

The Impact of Documentary Film on Public Trust in Judges' Decisions: Understanding Public Perception of Justice For Jessica Wongso

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ABSTRACT: The release of the Ice Cold: Murder, Coffee, and Jessica Wongso documentary has reignited public interest in the case, leading to a shift in perspectives, contradicting what has been proven and ruled in court. This study aims to examine the judges' considerations and analysis that formed the basis of the verdict, the legal impact of the documentary, and public perceptions of justice for Jessica Wongso. This research employs a socio-legal approach with interdisciplinary insights from communication studies, sociology, and psychology. Data collection methods include observation, interviews, document analysis, and surveys. A questionnaire was distributed to 50 respondents who met the criteria of having watched the entire documentary and being familiar with the court's ruling. In this case, the panel of judges based their decision on an evaluation of the evidence, legal elements, aggravating and mitigating factors, as well as logical reasoning and moral considerations. The findings also indicate that the documentary has influenced public trust in the case and the judicial decision, resulting in significant impacts, shifts, and differing perceptions.

KEYWORDS: Judicial Decision, Documentary Film, Public Trust, Public Perception, Judicial Consideration

I. INTRODUCTION

Indonesia is a country of law that has its own characteristics, by making Pancasila as the basis of the state and the source of law that is the foundation for the national legal system upheld. The legal system based on Pancasila must be oriented towards justice. The law should not be understood absolutely, but must be full on the sense of morality and conscience. To achieve justice in law enforcement, various ways can be used in resolving cases, one of which is through the judicial system.¹

In the courts, there is criminal procedural law which regulates how to maintain or implement material criminal law so that later it will obtain a judge's decision, and how the contents of the decision must be implemented. The purpose of criminal procedural law is to seek, obtain, or at least approach the substantive truth, which means the most complete truth of a criminal case by applying the provisions of criminal procedural law honestly and accurately². The judges' decision is always faced with a difficult choice between justice and legal certainty³. The judges should be able to be the representatives of God and should be able to provide the justice expected by those seeking. The judge's decision on the one hand is useful for a defendant to obtain legal certainty regarding his/her status, on the other hand, the judge's decision becomes the main and peak of the reflection of the values of justice, absolute truth, and human rights.⁴

In carrying out their duties, judges must be under the mandate of Article 5, Paragraph (1) of Law Number 48 of 2009 concerning Judicial Power. The article states that judges and constitutional judges are obliged to explore the legal values and sense of justice that exist in society.⁵. In realizing the values of justice, legal certainty, and benefits from a judge's decision, which make the judge's

¹ Sri Pujianti, "Ketua MK: Sistem Hukum Pancasila Berorientasi Keadilan", accessed on October 10, 2024.

² Koesparmono Irsan & Armansyah, "Panduan Memahami Hukum Pembuktian dalam Hukum Perdata dan Hukum Pidana", (Bekasi: Gramata Publishing, 2016), p. 142.

³ Hamidah Abdurrahman, *Palu Hakim Versus Rasa Keadilan: Sebuah Pengantar Disparitas Putusan Hakim dalam Tindak Pidana Korupsi*, (Yogyakarta: Deepublish, 2020), p. 73.

⁴ Amzulian Rifai & Imran, *Bunga Rampai: Memotret Pertimbangan Putusan Hakim dari Berbagai Perspektif*, (Jakarta: Sekretariat General of the Indonesian Judicial Commission, 2024), p. 61.

⁵ M. Khusnul Khuluq, et. al., *Hukum Untuk Keadilan Dengan Berbagai Upaya Implementasinya*, (Malang: CV. Literasi Nusantara Abadi, 2021), p. 58.

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considerations one of the most important aspects, they must be addressed carefully, properly, and precisely.⁶ To form a judge's decision, it is also necessary to have an evidentiary process in the examination of a case, the results of which will be used as consideration in deciding the case. The evidentiary process is the most important stage in the trial process aimed at uncovering the substantive truth or ensuring that the events or legal facts presented occurred, to reach a proper and fair judicial decision.⁷ Mass media play an important role in people's lives in this era, with easy access to information globally. Mass media can change people's or even certain groups' perspectives by choosing highlighted issues and providing certain perspectives through news, articles, films, and television programs. Film is one of the effective means to carry out an in-depth and persuasive approach through a storyline designed and directed by the director⁸.

A documentary film is a type of film that is made based on facts or events that actually happened, so it is included in the non-fiction category. Therefore, the data of documentary films must be obtained from clear and reliable sources. Generally, documentary films tell events involving humans, animals, plants, places, and scientific and technological developments. In the past, documentaries were often shown at film festivals, but now documentaries can be accessed through streaming platforms such as Netflix. Along with the development of film, documentaries have also evolved into various types, such as docudramas that combine documentary and drama in a more interesting way that still refers to the real events⁹. As is known, the making of a documentary film has various purposes namely, apart from being a means of entertainment and learning, it can also be a means of propaganda to influence the audience to accept or reject the message according to the wishes of the filmmaker because a film can reach a large population quickly¹⁰.

