly, for cases sharing a similar modus operandi, the same applicable criminal provisions, and a close time frame between the events, as found in both decisions, examination by the same panel of judges may be considered as one means of maintaining consistency in sentencing.

The freedom of judges in imposing sentences cannot, in essence, be viewed as a standalone problem, but rather as part of the discretionary authority inherent in the criminal justice system. The exercise of discretion can also be found at the investigative stage, for instance through the authority of investigators in handling theft cases (Saa, Kusmiadi, Rumlus, & Mery, 2024), as well as in the application of diversion to child perpetrators of motorcycle theft (Nadila, Rumlus, & Willem, 2026); both of these examples show that the room for subjectivity possessed by law enforcement officials can give rise to differing treatment of cases with similar characteristics. Within the broader scope of criminal law policy, the legal politics of the criminal justice system in addressing cybercrime likewise demonstrates the importance of more structured law-enforcement guidelines in order to achieve consistent application of the law (Dinata & Sumawaty, 2026). These findings further reinforce the view that the disparity found in Decision Number 180/Pid.Sus/2024/PN Gto and Decision Number 270/Pid.Sus/2024/PN Gto is not caused solely by individual factors, but also reflects a characteristic of the criminal justice system that grants law enforcement officials fairly broad discretion at every stage of the judicial process, from investigation through to sentencing.

3.2.Sentencing Disparity from the Perspective of the Objectives of Law

Viewed through Gustav Radbruch's theory of the objectives of law, the disparity between the two decisions can be analyzed through three fundamental legal values: justice, legal certainty, and utility (Wantu, 2011; Wantu, Akili, & Bunga, 2024).

First, legal justice. Justice is, in essence, understood as the effort to place everything in its proper proportion and to give each individual the right they are properly entitled to (Wantu, 2012; Nasution, 2014). A difference in the length of a sentence can, in principle, still be justified if it is based on an objective and clear assessment of each defendant's circumstances. However, when viewed from the perspective of substantive justice, which emphasizes proportionality between the degree of culpability, the profit obtained, and the severity of the sentence, both decisions have not yet fully reflected justice. This is evident in the defendant in Decision Number 270/Pid.Sus/2024/PN Gto, who obtained a greater profit and committed the act continuingly, yet was given a lighter sentence than the defendant in Decision Number 180/Pid.Sus/2024/PN Gto.

Second, legal certainty. Legal certainty demands the firm, consistent, and objective application of the law, free from the influence of subjectivity in its enforcement (Wantu, 2012). In this respect, both decisions have reflected the objective of legal certainty, since they consistently applied the same legal provision, namely Article 45(2) in conjunction with Article 27(2) of Law Number 19 of 2016 (Law of the Republic of Indonesia Number 19 of 2016), to conduct that satisfies the elements of the offense in the same way, so that the law could be applied firmly, consistently, and in an accountable manner.

Third, the utility of law. The utility of law focuses on the extent to which a decision is able to provide benefit and a positive impact, both for the defendant and for society, so that it does not focus solely on the textual application of legal provisions (Afdhali & Syahuri, 2023). The difference in the severity of the sentences can be seen as a difference in emphasis within the

judges' reasoning. A heavier sentence tends to prioritize the deterrent effect and support for efforts to eradicate online gambling, whereas a lighter sentence places greater emphasis on the defendant's guidance and rehabilitation. Accordingly, the utility of law is determined not only by uniformity in sentencing, but also by a decision's capacity to take social conditions into account and align them with the sentencing objective it seeks to achieve.

Based on the foregoing discussion, it can be concluded that Decision Number 180/Pid.Sus/2024/PN Gto and Decision Number 270/Pid.Sus/2024/PN Gto have essentially reflected the objectives of law in terms of legal certainty and utility. However, in terms of substantive justice, there remain issues that judges need to pay attention to, particularly when imposing sentences in future cases with similar characteristics (Wantu & Puluhalawa, 2025).

3.3.Sentencing Disparity in Online Gambling within the Context of Consistency in Criminal Law Enforcement in General

