

**IMPLEMENTASI PASAL 91 AYAT (2) UNDANG-UNDANG NOMOR 35
TAHUN 2009 TENTANG NARKOTIKA TERKAIT PEMUSNAHAN
BARANG SITAAN NARKOTIKA DI KEJAKSAAN NEGERI BULELENG**

**Oleh
Ketut Agus Oktariawan
Program Studi Ilmu Hukum**

ABSTRAK

Penelitian ini bertujuan untuk (1) mengetahui dan menjelaskan terkait implementasi Pasal 91 ayat (2) Undang-Undang Nomor 35 Tahun 2009 Tentang Narkotika terkait pemusnahan barang sitaan narkotika di Kejaksaan Negeri Buleleng, serta (2) mengetahui dan menjelaskan mengenai hambatan yang dihadapi oleh Kejaksaan Negeri Buleleng dalam melaksanakan pemusnahan barang sitaan narkotika. Jenis penelitian yang digunakan adalah penelitian hukum empiris, dengan sifat penelitian deskriptif. Lokasi penelitian dilaksanakan di Kabupaten Buleleng tepatnya di Kejaksaan Negeri Buleleng. Teknik pengumpulan data yang digunakan adalah dengan studi dokumen, observasi, dan wawancara. Teknik penentuan sampel yang digunakan adalah teknik *Non Probability Sampling* dan penentuan subjeknya menggunakan teknik *Purposive Sampling*. Teknik pengolahan dan analisis data secara kualitatif. Hasil penelitian menunjukkan bahwa (1) Implementasi Pasal 91 ayat (2) Undang-Undang Narkotika di Kejaksaan sudah berjalan sesuai dengan aturan. Pasal tersebut menjadi kewenangan penyidik untuk melaksanakan pemusnahan setelah adanya penetapan dari Kepala Kejaksaan Negeri Buleleng. Namun dalam pelaksanaan pemusnahan barang sitaan narkotika di Kejaksaan Negeri Buleleng dilakukan secara periodik atau 3 (tiga) bulan sekali sebagai upaya efektivitas dan efisiensi kerja. (2) Adapun hambatan dalam pelaksanaan pemusnahan barang sitaan narkotika di Kejaksaan Negeri Buleleng, yaitu minimnya anggaran biaya terkait pelaksanaan pemusnahan barang sitaan narkotika, efisiensi administrasi dan undangan bagi instansi lain dalam acara seremonial pemusnahan barang sitaan narkotika, dan waktu yang diberikan untuk melaksanakan pemusnahan yang sangat singkat.

Kata Kunci : Pemusnahan, Narkotika, Kejaksaan Negeri Buleleng

**IMPLEMENTATION OF ARTICLE 91 PARAGRAPH (2) OF LAW NUMBER
35 OF 2009 CONCERNING NARCOTICS RELATED TO THE
DESTRUCTION OF NARCOTICS CONFISCATED GOODS AT THE
BULELENG DISTRICT ATTORNEY'S OFFICE**

By
Ketut Agus Oktariawan
Law Study Program

ABSTRACT

This study aims to (1) find out and explain related to the implementation of Article 91 paragraph (2) of Law Number 35 of 2009 concerning Narcotics related to the destruction of narcotics confiscated goods at the Buleleng District Attorney's Office, as well as (2) know and explain about the obstacles faced by the Buleleng District Attorney's Office in carrying out the destruction of narcotics confiscated goods. . The type of research used is empirical legal research, with the nature of descriptive research. The location of the study was carried out in Buleleng Regency, precisely at the Buleleng District Attorney's Office. The data collection techniques used are document studies, observations, and interviews. The sample determination technique used is the Non Probability Sampling technique and the determination of the subject uses the Purposive Sampling technique. Data processing and analysis techniques qualitatively. The results showed that (1) The implementation of Article 91 paragraph (2) of the Narcotics Law in the Prosecutor's Office has proceeded in accordance with the rules. This article became the investigator's authority to carry out the destruction after a determination from the Head of the Buleleng District Attorney's Office. However, in the implementation of the destruction of narcotics confiscated goods at the Buleleng District Attorney's Office, it is carried out periodically or once every 3 (three) months as an effort to work effectiveness and efficiency. (2) The obstacles in the implementation of the destruction of narcotics confiscated goods at the Buleleng District Attorney's Office, namely the lack of budget costs related to the implementation of the destruction of narcotics confiscated goods, administrative efficiency and invitations for other agencies in ceremonial events for the destruction of narcotics confiscated goods, and the time given to carry out the destruction of the very short.

Keywords : *Destruction, Narcotics, Buleleng District Attorney's Office*