The emergence of the cyanide coffee case in January 2016 had gone through a fairly long process until finally the court issued a verdict in October 2016. Wayan Mirna Salihin died at Abdi Waluyo Hospital, allegedly after drinking coffee mixed with sodium cyanide at Olivier Café on January 6, 2016¹¹. This case was one of the murder cases in Indonesia that received a lot of media attention at that time, with 32 trials, most of which were broadcast live on several television stations, and attracted the attention of the public¹². During the trial process, up until the verdict was delivered by the Panel of Judges, the public held differing perceptions. Finally, the trial verdict stated that Jessica had been proven legally and convincingly guilty of committing premeditated murder, with a sentence of 20 years in prison¹³.

After 7 years have passed, Jessica has served her prison sentence handed down by the Panel of Judges. On September 28, 2023, Netflix released a documentary film with a duration of 1 hour 26 minutes entitled *Ice Cold: Murder, Coffee, and Jessica Wongso* and directed by Rob Sixmith. This documentary film seeks to shed light on the Jessica Wongso cyanide coffee case, which, according to some observers and the public, still holds many unanswered questions. The film presents a summary focused on the murder of Mirna, featuring various perspectives from multiple sources.¹⁴

After the release, the public recalls their memories of the case by a shift in perception or opinion, in contrast to what had been proven and decided by the judges in court. It can be said that the documentary had a relatively significant impact on public trust in the judges' decision that had been delivered, even in viewing the law in Indonesia. More clearly, the public views that Jessica, who has been proven legally and convincingly guilty of committing premeditated murder and sentenced to 20 years in prison, is a 'victim' and there is injustice in the law.

Based on the background above, the authors intended to conduct a study on "The Impact of Documentary Films on Public Trust in Judges' Decisions That Have Been Delivered: Understanding Public Perception of Justice for Jessica Wongso". The title and related materials were chosen because this case is widely known by the public and is expected to provide benefits for the

⁶ Juniati L Garoma, et. al., "Pembunuhan Tidak Disengaja Ditinjau Dari Hukum Pidana Menurut Pasal 351 KUHP (Studi Kasus: Putusan No 1/Pid.B/2022/Pn Amb)", *Pattimura Law Study Review* Volume 1, Number 1 (2023), p. 163.

⁷ Ibid., p. 160.

⁸ Marianus Ibrani, "Biasnya Penegakan Hukum di Indonesia (Analisis Framing dalam Film *Ice Cold: Murder, Coffee, and Jessica Wongso*)", (Yogyakarta: Undergraduate Thesis, Sekolah Tinggi Pembangunan Masyarakat Desa, 2024), p. 2.

⁹ Ibid., p. 3-4.

¹⁰ Nadiyah Ilfah, "Ketidakadilan Gender dalam Film Siti," (Jakarta: Undergraduate Thesis, Faculty of Da'wah and Communication Sciences, UIN Syarif Hidayatullah Jakarta, 2018), p. 38-40.

¹¹ Yunika Erma Puspita, "Resepsi Masyarakat Mengenai Stigma yang di berikan pada Jessica Kumala Wongso pada Kasus Pembunuhan Mirna Salihin di Media Televisi", (Semarang: Undergraduate Thesis, Department of Communication Science, Faculty of Social and Political Sciences, Universitas Diponegoro, 2017), p. 4.

¹² Ni Made Sukmasari, "Kilas Balik Perjalanan Kasus Jessica Kumala Wongso hingga Bebas Bersyarat," *Tempo*, August 20, 2024.

¹³ Yunika Erma Puspita, *op.cit.*, p. 4

¹⁴ Nuha Khairunnisa, "Sinopsis Film Dokumenter Kopi Sianida Jessica Wongso, Sudah Tayang di Netflix," *narasi*, September 28, 2023.

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development of science for the wider community, especially regarding the level of public trust in the judges' considerations that are the basis for legal decisions aimed at finding substantive truth or the real truth.

Based on the explanation of the research background above, the research questions can be formulated as follows:

1. What were the judge's considerations forming the basis for the verdict for Jessica Wongso?
2. What are the legal impacts arising from the Ice Cold: Murder, Coffee, and Jessica Wongso documentary and the public's perception of justice for Jessica Wongso?

II. METHODOLOGY

The authors employed a socio-legal research approach, which was used to better understand legal problems or issues in depth with identification. It is not limited to text alone, but rather an in-depth study of the context that includes all processes from 'law-making' to the 'implementation of law'¹⁵. According to Banakar, socio-legal research requires a formulation of problems that examine the relationship between social and legal phenomena with a combination of research or interdisciplinary approaches from various disciplines¹⁶.

