

Criminal Law Enforcement to Combat Social Media-Based Prostitution

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Abstract : *In Indonesia, social media's pervasive influence has led to the emergence of online prostitution, presenting complex challenges for law enforcement and criminal justice. Unlike traditional forms, online prostitution operates discreetly on digital platforms, complicating regulation and enforcement efforts. The research in this article uses normative legal research methods. This research examines the socio-cultural, legal, and technological dimensions of this phenomenon, assessing the adequacy of existing legal frameworks and the efficacy of cyberpatrol units in addressing it. Insights aim to inform policy and law enforcement strategies to combat social media-based online prostitution effectively. The result of this research is the intersection of online prostitution and social media platforms presents a complex interplay between technology, commerce, and societal norms within digital environments. Leveraging the communicative potential of social media, individuals discreetly engage in commercial sex work, navigating a dynamic ecosystem that transcends geographical boundaries to create a global marketplace for commercial sexual services. Multimedia elements and specialized terminology tailored to the online sex industry augment the visibility of commercial sexual offerings and facilitate transactional negotiations. However, regulatory frameworks have not effectively addressed the challenges posed by online prostitution, creating a legal vacuum that hinders comprehensive law enforcement. This underscores the critical role of law enforcement agencies, such as the Cyber Police, in combating illicit activities in the digital sphere. By adopting a proactive and data-driven approach informed by social media analytics, law enforcement agencies can optimize their surveillance and intervention strategies to effectively combat online prostitution, safeguard vulnerable individuals, and uphold the integrity of digital platforms. Through continuous collaboration, capacity building, and innovative strategies, law enforcement agencies can mitigate the proliferation of cyber threats and ensure the safety and security of digital communities.*

Keywords : *Cyber Patrol, Commercial Sex Workers, Law Enforcement*

Abstrak : Di Indonesia, pengaruh media sosial yang meluas telah menyebabkan munculnya prostitusi online, yang menghadirkan tantangan yang kompleks bagi penegakan hukum dan peradilan pidana. Tidak seperti bentuk tradisional, prostitusi online beroperasi secara diam-diam di platform digital, sehingga menyulitkan upaya regulasi dan penegakan hukum. Penelitian dalam artikel ini menggunakan metode penelitian hukum normatif. Penelitian ini mengkaji dimensi sosial-budaya, hukum, dan teknologi dari fenomena ini, menilai kecukupan kerangka hukum yang ada dan keefektifan unit-unit patroli siber dalam mengatasinya. Wawasan ini bertujuan untuk menginformasikan kebijakan dan strategi penegakan hukum untuk memerangi prostitusi online berbasis media sosial secara efektif. Hasil dari penelitian ini adalah persinggungan antara prostitusi online dan platform media



sosial menghadirkan interaksi yang kompleks antara teknologi, perdagangan, dan norma-norma masyarakat dalam lingkungan digital. Dengan memanfaatkan potensi komunikatif media sosial, individu secara diam-diam terlibat dalam pekerjaan seks komersial, menavigasi ekosistem dinamis yang melampaui batas-batas geografis untuk menciptakan pasar global untuk layanan seksual komersial. Elemen multimedia dan terminologi khusus yang disesuaikan dengan industri seks online meningkatkan visibilitas penawaran seksual komersial dan memfasilitasi negosiasi transaksional. Namun, kerangka kerja peraturan belum secara efektif mengatasi tantangan yang ditimbulkan oleh prostitusi online, menciptakan kekosongan hukum yang menghambat penegakan hukum yang komprehensif. Hal ini menggarisbawahi peran penting lembaga penegak hukum, seperti Polisi Siber, dalam memerangi aktivitas terlarang di ranah digital. Dengan mengadopsi pendekatan proaktif dan berbasis data yang diinformasikan oleh analisis media sosial, lembaga penegak hukum dapat mengoptimalkan strategi pengawasan dan intervensi mereka untuk secara efektif memerangi prostitusi online, melindungi individu-individu yang rentan, dan menegakkan integritas platform digital. Melalui kolaborasi berkelanjutan, peningkatan kapasitas, dan strategi inovatif, lembaga penegak hukum dapat mengurangi proliferasi ancaman siber dan memastikan keselamatan dan keamanan komunitas digital.

