

# Handling Case By Investigator To Action Criminal Speech Hatred

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*The purpose of this research is to identify and explain the enforcement of law against hate speech crimes and to determine the factors influencing hate speech. This study employs an empirical legal research method, which examines various aspects in data collection related to hate speech crimes. The findings of this research indicate that the examination process for perpetrators at the police department differs from other cases. The results show that law enforcement against hate speech crimes at the Makassar City Police Resort is carried out through several stages: report reception, investigation, statement collection, evidence gathering, and suspect determination. Investigators must adhere to applicable legal procedures and regulations. The investigators of the Makassar City Police Resort take preventive measures against hate speech crimes through legal education campaigns, social media monitoring, community cooperation, and reporting services. These actions are conducted based on Law No. 11 of 2008 concerning Information and Electronic Transactions (ITE Law).*

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## INTRODUCTION

Progress technology information has make it easier life man in various aspects , including interaction and fulfillment need everyday . [1] However , besides impact positive , technology also facilitates crime with the mode increasingly sophisticated and difficult controlled . According to Worldometers , on July 28, 2023, the world population will reach 8.05 billion soul , with Indonesia occupying ranked 4th most , namely 277.7 million soul . One of act frequent crimes happened in the middle public with utilise or abuse technology information is utterance hatred through social media . [2] Social media has become the main arena for distribution utterance hatred in Indonesia, where messages hatred with fast spread to various layer society . Hate spread quickly in society , often spread through technology information For interest personal , such as create hostility based on SARA or reduce electability somebody . There are also those who spread it hatred in a way emotional without profit certain , but still violate honor individual or groups . Society is now very dependent on technology , which is increasingly increase opportunity its misuse . [3] Social Media is an online media whose users with easy Can participate , share and create a content . Social Media usually used by people for interact between user One with user others and also for look for information around current news warm discussed . Examples of social media that are widely used are Instagram, YouTube, Facebook, Twitter, WhatsApp, and others . [ 4] Basically development technology always accompanied by a myriad of benefits and harms , which ones will become knife double- edged sword for life in society . In terms of benefit from development of the times , namely social media Where can make it easier in access various type news or knowledge , even capable connect somebody only through social media , while one of them side harm his is problem act criminal utterance hatred . [5]

Action criminal utterance hatred is crime cyber or cyber crime is form act crime that exploits technology computer , network computer , internet or device other digital as tool , target , place or its users . [5] According to Widodo cyber crime is every activity a person , group of people, legal entity that uses computer as means do crime , or make computer as target crime . All crime the is forms contrary act with regulation legislation , both in the sense of fighting law both materially and

oppose law formally . [6] Cyber crime is one of type act regulated criminal law in Constitution Number 11 of 2008 and Later Amended into Law Number 19 of 2016 Concerning Information Electronic Transactions (ITE Law). Where is the Law ? This is law positive Indonesia that regulates about overall Information Transactions and Electronics. In addition to being regulated in law positive Indonesia Action Criminal Cyber crime is also regulated in the Al-Quran, specifically in Surah Al- Hujurat. verse 6. Allah says : Translation : “ O you who believe , if a wicked come to you bring news important , then be careful the truth so that you No harm a race Because your ignorance which results in You regret your actions that ” (QS. Al- Hujurat : 6) Based on background the back that has been outlined above , then writer feel interested researching to case act criminal to cyber crime in connection utterance hatred is a important thing in enforcement law and writers interested For do research and review more in .

## METHOD

Type research used in study This is study empirical . [7] Study This aiming For collect and analyze the data obtained through observation direct or experiment use understand and test related phenomena with title research . Research is a systematic process carried out For to obtain knowledge new , understanding , and insight about a Topic or problem certain . Research carried out in various field science , including knowledge law . Research law empirical often conceptualized as method For review scope public For observe How facts that occur in the field or in society , so that researcher can make it easier For get data in the field in accordance with hope in research . [8] Research methods is technique or procedures used For collect and analyze related data with a number of question or hypothesis research . Research This focus on enforcement law to act criminal utterance hatred in the city Makassar ( study) case at city police station Makassar .

## DISCUSSION

### Law Enforcement Against Action Criminal Speech Hatred by Investigators at Makassar City Police Resort

Based on results interview with one of them Makassar City Police Resort , namely English: say that If discussing about enforcement law so everything same , if from Friend Friend investigator That when discussing the name utterance hatred That still universal and that set up in law Law No. 1 of 2024 concerning change second on law Law No. 16 of 2008 concerning law law information and transactions electronics . [8]

Regulation and enforcement law to utterance hate in cyberspace requires deep understanding about digital dynamics and behavior internet users , social media plays role big in distribution utterance hatred . [9] This platform often become a medium through which statements can be categorized as utterance hatred appear with fast and wide . Based on information and examples the given case English: say that : “ Social media own advantages and disadvantages . Example accepted cases moment picket , a deaf report together translator Language signal . The victim had dating with the man ( X ) who is without to the best of his knowledge record scene sexual They were in a hotel. Over time , the victim got married. with other men of the same kind deaf . [10] Feel Sick heart , X spread the video via social media and messages personal to Friend as well as victim's family . The final video spread on Facebook and seen the victim's family and her husband . Not accepting it , the victim reported case This as act criminal law .” Based on results research and data collection from Makassar City Police , author get information about incident act criminal utterance hatred in Makassar City in period 2022-2024 time , as stated in table of report data provided by the party Makassar City Police noted :