III. RESULTS AND DISCUSSION

A. The Analysis of the Judges' Considerations Forming the Basis of the Verdict Against Jessica Wongso

In the case of Jessica Wongso's cyanide coffee, the Public Prosecutor and Jessica's Legal Advisory Team had presented witnesses. However, the Legal Advisory Team questioned the absence of witness Kristie from Australia¹⁷.

Based on Article 162 Paragraph (1) and (2) of the Criminal Procedure Code, there is exception that if a witness who has provided information in the Official Investigation Report cannot attend the trial, the report can or may be read out at the trial on the condition that the information has been sworn in. The exception applies to a witness who, for reasons that have passed away, or is under a lawful impediment, resides far from the trial location, and is burdened with state duties or obligations, is unable to appear in court¹⁸. Thus, in this case, the position of a witness who is not present at the court is the same as the evidence of other witnesses' information¹⁹.

In line with the opinion of the Panel of Judges in the consideration, the authors believe that the evidentiary value of Kristie's testimony should be regarded as equal to that of the other witnesses. Although Kristie could not provide direct testimony because she was in Australia, she had been equipped with an oath along with supporting letters that had been legalized and authorized regarding the translation. Based on the legal facts, considerations given by the Panel of Judges, and supported by theories and expert testimony, the results of the authors' analysis concluded that the witnesses presented had been valid according to applicable law.

Two experts presented conflicting views in the Jessica Wongso cyanide coffee case: Dr. I Made Agus, representing the Public Prosecutor, and Dr. Djaja, from Jessica's Legal Advisory Team, concerning sodium cyanide. The judges concluded that Mirna's death resulted from sodium cyanide, which was supported by the 0.2 mg/l cyanide found in her stomach, along with evidence of gastric irritation and lip damage. While assessing the cyanide levels in Mirna's stomach, the judges favored Dr. I Made Agus's interpretation and dismissed the findings of Jessica's team. Dr. Agus proposed that the reduced cyanide levels were a result of a neutralization reaction with stomach acid, indicated by an increase in the stomach contents' pH. The judges acknowledged that the divergent expert opinions presented at the trial were valid.

In line with the opinion of the Panel of Judges, the authors admit that differences of opinion from experts are legitimate because the information from an expert is only intended to provide clarity and will not guide the judge in deciding because the strength of the expert's information requires other evidence which the judge will later consider or set aside.

In the trial, Jessica's Legal Advisory Team, through criminal expert Dr. Mudzakir, questioned Chief of Police Regulation Number 10 of 2009, which he claimed is a *lex specialis* of the Criminal Procedure Code. This opinion was dismissed by the Panel of Judges due to a clear error. The Panel of Judges believed that the Chief of Police Regulation is not a regulation that is on par with the Criminal

¹⁵ Suteki dan Galang Taufani, *Metodologi Penelitian Hukum (Filsafat, Teori, dan Praktek)*, (Depok: Rajagrafindo Persada, 2014), p. 157

¹⁶ Fachrizal Afandi, "Penelitian Hukum Interdisipliner Reza Banakar: Urgensi dan Desain Penelitian Sosiolegal," *Undang Jurnal Hukum* Volume 5, Number 1 (2022), p. 246.

¹⁷ Jessica Kumala Wongso, Number 777/Pid.B/2016/PN.JKT.PST, Central Jakarta District Court, 27 Oktober 2016, p. 307-308.

¹⁸ Reyhan Naufaldy, "Kedudukan Kesaksian oleh Saksi yang Tidak Hadir dalam Pembuktian Pada Persidangan," *Verstek: Jurnal Hukum Acara* Volume 10, Number 3 (2022), p. 653.

¹⁹ *Ibid.*, p. 656.

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Procedure Code because the Chief of Police Regulation was formulated by the Police institution, while the Criminal Procedure Code is a regulation in the form of a law made by the President and the House of Representative.

Horizontally, in the hierarchy of laws effective in Indonesia, the Chief of Police Regulation is equivalent to a Ministerial Regulation²⁰. This perspective is also supported by Law Number 2 of 2002 concerning the Republic of Indonesia National Police, which operates directly under the President and is accountable to the President for its duties²¹. Additionally, the Chief of Police Regulation serves as a policy regulation whose contents apply internally within the police, as noted in the considerations of Police Regulation Number 7 of 2018 concerning the Revocation of Chief of Police Regulation Number 11 of 2016 regarding the Formation of Police Regulations²².

Jessica's Legal Advisory Team also raised concerns about the Minutes of Receipt of Comparison Evidence related to the glass and the bottle dated January 8, 2016. The Panel of Judges indicated that no response was necessary, as the main concern of the case revolved around one glass containing the remaining Vietnamese Iced Coffee (VIC) and one unopened bottle containing the remaining VIC that had not been consumed by the victim, Mirna, both accompanied by the Minutes of Receipt of Comparative Evidence.

The authors view that the Police Chief Regulation does not need to be questioned because it is not a *lex specialis* of the Criminal Procedure Code. The Minutes of Receipt of Comparison Evidence also do not need to be questioned because it is not the main point in the case.