Kata kunci : Patroli Siber, Pekerja Seks Komersial, Penegakan Hukum

I. INTRODUCTION

In the contemporary landscape of Indonesia, the pervasive influence of social media has permeated various aspects of daily life, shaping cultural norms, communication patterns, and even economic activities.¹ While the advent of social media platforms has undoubtedly revolutionized the way individuals connect and interact, it has also introduced a myriad of challenges and complexities, particularly in the realm of law enforcement and criminal justice.² Among the emerging phenomena facilitated by social media is the proliferation of online prostitution, a practice that has transcended traditional boundaries and assumed new forms in the digital age.³

The phenomenon of online prostitution, particularly its manifestation through social media platforms, underscores the dynamic interplay between technology, societal norms, and legal frameworks.⁴ Unlike conventional forms of prostitution that are often confined to physical spaces such as brothels or red-light districts, social media-based online prostitution enables individuals to engage in commercial sex work discreetly and remotely, leveraging the anonymity and accessibility afforded by digital platforms. This paradigm shift in the landscape of prostitution poses significant challenges to existing

¹ Ambia B Boestam and Azizah Des Derivanti, "Komunikasi Digital Dan Perubahan Sosial," *JISIP: Jurnal Ilmu Sosial Dan Pendidikan* 6, no. 4 (2022): 2831.

² Muhammad Qadri, "Pengaruh Media Sosial Dalam Membangun Opini Publik," *Qaumiyah: Jurnal Hukum Tata Negara* 1, no. 1 (2020): 50.

³ Tansah Rahmatullah, "Hoax Dalam Perspektif Hukum Indonesia," *Jurnal Hukum Media Justitia Nusantara* 8, no. 2 (2018): 104.

⁴ Henny Saida Flora, "Modus Operandi Tindak Pidana Prostitusi Melalui Media Sosial Online," *Journal Justiciabelen* 2, no. 2 (2022): 122.

legal frameworks and law enforcement mechanisms, necessitating a nuanced understanding of the evolving dynamics at play.⁵

Within the context of Indonesia, a nation characterized by its diverse socio-cultural landscape and burgeoning digital economy, the issue of social media-based online prostitution has emerged as a pressing concern with far-reaching implications. The nation's rapid urbanization, coupled with the widespread adoption of internet technologies, has facilitated the proliferation of social media platforms and digital communication channels, creating new avenues for individuals to engage in illicit activities, including commercial sex work. Despite the existence of legislation that prohibits prostitution and related activities, the efficacy of these laws in addressing the nuances of online prostitution remains a subject of debate and scrutiny.

Moreover, the rapid proliferation of social media platforms, coupled with the anonymity afforded by online interactions, complicates efforts to regulate and enforce laws pertaining to commercial sex work in the digital realm.⁶ Unlike traditional forms of prostitution, which often leave tangible traces of illegal activity, such as physical locations or transaction records, social media-based online prostitution operates within virtual spaces that transcend geographical boundaries, making it inherently challenging for law enforcement agencies to identify and apprehend perpetrators.⁷ Furthermore, the fluid nature of online interactions and the use of pseudonyms or aliases by individuals involved in online prostitution further obscure their identities and activities, hindering law enforcement efforts to combat this phenomenon effectively.⁸

Against this backdrop, this study seeks to provide a comprehensive examination of the phenomenon of social media-based online prostitution in Indonesia, with a focus on the enforcement of criminal laws and the role of cyberpatrol units. By exploring the socio-cultural, legal, and technological dimensions of online prostitution, this research aims to elucidate the underlying factors driving its prevalence, assess the adequacy of existing legal frameworks in addressing this phenomenon, and evaluate the efficacy of cyberpatrol units in combating online prostitution. Furthermore, this study endeavors to offer insights and recommendations to inform policy formulation, law enforcement strategies, and broader efforts aimed at addressing the challenges posed by social media-based online prostitution in contemporary Indonesia.

II. METHODS

The research in this article uses normative legal research methods. The approach used is the legal principle approach by paying attention to the applicable laws and regulations to examine the subject matter to be studied. The data collection technique in this

⁵ Roygers Samusamu, Jhon Dirk Pasalbessy, and Sherly Adam, "Kebijakan Penanggulangan Prostitusi Online Melalui Media Sosial," *PATTIMURA Legal Journal* 2, no. 2 (2023): 115.