The findings regarding the disparity in Decision Number 180/Pid.Sus/2024/PN Gto and Decision Number 270/Pid.Sus/2024/PN Gto are consistent with the pattern of sentencing disparity found in various other types of offenses. In corruption cases, Alimuddin (2025) found differences in sentencing in bribery cases. Meanwhile, Alquddus (2025a) criticized the practice of selective prosecution in law enforcement against corruption, which can give rise to inequality in legal treatment. Fitri (2025) likewise showed that the rehabilitation process for state-owned enterprise officials within corruption law-enforcement policy can be influenced by differing considerations that are not always consistent across cases. In hate-speech cases, Sukma and Agustanti (2023) found differences in judicial decisions against offenders drawn from the general public. Similarly, in document-forgery cases, Imran and Gailea (2025) found a disparity in the application of sanctions influenced by differing judicial interpretations of the elements of the offense. A similar pattern is also found in discussions of overcriminalization in morality offenses (Dia, 2026) and in the application of the responsive-law paradigm in the enforcement of election offenses (Wahdini, Shaleh, Endah, & Baihaki, 2026), which show that inconsistency in the application of criminal law is not an individual problem but a structural issue that continues to recur in the handling of various types of offenses. Sentencing disparity in cases involving the promotion of online gambling has more complex characteristics than other offenses. This complexity arises from the nature of the conduct, which takes place within a digital space, the involvement of third parties such as affiliates or bookmakers whose role is not always revealed at trial, and the difficulty of measuring an endorser's degree of culpability based solely on intent (*mens rea*). Assessing culpability also needs to take into account the reach of the audience and the duration of exposure to the promotion, both of which can be measured through technical and quantitative variables. These characteristics show that the disparity in Decision Number 180/Pid.Sus/2024/PN Gto and Decision Number 270/Pid.Sus/2024/PN Gto cannot be entirely equated with the pattern of disparity found in conventional offenses such as corruption or hate speech. In conventional offenses, the degree of culpability can generally be traced more easily through the perpetrator's intent and the direct consequences of their conduct. In cases involving the promotion of online gambling, by contrast, the assessment of culpability is also influenced by technical variables on digital platforms, for which judicial practice has yet to develop a uniform standard of assessment.

This similarity in pattern shows that the problem of sentencing disparity is caused not only by the characteristics or subjectivity of individual judges, but is also related to the not-yet-optimal availability of nationally applicable sentencing guidelines for certain types of offenses, including the offense of promoting online gambling. In addition, the influence of social media also plays a role in shaping public perception and affecting the process of criminal law enforcement (Yatnih, 2024); this is likewise relevant here, since both cases analyzed originated from promotional activity conducted through social media. This condition indicates the need for a more consistent standard of assessment regarding the degree of the perpetrator's involvement, the reach of the audience, and the profit obtained, so that sentencing can be carried out more proportionately and with a greater degree of predictability, without diminishing the independence of judges as guaranteed by the constitution.

4. CONCLUSION

The sentencing disparity in Decision Number 180/Pid.Sus/2024/PN Gto and Decision Number 270/Pid.Sus/2024/PN Gto is evident in the difference in the length of the prison sentences imposed, namely 4 (four) months and 3 (three) months respectively, even though both cases applied the same criminal provision. This difference is influenced by a difference in the judges' convictions in assessing the facts revealed at trial, a difference in the weight given to the aggravating and mitigating factors, and a difference in the composition of the panels of judges examining and deciding each case. When viewed in terms of the objectives of law, both decisions have reflected legal certainty through the application of the same provision, as well as the utility of law by taking into account the aspects of guidance and deterrence. However, in terms of substantive justice, both decisions have not yet fully reflected the principle of proportionality, since the defendant who obtained a greater profit and committed the act continuingly was in fact given a lighter sentence.

This study has several limitations that need to be taken into account in understanding the results obtained. First, the study uses only two decisions from a single jurisdiction, namely the Gorontalo District Court, so that its findings cannot yet be generalized to describe the pattern of sentencing disparity in online-gambling offenses at the national level. Second, this study, which employs the normative legal method, relies entirely on the documents and considerations set out in the court decisions and was not accompanied by direct interviews with the judges who examined and decided the cases. As a result, the psychological aspects and subjective considerations of the judges that were not explicitly set out in the decisions cannot be fully known. These limitations may serve as a basis for future research to employ an empirical juridical approach in order to obtain a deeper understanding of judges' perspectives and considerations in handling cases with similar characteristics.

To reduce the occurrence of disparity in the handling of similar cases in the future, the Supreme Court needs to consider developing more detailed sentencing guidelines for offenses involving the promotion of online gambling. Such guidelines could include measurable indicators, such as the reach of the audience, the frequency of the conduct, and the amount of profit obtained by the perpetrator. In addition, judges are expected to provide a clearer explanation of the proportional relationship between the profit obtained by the defendant and the severity of the sentence imposed, so that the ratio decidendi of each decision can be understood and traced transparently by both the public and researchers. Future research is also recommended to broaden its scope by analyzing similar decisions from various District Courts, so as to determine whether the pattern of disparity found in this study also occurs more broadly in the enforcement of the law against online-gambling offenses in Indonesia.