According to the Panel of Judges, to prove a crime, there was no need for direct eyewitnesses. A collection of indirect evidence that formed the chronology of events could be used as substantive evidence that was valid and objective in determining that Jessica was guilty. Indirect evidence originating from CCTV footage was determined as valid evidence because the CCTV footage at Olivier Café was not installed specifically for this cyanide coffee case, but generally for security at the Café. Therefore, the CCTV, which is electronic evidence, could be used by the Panel of Judges as an indication in determining the occurrence of a crime²³.

Based on legal facts, the considerations given by the Panel of Judges were supported by theories and expert opinions. Thus, according to the results of the analysis, the authors also agreed with the Panel of Judges, who stated that CCTV, which is electronic evidence, could be an extension of indicative evidence.

The defendant's statement can be used for his/herself. The defendant's statement given outside the trial can be used to help find evidence in court, provided that the statement is supported by other valid evidence, as long as it concerns the matter being charged against him/her. The type of evidence for the defendant's statement is not restricted, and the value of which requires other evidence. The defendant has the right to deny or may deny what is being charged against him/her. However, an honest confession or statement will be taken into consideration to lessen the sentence.

B. The Legal Impacts Arising from the Ice Cold: Murder, Coffee, and Jessica Wongso Documentary Film and Public Perceptions on Justice for Jessica Wongso

According to Sastropoetro, the public can be defined as people with the same interests or hobbies. In the public, there is interaction that occurs indirectly through communication media, for example, through social media, films, television, rumors, to private conversations²⁴. Herbert Blumer stated that public opinion is a collection of individual perceptions on the same issue, related to the direction of opinion, measurement of intensity, stability, information support, and social support.²⁵

²⁰ Ghaos Masoga, "Kedudukan Peraturan Kepolisian dalam Struktur Peraturan Perundang-Undangan Indonesia," (Mataram: Undergraduate Thesis, Faculty of Law, Universitas Mataram, 2021), p. Xiii.

²¹ Husni Thamrin, "Menyoal Kedudukan Polri dalam Sistem Ketatanegaraan Indonesia Sebagai Negara Demokrasi," *Jurnal Legalitas* Volume 1, Number 1 (2023), p. 136.

²² Ghaos Masoga, *op.cit.*, p. xi.

²³ Marsudin Nainggolan dan Ismail Rumadan, *op.cit.*, p. 110-111.

²⁴ Juariyah, *Opini Publik dan Propaganda*, (Jember: LPPM Universitas Muhammadiyah Jember, 2019), p. 7-8

²⁵ Umaimah Wahid, *Komunikasi Politik: Teori, Konsep, dan Aplikasi Pada Era Media Baru*, (Bandung: Simbiosis Rekatama Media, 2016), p. 133.

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Has your perception of Jessica Wongso's cyanide coffee case changed after watching the documentary *Ice Cold: Murder, Coffee, and Jessica Wongso*?
50 answers

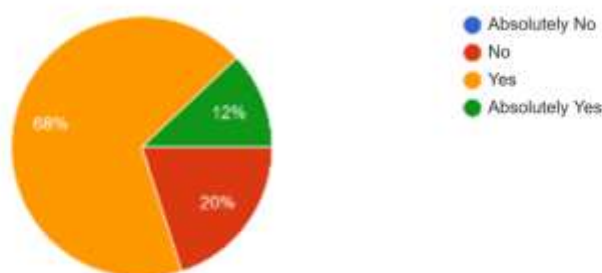


Figure 1. Diagram of Scores of Changes or Differences in Perceptions on the Jessica Wongso Cyanide Coffee Case After Watching the Documentary

There is a significant disparity in the number of respondents who thought they had a different perception or even changed their perception, with respondents who thought they had no change or difference in their views on the Jessica Wongso cyanide coffee case after watching the documentary. It can be concluded that the majority or more dominant respondents had different perceptions or even changed their perception on the Jessica Wongso cyanide coffee case after watching the documentary.

Films have experienced a shift in role and function in their journey, which initially was a tool for movement in social movements, to become the main issue of the movement²⁶. Factors triggering the emergence of social movements are such as political opportunity structures, mobilization structures, framing processes, movement repertoires, intellectual sources, and contentious politics.²⁷ Films are also a framing medium that can influence the way society understands and assesses a particular issue²⁸.

The framing process is a strategy of social movements because cultural contradictions, social injustice, or complaints will become momentum, context, and opportunities for movement actors to create symbols, movements, ideologies, or the next step. After public opinion is formed in the framing process, movement actors must move on to the next stage, namely tactics, strategies, and real actions of the movement to realize what was obtained from the framing process previously, also referred to as the movement repertoire, expressed by Tilly²⁹.

Documentary films are powerful media to create social change or at least shape public opinion to generate change. Documentary films can also be a tool to describe social conditions in a country.³⁰ In Indonesia, some films are often referred to as propaganda documentaries, such as *Pengkhianatan G 30S/PKI*, which was made during the New Order era³¹.