⁶ Nurhalisa Hehalatu, Deassy J AHehanussa, and Reimon Supusepa, "Perlindungan Hukum Terhadap Anak Korban Prostitusi Online Melalui Aplikasi Micha," *Pattimura Legal Journal* 1, no. 1 (2022): 5.

⁷ Astri Aprilianti and Sahat Maruli Tua Situmeang, "Perlindungan Hukum Korban Prostitusi Anak Melalui Media Sosial Ditinjau Dari Hukum Positif Indonesia," *Res Nulliu* 6, no. 1 (2024): 61.

⁸ Muhammad Nur Ichsan, Adi Waluyo, and Ayu Lestari, "Media Sosial Undercover (Mengungkap Praktik Prostitusi Online Pada Media Sosial Twitter)," *JIS (Jurnal Ilmu Siber)* 2, no. 3 (2023): 115.

research is carried out by searching and collecting appropriate literature to answer the problem formulation which is the object of study in this article.⁹ The research data that has been analysed will be described and narrated systematically and methodologically using sentences that are academic, clear, methodological, effective, systematic, coherent, and logical, so that it will provide convenience for analysis and discussion of the problems studied.

III. DISCUSSIONS

A. Concept on Social Media Based Prostitution Conducted by Teenager

Soerdjono Soekanto posits that the principle of the rule of law aims to reconcile the interplay of various societal values across hierarchical structures within a consistent legal framework. This framework serves as a sequential translation of fundamental values, with the goal of fostering, upholding, and safeguarding societal peace and stability.¹⁰ The governing authorities have formulated legal frameworks as authoritative systems to regulate human behavior. These regulations are binding, necessitating compliance from all individuals. In the context of cyberspace, the establishment of cyber laws is imperative for individuals engaging in online interactions. For these laws to be efficacious, they must satisfy the following criteria:¹¹

- a. Legally, the rule of law applies if the determination is based on higher-level rules or is made based on which has been established;
- b. Sociologically, the rule of law applies if the rule is effective. That is, the rule can be enforced by authorities even if it is not acknowledged by the community (theory of power) or the norms that apply for their acceptance by the community;
- c. The rule of law applies philosophically, that is, in line with the law as the greatest positive value.

Prostitution is considered a crime of "moral decency" and illegal conduct in Indonesia.¹² Prostitution is a prevalent and regulated practice that is widely acknowledged and tolerated within Indonesian society. It primarily manifests in brothels, commonly situated within designated areas known as "lokalisasi." These establishments operate under the supervision of local authorities and adhere to specific regulations. Notably, a significant portion of individuals engaged in prostitution are minors, with

⁹ Ani Purwati, *Metode Penelitian Hukum Teori Dan Praktek* (Surabaya: Jakad Media Publishing, 2020), 37.

¹⁰ Arif Zaenal Abidin, "Implementation of Online Prostitution Crime Investigation in Polres Cirebon City Jurisdictions," *Jurnal Daulat Hukum* 1, no. 3 (2018): 727.

¹¹ Adami Chazawi and Ardi Ferdian, *Tindak Pidana Informasi Dan Transaksi Elektronik* (Malang: Media Nusa Creative, 2015); Abidin, "Implementation of Online Prostitution Crime Investigation in Polres Cirebon City Jurisdictions," 727.

¹² Dwi Astuti, Asmaul Karim, and ArvitaHastarini, "Penegakan Hukum Dan Aspek Sosiologis Perdagangan Orang Terkait Prostitusi," *Lentera Pancasila: Jurnal Riset Hukum Dan Pancasila* 1, no. 1 (2022): 12.

