

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

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ABSTRAK

Penelitian ini bertujuan untuk (1) menganalisis dan menjelaskan implementasi Pasal 91 ayat (2) Undang-Undang Narkotika terkait pelaksanaan pemusnahan barang sitaan narkotika di Kejaksaan Negeri Denpasar; serta (2) mengidentifikasi dan menjelaskan berbagai hambatan yang dihadapi oleh Kejaksaan Negeri Denpasar dalam pelaksanaan pemusnahan barang sitaan narkotika. Penelitian ini menggunakan metode penelitian hukum empiris dengan sifat penelitian deskriptif. Lokasi penelitian berada di Kota Denpasar, khususnya pada Kejaksaan Negeri Denpasar. Data penelitian dikumpulkan melalui studi dokumen, observasi, dan wawancara. Penentuan sampel dilakukan dengan teknik Non-Probability Sampling, sedangkan penetapan subjek penelitian menggunakan teknik Purposive Sampling. Data yang diperoleh kemudian diolah dan dianalisis secara kualitatif.

Hasil penelitian menunjukkan bahwa: (1) implementasi Pasal 91 ayat (2) Undang-Undang Narkotika di Kejaksaan Negeri Denpasar pada dasarnya telah dilaksanakan sesuai dengan ketentuan yang berlaku, namun pelaksanaannya belum optimal karena masih terdapat salah satu indikator efektivitas yang belum terpenuhi dalam menilai keberhasilan implementasi ketentuan tersebut. (2) Dalam pelaksanaan pemusnahan barang sitaan narkotika, Kejaksaan Negeri Denpasar masih menghadapi sejumlah kendala, antara lain keterbatasan anggaran, kurang memadainya sarana dan prasarana berupa mobil cerobong asap, serta terbatasnya waktu yang diberikan untuk melaksanakan pemusnahan. Akibat adanya hambatan tersebut, kegiatan pemusnahan barang sitaan narkotika di Kejaksaan Negeri Denpasar dilaksanakan sebanyak dua kali dalam satu tahun.

Kata Kunci : Pemusnahan, Narkotika, Kejaksaan Negeri Denpasar

**IMPLEMENTATION OF ARTICLE 91 PARAGRAPH (2) OF LAW
NUMBER 35 OF 2009 CONCERNING NARCOTICS RELATED TO THE
EXECUTION OF THE DESTRUCTION OF SEIZED NARCOTICS AT
THE DENPASAR STATE PROSECUTOR'S OFFICE**

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ABSTRACT

This study aims to (1) analyze and explain the implementation of Article 91 paragraph (2) of the Narcotics Law concerning the destruction of confiscated narcotics evidence at the Denpasar District Attorney's Office; and (2) identify and explain the various obstacles faced by the Denpasar District Attorney's Office in carrying out the destruction of confiscated narcotics evidence. This study employs an empirical legal research method with a descriptive research approach. The research was conducted in Denpasar City, specifically at the Denpasar District Attorney's Office. Data were collected through document studies, observations, and interviews. The sampling technique used was Non-Probability Sampling, while the research subjects were determined using Purposive Sampling. The collected data were then processed and analyzed qualitatively.

The results of the research obtained are (1) The implementation of Article 91 paragraph (2) of the Narcotics Law at the Denpasar District Attorney's Office has been running in accordance with the applicable regulations, but has not been maximal because one of the indicators used to assess the effectiveness of the implementation of Article 91 paragraph (2) of the Narcotics Law at the Denpasar District Attorney's Office has not been fulfilled. (2) There are obstacles in the implementation of the destruction of seized narcotics evidence at the Denpasar District Attorney's Office, namely inadequate budget and facilities, namely the lack of incinerator vehicles, as well as the short time given to carry out the destruction. Thus, the destruction of seized narcotics evidence at the Denpasar District Attorney's Office is carried out twice a year.

Keywords: *Destruction, Narcotics, Denpasar State Prosecutor's Office*