The increasing public interest in true crime documentaries is due to the public's desire to know about the exploitation of someone's death for financial gain, the impact of ethical boundaries, the psychological impact, the involvement of the investigation on the community, and the impact on law enforcement³². In the making of documentaries related to real-life crimes, there are many examples of how ethical boundaries are violated, with some depictions of crimes that have embellished or exaggerated storylines and a lack of regulatory rules applied to protect the families of victims. For example, there is one documentary series entitled *Dahmer-Monster: The Jeffrey Dahmer Story*, from a real-life crime concerning a popular American murderer that has led to false leads and has even harmed the families of victims.

According to Dossier, the sources of a documentary are credible, but directors tend to embellish or exaggerate ideas to make the story more interesting, with narrators trying to fill in the gaps in the story³³. It is in line with the opinion of Louie Psihoyos as an

²⁶ Alvian Mahardika, *Film Dokumenter Itu Membosankan? Strategi-Strategi Komunitas Dokumenter Dalam Membangun Infrastruktur Perfilman Dokumenter Indonesia* (Tangerang Selatan: Pascal Books, 2022), p. 13.

²⁷ Binti Maunah, "Pendidikan dalam Perspektif Struktural Fungsional," *Jurnal Cendekia* Volume 10, Number 2 (October, 2016), p. 166.

²⁸ Zulfam, et. al., "Analisis Framing Media Dalam Berita Kontroversial: Studi Kasus Pada Kasus-Kasus Politik atau Sosial," *Jurnal Review Pendidikan dan Pengajaran* Volume 7, Number 3, (July 3, 2024), p. 9119.

²⁹ Alvian Mahardika, *op.cit.*, p. 18.

³⁰ *Ibid.*, p. 122.

³¹ *Ibid.*, p. 124-125.

³² *Ibid.*, p. 4 & 7.

³³ *Ibid.*, p. 28.

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American documentary film producer, who said that films can have a big impact on human culture, which can be a weapon of mass construction, such as dropping bombs and killing people. He continued by saying that the purpose of making films is to create allies and create a critical point.

It often takes a very long time for a change or shift in views to occur, but if a documentary is widely distributed and can touch the heart of society and deliver a strong emotional blow, it can hasten a change or shift in views to occur. One example of a documentary that succeeded in changing public views in a relatively short time is *Blackfish*, which received widespread attention a few months later.³⁴ *Blackfish* had impacted the public's and celebrities' views with 67,673 tweets about *Blackfish* and was viewed by 7.3 million people. SeaWorld experienced a major decline in visitor numbers and recorded huge losses, and finally, in 2016, it announced that it had ended its entire orca breeding program and stopped performing³⁵.

The theory of limited media effects views this differently; it states that documentary films as media do not influence society. Based on research conducted by Joseph Klapper in mass communication, mass communication does not directly influence the audience, but is mediated by other variables. Therefore, it was founded that the media was only one of the supporting reasons (rarely had a direct effect) and society would be selective in receiving information messages from the mass media, even tending to weaken when compared to socio-psychological factors such as social status, group membership, attitudes that had been held strongly, education, and so on³⁶.

For Wimar Herdanto, who is a lecturer at the Department of Communication and also a director, he believed that what was in the *Ice Cold: Murder, Coffee, and Jessica Wongso* documentary was a form of framing that occurred as the audience did not focus on the case or the facts of the trial, but they focused on who was shown as the criminal in the documentary. Although all information comes from reality, films are very subjective, and of course, films have the aim of being sold, especially if they are shown on a paid platform³⁷. A filmmaker who was involved in several processes in making the *Ice Cold: Murder, Coffee, and Jessica Wongso* documentary film revealed that in making the documentary, there was a depiction of a new antagonist figure, namely Edi Darmawan Salihin³⁸.

Edi Darmawan Salihin also stated that he felt deceived by the party broadcasting the documentary, because he did not get anything from the interview that was broadcast. In addition, the documentary that was broadcast did not correspond to the existing reality, even causing society to be divided into two sides³⁹.

Sandhy Handika, the public prosecutor in this case, stated that one of the main factors making some people more inclined to believe in foreign products, including Netflix documentaries, over the legal system in this country is the post-colonial inferiority complex. Prosecutor Sandhy also pointed out the bias and framing of the narrative in this documentary, which focused solely on the perspective that benefited the defendant, without adequately presenting the entire legal process that occurred, and not all witnesses and evidence considered in court were shown in the documentary.

He continued by stating that the branding effect and global reputation that have been built by foreign media companies such as Netflix, BBC, or National Geographic have long built a high-quality and internationally standardized media image, without realizing that each media has a certain point of view, bias, and agenda. Prosecutor Sandhy also mentioned that there is a difference between the speed of media consumption and the complexity of the legal process. The public prefers information that is obtained quickly and easily consumed, such as documentaries that are only 1-2 hours long or TikTok videos that are several minutes long. Meanwhile, court decisions consisting of hundreds of pages discussing in-depth analysis of evidence, simply neglected because not everyone has the time or ability to read and understand the contents of court decisions. Based on this explanation, as a result, opinions formed by documentary films are accepted more quickly than court decisions that have been tested with strict legal standards⁴⁰.

