

**INTEGRAL POLICY (PENAL AND NON-PENAL EFFORTS) IN  
PREVENTION HOAXING BY POLICE OF THE REPUBLIC OF  
INDONESIA**

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**ABSTRACT**

Based to Article 28 of Law Number 19 of 2016 on amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions, it is stated that anyone who intentionally and without the right to spread false and misleading news that results in consumer harm in Electronic Transactions can be sentenced criminal. Data obtained from mid 2017 to December 2018, there were 3,884 hoaxes and hate speech content spread on social media and conducted by 2,533 anonymous accounts. The problems of this research are: (1) How is the criminal effort carried out by the Indonesian National Police in the West Sumatra Region towards spreading hoaxes? (2) What is the non-penal effort carried out by the Indonesian National Police in the West Sumatra Region to spread hoaxes? (3) How effective is the application of law to the spread of hoaxes in the society of West Sumatra? This study used a socio-legal approach. The data used include primary data and secondary data. Primary data were obtained through interviews and questionnaires, while secondary data were obtained through document studies. The collected data was analyzed qualitatively. From this study it can be concluded that: (1) The penal effort carried out by the West Sumatra Regional Police is collecting evidence to be examined by the digital forensic department and the experts then proceed with the summons of the complainant and the reported to obtain information. The Republic of Indonesia National Police collaborates with the Ministry of Communication and Information (Kemkominfo) of the Republic of Indonesia, digital forensics, and experts including linguists, Information Technology (IT) experts and criminal law experts. (2) For non-penal efforts, Division V Cyber Police of the West Sumatra Region has carried out activities in the form of counseling to the community, direct social campaigns and using social media as well as conducting information clarification efforts to provide education and information to the general public regarding the dissemination of hoaxes. (3) Regulations and Laws on hoaxes made by the Indonesian government have been effectively applied in social life. The law that functions as a means of social control has managed to control social life.

**Keywords: Hoaxes, Penal, Policy, Prevention**

**KEBIJAKAN INTEGRAL (UPAYA PENAL DAN NON-PENAL) DALAM  
PENANGGULANGAN BERITA BOHONG (*HOAX*) OLEH  
KEPOLISIAN REPUBLIK INDONESIA**

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**ABSTRAK**

Berdasarkan Pasal 28 Undang-Undang Nomor 19 Tahun 2016 atas perubahan Undang-Undang Nomor 11 tahun 2008 Tentang Informasi dan Transaksi Elektronik menyebutkan bahwa setiap orang yang dengan sengaja dan tanpa hak dalam menyebarkan berita bohong dan menyesatkan yang mengakibatkan kerugian konsumen dalam Transaksi Elektronik dapat dijatuhi hukuman pidana. Data yang diperoleh sejak pertengahan 2017 hingga Desember 2018, terdapat 3.884 konten berita bohong (*hoax*) dan ujaran kebencian tersebar di media sosial dan dilakukan oleh sebanyak 2.533 akun anonim. Permasalahan penelitian ini adalah: (1) Bagaimanakah upaya penal yang dilakukan oleh Kepolisian Republik Indonesia di Daerah Sumatera Barat terhadap penyebaran berita bohong (*hoax*)? (2) Bagaimanakah upaya non-penal yang dilakukan oleh Kepolisian Republik Indonesia di Daerah Sumatera Barat terhadap penyebaran berita bohong (*hoax*)? (3) Bagaimanakah efektifitas penerapan hukum terhadap penyebaran berita bohong (*hoax*) di tengah masyarakat Sumatera Barat? Penelitian ini menggunakan pendekatan yuridis sosiologis. Data yang digunakan meliputi data primer dan data sekunder. Data primer diperoleh melalui wawancara dan kuesioner, sedangkan data sekunder diperoleh melalui studi dokumen. Data yang terkumpul dianalisis secara kualitatif. Dari penelitian ini dapat disimpulkan bahwa: (1) Upaya penal yang dilakukan oleh Kepolisian Daerah Sumatera Barat adalah mengumpulkan barang-barang bukti untuk diperiksa oleh bagian digital forensik dan para ahli kemudian dilanjutkan dengan pemanggilan pihak pelapor dan terlapor guna memperoleh keterangan. Kepolisian Republik Indonesia bekerjasama dengan Kementerian Komunikasi dan Informatika (Kemkominfo) Republik Indonesia, digital forensik, dan para ahli meliputi ahli bahasa, ahli Informasi Teknologi (IT) dan ahli hukum pidana. (2) Untuk upaya non-penal Divisi V *Cyber* Kepolisian Daerah Sumatera Barat sudah melakukan kegiatan berupa penyuluhan kepada masyarakat, kampanye sosial secara langsung dan menggunakan sosial media serta melakukan upaya klarifikasi informasi guna memberikan edukasi dan informasi kepada masyarakat luas mengenai penyebaran berita bohong (*hoax*). (3) Peraturan dan Undang-Undang tentang berita bohong (*hoax*) yang dibuat oleh pemerintah Indonesia telah efektif diterapkan dalam kehidupan bermasyarakat. Hukum yang berfungsi sebagai alat kontrol sosial sudah berhasil mengontrol kehidupan bermasyarakat.

**Kata Kunci : Berita Bohong, Penal, Kebijakan, Pencegahan**