

**Penegakan Hukum Tindak Pidana Penghinaan Menurut Pasal 27 ayat (3) UU
No. 19 tahun 2016 Tentang Perubahan UU No. 11 Tahun 2008 Tentang
Informasi Dan Transaksi Elektronik Di POLDA Sumut (Pasca Penerapan Surat
Edaran KAPOLRI Nomor: SE/2/11/2021)**

**Rilis Noviyanti Siregar, Daniel Pasko Tinambunan
183309010028, 183309010047**

ABSTRAK

Permasalahan penelitian ini yaitu bagaimana aturan hukum tentang tindak pidana pencemaran nama baik menurut peraturan dan undang-undang di Indonesia, bagaimana penegakan hukum terhadap tindak pidana penghinaan menurut Pasal 27 Ayat (3) UU No. 19 Tahun 2016 tentang Perubahan Atas UU Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik Pada POLDA Sumut (Setelah Berlakunya Surat Edaran KAPOLRI Nomor: SE/2/11/2021). Penelitian ini bertujuan mengetahui penegakan hukum terhadap tindak pidana pencemaran nama baik di wilayah hukum Cyber Ditreskrimsus Polda Sumatera Utara, upaya kepolisian dalam penegakan hukum pidana pencemaran nama baik/penghinaan. Data penelitian diambil melalui studi kepustakaan, dimana menggunakan bahan hukum yang relevan sebagai bahan penelitian. Berdasarkan hasil penelitian diketahui penerapan pidana terhadap pelaku tindak pidana penghinaan atau pencemaran nama baik telah melanggar Pasal 27 ayat 3 jo Pasal 45 ayat 1 Undang-Undang Republik Indonesia No. 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik yang dijatuhi hukuman penjara satu tahun dua bulan (14 bulan) dan denda lima juta rupiah subsidi satu bulan kurungan.

Kata Kunci: Penegakan Hukum, Tindak Pidana, Pencemaran Nama Baik, ITE

ABSTRACT

The problem of this research is how the legal rules regarding criminal acts of defamation according to the laws and regulations in Indonesia, how the law enforcement against criminal acts of defamation based on Article 27 Paragraph (3) of Law no. 19 of 2016 concerning Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions at the POLDA of North Sumatra (After the Enforcement of Circular Letter of KAPOLRI Number: SE/2/11/2021). The aim of this research was to determine law enforcement against criminal acts of defamation in the jurisdiction of the Cyber Ditreskrimsus Polda North Sumatra, to determine the police's efforts to enforce the criminal law of defamation/insult. The procedure for collecting and collecting data that will be used in this research is a literature study, which uses relevant legal materials in collecting materials that will be used in research. Based on research conducted by researchers that the application of criminal acts against perpetrator of criminal acts of humiliation or defamation has violated Article 27 paragraph 3 in conjunction with Article 45 paragraph 1 of the Republic of Indonesia Law no. 11 of 2008 concerning Information and Electronic Transactions which was sentenced to 1 year 2 instead of (14 months) in prison and a fine of Rp 5 million subsidiary 1 month in prison.

Keywords: *Crime, Defamation, ITE*