³⁴ The Opportunity Agenda, "Documentary Film and the 'Blackfish' Effect," *Shifting the Narrative*, 2022, p. 2.

³⁵ Ibid., p. 5-6.

³⁶ Emilia Mulyawati, "Feature dalam Mengubah Pengetahuan dan Sikap Tentang Gender di Kalangan Remaja (Penelitian Eksperimental Mengenai Pengaruh Feature Satu Harapan karya Yuli Andari dalam Mengubah Pengetahuan dan Sikap Tentang Gender di Kalangan Remaja Sekolah Menengah Atas Negeri 3 Yogyakarta)," (Yogyakarta: Thesis, Universitas Atma Jaya Yogyakarta, 2013), p. 8.

³⁷ Aprilia Devi, "Pakar Komunikasi Unair Sebut Film *Ice Cold* Salah Satu Bentuk Framing," *detikJatim*, October 12, 2023.

³⁸ Ibid.

³⁹ Devira Prastiwi, "5 Respons Ayah Wayan Mirna Salihin, Edi Darmawan soal Film *Ice Cold: Murder, Coffee and Jessica Wongso*," *Liputan6.com*, October 9, 2023.

⁴⁰ Sandhy Handika, 6 February, 2025.

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Has your trust in the judges' decision changed after watching the documentary Ice Cold: Murder, Coffee, and Jessica Wongso?
50 answers

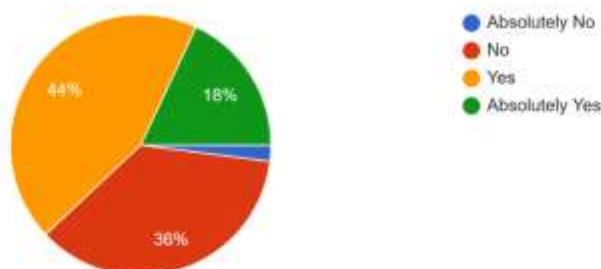


Figure 2. Diagram of the Score of the Level of Trust in Judges' Decisions After Watching the Documentary

There was a significant difference between respondents who thought that they had changed their perception, and those who had not changed or had not changed much in their level of trust in the judges' decision after watching the documentary. It can be concluded that the majority or more dominant respondents believed that their level of trust in the judges' decision had changed a lot or had changed completely after watching the documentary.

Do you think the screening of the documentary Ice Cold: Murder, Coffee, and Jessica Wongso impacts public trust?
50 answers

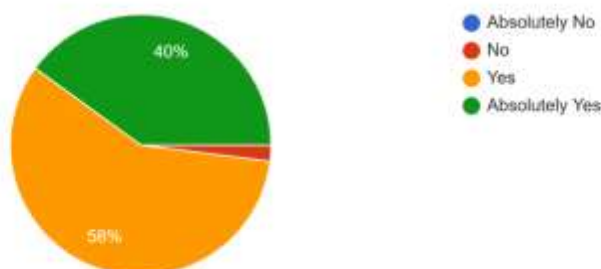


Figure 3. Diagram of the Score of Documentary Films Showing Impact on Public Trust

There is a very significant difference between respondents who thought that there was a very big impact and there was a fair impact, with those who thought that there was no impact, that after the documentary had aired, the public trust was impacted. It can be concluded that the majority or more dominant respondents felt that after the documentary had aired, it significantly impacted the public trust.

Yosia, Binsar, and Gabriel argue in their journal that following the release of the documentary Ice Cold: Murder, Coffee, and Jessica Wongso, a fierce debate emerged in Indonesia over public perception of the cyanide coffee case. This was highlighted in an interview with Otto Hasibuan, Jessica's attorney, featured in the documentary, which effectively swayed public opinion to support justice for Jessica. Initially seen as the perpetrator, this shift was fueled by widespread discussions concerning this case across various social media platforms⁴¹.

From a psychological standpoint, it can be observed that prosocial behavior has shifted societal trust. Baron and Byrne define prosocial behavior as actions aimed at benefiting others. Within this realm, altruism refers to the drive to assist others and the intention to do good without expecting any rewards. Additionally, social influence theories highlight the effects of mass media

⁴¹ Yosia Geral Lyshady, et. al., "Jejak Virtual: Peran Media Sosial Dalam Mengangkat Kasus Kopi Sianida Melalui Film Dokumenter 'Ice Cold'," *Jurnal Filosofi* Volume 1, Number 2 (May, 2024), p. 235-236.

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and social media interactions. According to Cialdini, social influence attempts to alter the attitudes, beliefs, perceptions, or behaviors of individuals.⁴² This influence can yield either positive or negative outcomes for individuals' behavior⁴³.