REFERENCES

- Alimuddin. (2025). An analysis of sentencing disparity in bribery within corruption offenses. *Jurnal Private Law Fakultas Hukum Universitas Mataram*, 5, 635.
- Alquddus, D. (2025a). A progressive legal theory critique of selective prosecution in the enforcement of corruption offenses. *Equality Before The Law*, 5(2).
- Alquddus, D. (2025b). Legal protection of society against cracking from the perspective of the Electronic Information and Transactions Law and Islamic criminal law]. *Equality Before The Law*, 5(2).
- Bahder Johan Nasution. (2014). A philosophical study of the concept of justice from classical to modern thought]. *Yustisia Jurnal Hukum*, 3(2). <https://doi.org/10.20961/yustisia.v3i2.11106>
- Dika Sahputra, Zamakhsyari, & Fauziah. (2022). The impact of online gambling on adolescents (A case study of Tebing Tinggi). *Islamic Counseling: Jurnal Bimbingan Konseling Islam*, 6(2), 139. <https://doi.org/10.29240/jbk.v6i2.3866>
- Dia, W. D. (2026). Efforts to prevent overcriminalization of morality offenses (A case study of Case No. 46/PUU-XIV/2016). *Equality Before The Law*, 6(1).
- Dino Rizka Afdhali, & Taufiqurrohman Syahuri. (2023). The ideal of law enforcement viewed from the perspective of the theory of the objectives of law. *Collegium Studiosum Journal*, 6(2), 555–561. <https://doi.org/10.56301/csj.v6i2.1078>
- Fence M. Wantu. (2007). Antinomy in law enforcement by judges. *Mimbar Hukum*, 19(3), 387–396. <https://doi.org/10.22146/jmh.19070>
- Fence M. Wantu. (2011). *Idee des Recht: legal certainty, justice, and utility (Implementation in civil court proceedings)*. Pustaka Pelajar.
- Fence M. Wantu. (2012). Realizing legal certainty, justice, and utility in judicial decisions in civil courts]. *Jurnal Dinamika Hukum*, 12(3). <https://doi.org/10.20884/1.jdh.2012.12.3.121>
- Fence M. Wantu, Akili, R., & Bunga, M. (2024). *Philosophy of law: A reflection*. UII Press.
- Fence M. Wantu, & Puluhalawa, F. (2025). *Teori hukum: Dinamika sebuah perdebatan [Legal theory: The dynamics of a debate*. UII Press.
- Fitri, D. (2025). The rehabilitation of state-owned enterprise officials in the legal politics of corruption-offense enforcement. *Equality Before The Law*, 5(2).

- Ismail Marzuki. (2024). The rule of law and the principle of equality before the law: Theory and its manifestation in Indonesia. *Jurnal IDEA Hukum*, 10(1).
<https://doi.org/10.20884/1.jih.2024.10.1.495>
- Lilik Mulyadi. (2019). Criminal procedural law: Normative, theoretical, and practical aspects and its problems. Alumni.
- Mukti Fajar, & Yulianto Achmad. (2010). The dualism of normative and empirical legal research. Pustaka Pelajar.
- Nadila, Rumlus, M. H., & Willem, R. (2026). Prevention efforts: Implementation of diversion in handling motorcycle theft by children. *Equality Before The Law*, 6(2).
- Paisol Burlian. (2021). Social pathology. PT Bumi Aksara.
- Peter Mahmud Marzuki. (2010). Legal research. Kencana.
- Rahayu, D. G. T., & Rumlus, M. H. (2023). The resolution of adultery offenses under positive law, Islamic law, and the customary law of Kedang Lembata. *Equality Before The Law*, 3(2).
- Riski Dani, Ilhamdi, & Setiawan. (2025). An analysis of Decision Number 609/Pid.Sus/2024/PN.Mtr on criminal liability for disseminating electronic information related to gambling on social media. *Unizar Recht Journal (URJ)*, 4(4), 18–23.
- Rusli Muhammad. (2007). Contemporary criminal procedural law. Citra Aditya.
- Ryan Chandra Sukma, & Rosalia Dika Agustanti. (2023). The disparity of judicial decisions against perpetrators of hate-speech offenses committed by members of the general public. *Esensi Hukum*, 5(1), 50–66. <https://doi.org/10.35586/esensihukum.v5i1.230>
- Saa, Y., Kusmiadi, M. E., Rumlus, M. H., & Mery, L. (2024). The implementation of discretion in the investigation of theft offenses in Sorong Regency (A study of the Sorong Regency Police). *Equality Before The Law*, 4(1).
- Soerjono Soekanto, & Sri Mamudji. (2006). Normative legal research. PT Raja Grafindo Persada.
- Suwitno Yutye Imran, & Sitti Wahyuni Gailea. (2025). The disparity in the application of sanctions in judicial decisions in document-forgery cases. <https://doi.org/10.5281/ZENODO.15218762>
- Umar Dinata, & Ike Sumawaty. (2026). A legal politics of the criminal justice system in dealing with cybercrime. *Equality Before The Law*, 6(2).
- Wahdini, M., Shaleh, M. N., Endah, R. S., & Baihaki, A. (2026). The responsive law paradigm in the enforcement of election criminal offenses. *Equality Before The Law*, 6(2).
- Wijaya, S. S. (2024). The role and existence of advocates in realizing law enforcement for Indonesian society. *Equality Before The Law*, 4(2).
- Yatnih, E. F. (2024). The influence of social media on perception and criminal law enforcement: The impact of social media on public opinion, legal process, and criminal justice. *Equality Before The Law*, 4(2).
- Gorontalo District Court Decision Number 180/Pid.Sus/2024/PN Gto.
- Gorontalo District Court Decision Number 270/Pid.Sus/2024/PN Gto.
- Law of the Republic of Indonesia Number 1 of 2023 concerning the Criminal Code.
- Law of the Republic of Indonesia Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Electronic Information and Transactions.
- Law of the Republic of Indonesia Number 48 of 2009 concerning Judicial Power.



This work is licensed under a [Creative Commons Attribution 4.0 International License](https://creativecommons.org/licenses/by-nc/4.0/)