Table 1. Crime Case Data Criminal Speech Hatred

No	YEAR	NUMBER OF CASES	LOCATION
1	2022	1	MAKASSAR CITY RESORT POLICE
2	2023	4	
3	2024	3	
AMOUNT		8	

Source data: Makassar Harbor Police Harda Unit

Based on Table I case data action criminal utterance hatred in space scope Makassar Harbor Police . In 2022 there was 1 case action utterance hatred , 2023 happened increase amount case as many as 4 cases action utterance hatred and in 2024 experienced decline with 3 cases action utterance hatred , so the grand total amount case utterance hatred that entered the Makassar Harbor Police from 2022-2024 as many as 8 cases . Then Ardiansyah Harda Unit also added that : So that's it all mechanism enforcement the law is present in police precisely to the investigator . According to analysis author , alleged act criminal utterance hatred in Makassar City Police Resort following clear and structured mechanism . This process started with stage interrogation in accordance with Standard Operational Procedures (SOP) that have been set . Interrogation This is step beginning in purposeful investigation For gather information from the victim or witness use delve deeper case more continued . SOP implemented ensure that every step in legal process run with consistent and appropriate rules , so that can produce Handling fair and effective case . Mechanism This reflect effort police For apply transparent and professional procedures in to overcome act criminal utterance hatred .

## Prevention Efforts To Action Criminal Speech Hatred in Makassar City Police Department

Based on results interview with one of them Makassar City Police Resort , namely Andi Wahdin, explained that : "Efforts that can be made done is with stage socialization to society , where socialization This through Bhabinkamtibmas who invited structural village / sub-district For give understanding related life harmonious neighbors . Besides that can also conducted an approach through education , namely education school elementary school intermediate first and school intermediate above . This step will press act criminal utterance hatred that occurs in society , because habit good that started since the time of education will bring habit Good until with adults ". [11]

According to analysis writer , effort prevention act criminal utterance hatred can done with socialization active to public through Bhabinkamtibmas who works The same with structural village / sub-district . Socialization This aiming For build understanding about importance life harmonious and harmonious in the environment around . In addition , the approach education in schools , from level base until intermediate , playing role crucial in to plant values tolerance and mutual honor since early . With get used to habit positive since the education period , it is expected individual will bring values the until adults , who can reduce potential the occurrence act criminal utterance hatred in society . [12] Approach This reflect proactive strategy that prioritizes prevention through education and awareness community . [13]

Based on results interview Ardiansyah , added that : " there is Lots effort prevention that can done from party the police , one of them , efforts socialization to public about How use good social media , of course still put forward the name ethics in social media. Because so far This Allegation act criminal utterance hatred so big done in social media , for example in elections Where utterance hatred to candidate the president is very much scattered on Facebook , Instagram and even on WhatsApp. This is one of the reason Why I provide suggestions for efforts prevention through socialization good use of social media " . [14]

According to analysis writer , socialization good use of social media is a very relevant prevention strategy in face problem utterance hatred . With a comprehensive and diverse approach , efforts This can help reduce frequency and impact utterance hatred , and increase awareness will digital ethics in society . Effective implementation need cooperation between police , social media platforms , and society That himself . Investigator Makassar City Police Resort carried out effort prevention act criminal utterance hatred via : [15]

#### Education and prevention

Socialization law and impact utterance hatred . Socialization This aiming For prevent or cut root from existence utterance hatred this , on socialization This will done giving understanding that What the impact caused from existence utterance hatred the .

Cooperation with communities and organizations society . This is aims to prevent utterance hatred can organized and distributed to public through Work The same with Community and Community Organizations . Making posters and banners appeal . The purpose of having posters and banners appeal make prevention utterance very very hateful evenly , things This Can carried out by the police who work The same with device village like village head / chief village , RW and RT.

#### Supervision and Enforcement

Social media and website monitoring . Social media and websites are becoming nest utterance very vulnerable hatred happening among society , not only that social media also becomes very fast access For get information happen his utterance hatred . This is what can made into points addition For do prevention more early so as not to cause utterance prolonged hatred .

Enforcement to perpetrators . Action This is very possible effort maximized in other words giving effect deterrent to the perpetrator so that he can become lesson important to people who want to do act criminal utterance hatred This .

Investigation fast . Points This become important and tiring Because points This become fast responsive where must maximize power police in a way significant in investigate case utterance hatred the .

#### Service

Service online and offline reporting . Services This aiming For give flexible container Possible to the community that gets action utterance hatred good in life socialize and on social media

Help law for the victims. Here to show that the government and police are very supportive existence help law for the victim, so that the victim gets justice in a way open .

## CONCLUSION

Enforcement law to act criminal utterance hatred in Makassar City Police Resort was carried out through stages reception report , investigation , retrieval information , collection evidence , and determination suspect , before file case sent to the Public Prosecutor (JPU) for further processing continue . The legal basis referring to Law No. 11 of 2008 concerning ITE and Criminal Code Articles 156, 157, and 319. In addition to taking action , the police also carry out effort prevention through socialization law , social media monitoring , work The same with community , as well as service reporting . They also do investigation fast , take action perpetrators , and provide help law for victims use ensure protection maximum law . Prevention utterance hatred can done through education and improvement awareness public with teach digital ethics , responsibility answer online, and understanding law since early . Education about rights and obligations in cyberspace

can help public understand impact Serious from utterance hatred . In addition , enforcement firm and consistent laws are essential in handle act criminal this . The state must ensure implementation effective laws , fair investigations , and giving appropriate sanctions for perpetrators . Strengthening capacity apparatus enforcer law and training special about crime Cyber is also needed so that digital space becomes more safe and inclusive for all user .

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