Mira Sendangsari, who is a judge, believes that a judge needs to have strong conviction because the facts presented in court can differ from those outside the courtroom. If some people feel influenced by the documentary concerning the judges' decision or the case itself, that is their right. Public opinion cannot be controlled, and this is one of the risks that comes with the profession⁴⁴.

Sandhy Handika stated that he understood that the confusion and misunderstanding in society regarding the Jessica Wongso's case and the Ice Cold: Murder, Coffee, and Jessica Wongso documentary occurred because of an unbalanced narrative framing, so the public needs to respond to this case objectively based on legal facts that had been examined in court. Sandhy also provided steps that the public should take to avoid confusion or misperception, namely⁴⁵:

1. Understand that a documentary is not a legal fact, but only a media product that may have a certain agenda.
2. Refer to legally binding legal facts, because all evidence has been examined at several levels of court.
3. Do not be easily provoked by media or social media opinions, by always checking information from credible sources.
4. Respect the justice system that has been running according to applicable legal procedures. However, respect does not mean that you cannot criticize the legal system. The criticism must be based on objective analysis, legal evidence, not on media narratives.
5. Educate yourself on the criminal justice system by increasing legal literacy so you can assess a case more objectively.
- 6.

Do you think the screening of the documentary film Ice Cold: Murder, Coffee, and Jessica Wongso impacted Jessica Wongso's sentence?
50 answers

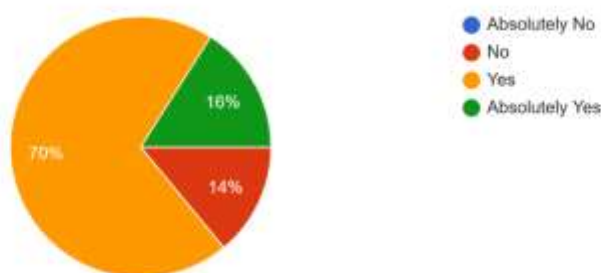


Figure 4. Opinion Score Diagram Regarding the Broadcast of Documentary Films Having Legal Impacts on Jessica Wongso

There is a very significant difference in respondents who thought between those who strongly agree and fairly agree with those who disagree, that the documentary had an impact on the justice for Jessica Wongso. It can be concluded that the majority or more dominant respondents who strongly agree or agree that after the documentary aired, the justice for Jessica Wongso was impacted.

⁴² Writing Team, Faculty of Psychology UI, *Psikologi Sosial – Edisi 2* (Jakarta Selatan: Salemba Humanika, 2018), p. 129.

⁴³ Ibid., p. 148.

⁴⁴ Mira Sendangsari, 19 December, 2024.

⁴⁵ Sandhy Handika, 6 February, 2025.

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Do you think the documentary film Ice Cold: Murder, Coffee, and Jessica Wongso is one of the reasons Jessica submitted a third judicial review?

50 answers

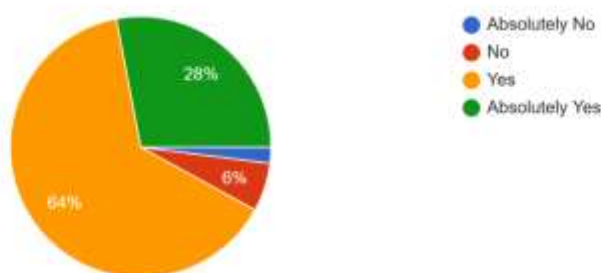


Figure 5. Opinion Score Diagram Regarding the Broadcast of the Documentary Having Legal Impacts on Jessica Wongso

There is a major difference in respondents between those who strongly agree and fairly agree with those who disagree and strongly disagree that the documentary film was one of the reasons for Jessica Wongso filed a third judicial review application. It can be concluded that the majority or more dominant respondents strongly agreed or agreed that the documentary film was one of the reasons for Jessica Wongso in filing a third judicial review application.

In the third judicial review hearing filed by Jessica Wongso on October 29, 2024 at the Central Jakarta District Court, Prosecutor Sandhy Handika stated that Jessica Wongso took advantage of the momentum of the Ice Cold: Murder, Coffee, and Jessica Wongso documentary which ironically managed to deceive most of the Indonesian people with a false narrative wrapped in an international nuance as if to attract sympathy and influence public sympathy. He continued by explaining that the facts in the *a quo* case had been examined and clearly proven at various levels of justice, and different experts from diverse disciplines had also been presented to share their insights and analysis, which would be used in the cyanide coffee case⁴⁶.

Sandhy said that, formally, the documentary could not be used as a valid reason or legal basis in filing a judicial review, but this documentary was likely to have an indirect influence on the third judicial review that was filed. This analysis was based on several oddities that appeared to be legal strategies related to why the judicial review was filed after receiving parole, because if there is new evidence (*novum*), the judicial review should have been filed before receiving parole⁴⁷.

Otto Hasibuan said the third judicial review was submitted due to the discovery of new evidence (*novum*) contained in a flash drive, containing CCTV footage at Olivier Café, as well as the judicial errors in handling the cyanide coffee case.⁴⁸ The *novum* refers to a broadcast copy of a podcast recording featuring Edi Darmawan Salihin, in which he claimed to possess CCTV footage showing Jessica pouring poison into Mirna's coffee. He also stated that this footage was never presented in the 2016 trial, as it could have led to Jessica receiving the death penalty. Jessica's legal team suspects that the CCTV footage evidence presented in the 2016 trial was manipulated, a suspicion reinforced by Edi Darmawan Salihin's statements in the podcast⁴⁹.

In contrast to the opinion of Prosecutor Sandhy Handika. Mira Sendangsari responded that, in her view, the documentary Ice Cold: Murder, Coffee, and Jessica Wongso was not the background or reason behind Jessica's decision to file a third legal judicial review after receiving parole. Rather, the third judicial review was submitted because both Jessica and her legal team believed that she did not commit the crime she was accused of. The belief is supported by the fact that Jessica rejected the offer of clemency and remained firm in her stance, stating that it would be better to die in prison than to have to admit what she had never done to obtain clemency⁵⁰.

In Aristotle's theory of justice, justice should not be equated with uniformity, as justice does not mean that everyone must receive the same share.⁵¹ When examining the case of Jessica Wongso's cyanide coffee through the lens of Aristotle's theory of distributive justice, which views justice in relation to one's contribution. In this case, it can be argued that if Jessica were proven legally and

⁴⁶ Mulia Budi, "Jaksa Sebut Jessica Wongso Manfaatkan Film Dokumenter untuk Tarik Simpati," *detikNews*, October 29, 2024.

⁴⁷ Sandhy Handika, 6 February, 2025.

⁴⁸ Haura Hamidah, "Jessica Wongso Mengajukan PK: Deretan Alasan yang Disampaikan Pengacaranya," *Tempo*, October 11, 2024.

⁴⁹ Herninda Febiola, "Sidang PK Jessica Wongso Digelar dengan Agenda Sumpah Penemu Novum Baru," *tvOneNews*, uploaded on October 29, 2024, YouTube video, 4:17.

⁵⁰ Mira Sendangsari, 19 December, 2024.

⁵¹ Muhammad Taufiq, *Keadilan Substansial Memangkas Rantai Birokrasi Hukum*, (Yogyakarta: Pustaka Pelajar, 2014), p. 15.

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convincingly guilty of premeditated murder through the fulfillment of the legal elements and based on the submitted evidence that led to the death of Mirna, then she should indeed be held accountable under the applicable law. However, in this case, it is known that there were no eyewitnesses who saw that Jessica was the one who mixed sodium cyanide into Mirna's Vietnamese iced coffee. Therefore, it is necessary to reconsider the length or severity of the sentence imposed by the Panel of Judges on Jessica. If the case is analyzed using Aristotle's theory of commutative justice, which does not view justice from the individual contribution, then Jessica should have the right to undergo legal proceedings in the same manner as any other defendant in a similar case, regardless of other factors.

Justice, according to Hans Kelsen's Pure Theory of Law, is a social order that regulates reciprocal relations between individuals. This order can be realized, but is not necessarily always achieved. Justice becomes a norm for humans when their behavior aligns with the social rules deemed fair, specifically when the rules are capable of satisfying all parties involved. The pursuit of such satisfaction typically centers on the majority's perspective, as it is considered representative of the collective sense of justice⁵². In relation to the case of Jessica Wongso's cyanide coffee, if the judges' verdict was influenced by prevailing public opinion at that time, despite the controversies surrounding the evidence, then Kelsen's concept of justice has been fulfilled.

IV. CONCLUSIONS

The judges' considerations that became the basis for the sentence against Jessica Wongso were based on evidence, elements of the article, aggravating and mitigating factors that had been proven in the trial, and by using reasoning or logic and the conscience of the Panel of Judges. The Panel of Judges considered that the evidence submitted was sufficient to prove the elements of Article 340 of the Criminal Code charged in the case of Jessica Wongso's cyanide coffee. Although there was controversy and differences of opinion about the validity of the evidence, this did not reduce the Panel of Judges' confidence in passing a sentence against Jessica Wongso.

The documentary film *Ice Cold: Murder, Coffee, and Jessica Wongso* indirectly had a legal impact on the filing of the third judicial review by Jessica. As it was submitted after the release of the documentary, it attracted attention and sympathy from the public. A judicial review is a legal effort that can cause a legal impact in the form of the emergence, change, or disappearance of a legal situation, legal relationship, sanctions, or emergency events.

Thus, the results of the survey conducted by researchers showed that there was an impact, change, and difference in the public trust in the case of Jessica Wongso's cyanide coffee and on the judges' decision that was delivered. This proved that the documentary has influenced public perception of justice for Jessica Wongso.

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