UNICEF reporting that approximately 30 percent of female sex workers in Indonesia are under the age of 18.¹³

Prostitution is a type of sexual crime that is conducted with and/or without violence.¹⁴ When prostitution is combined with trafficking and compulsion, it might result in a violent act.¹⁵ Sexual trafficking is rampant among underage girls, indicating that the reality of women's human rights to enjoy peace and happiness is frequently broken from a young age (underage).¹⁶ The right to live in integrity and free without the risks that threaten it has been diminished by crime since there are still many children brought up in eras in which women cannot enjoy the right to live comfortably and free from danger.¹⁷

Prostitution is defined as follows by Kartini Kartono in her book *Social Pathology*:¹⁸

- a. Prostitution is a form of self-sale with indications of the manner of selling the body, honor, and personality of many individuals to satisfy sexual impulses in exchange for remuneration.
- b. Prostitution is a type of sexual deviance characterized by patterns of sexual impulse/drive organization that are not innate and lack integration in the form of letting go of sexual desires without regulate with many people or promiscuity, coupled with impersonal abuse of sexuality with no effect of its nature.
- c. Prostitution is the practice of a woman or man yielding her body for engaging in sexual promiscuity for a price.

Today's society faces new obstacles in the shape of the internet; the actual world is nearly identical to the virtual world in terms of crime ratio, and dangerous individuals exist in both realms. There is no question that the introduction of the internet provided more opportunities for development than existed previously, but it is also undeniable that the usage of the internet has posed a threat to human beings, particularly children and teenagers. The twenty-first century is the digital century, and everyone is sharing their ideas, thoughts, and messages via the internet or electronic newspapers. The usage of technology to handle many daily issues is unstoppable. In a situation like this, the prudent application of technological items is essential for increased effectiveness.

¹³ Teza Yudha, Wahyu Utamidewi, and Sopyan Resmana Adiarsa, "Prostitusi Online Dan Eksistensi Kekuasaan Pemerintah," *Jurnal Sosial Soedirman* 2 No. 1 (2018): 13; Verania Hedi Permata, "Online Prostitution Amidst the Rapid Technological Advances: Legal and Social Aspects," *Semarang State University Undergraduate Law and Society Review* 1 No. 1 (2021): 25.

¹⁴ Laura Connelly, Daiga Kamerāde, and Teela Sanders, "Violent and Nonviolent Crimes Against Sex Workers: The Influence of the Sex Market on Reporting Practices in the United Kingdom," *Journal of Interpersonal Violence* 36, no. 7 (2018): 2.

¹⁵ Hassan Joulaei et al., "Legalization, Decriminalization or Criminalization; Could We Introduce a Global Prescription for Prostitution (Sex Work)?," *International Journal of High Risk Behaviors and Addiction* 10, no. 3 (2021): 5, <https://doi.org/10.5812/ijhrba.106741>.

¹⁶ Hannabeth Franchino-Olsen et al., "The Prevalence of Sex Trafficking of Children and Adolescents in the United States: A Scoping Review," *Trauma, Violence, & Abuse* 23, no. 2 (2022): 183, <https://doi.org/10.1177/1524838020933873>.

¹⁷ A. Wahid and M. Irfan, *Perlindungan Terhadap Korban Kekerasan Seksual Advokasi Atas Hak Asasi Perempuan* (Bandung: Refika Aditama, 2001); Permata, "Online Prostitution Amidst the Rapid Technological Advances: Legal and Social Aspects," 25.

¹⁸ Harjanto Mukti Eko Utomo and Umar Ma'ruf, "The Criminal Law Enforcement Policy in Online Prostitution Treatment," *Law Development Journal* 2 No. 2 (2020): 116.

Awareness of its potential threats and dangers has had disastrous results, particularly in the lives of children and teens.¹⁹

Social media-based prostitution conducted by teenager or cyber prostitution is derived from two words: cyber and prostitution. Prostitution is derived from the English word 'prostitution'.²⁰ According to Soerjono Soekanto, prostitusi is synonymous with "pelacuran". He describes pelacuran as a job that prepares people to engage in sexual activities while earning a living.²² The terminology of prostitution according to Frank E. Hagan in *Introduction Criminology Theories, Methods, and Criminal Behavior* can be described as the practice of having promiscuous and mercenary sexual connections with emotional indifference. Prostitution is not a criminal violation in several nations or most US states; it is the act of soliciting, selling, or seeking paying customers that is. Although it is sometimes jokingly referred to as the world's oldest job, prostitution has undoubtedly been prevalent in ancient and modern countries.²³

The next step is to use cyber language to disguise the location of the activity. Cyber is a term used by people to describe something that is connected to the internet or the real world. Wiener, a Cybernetics theorist, discovered that cybernetics was invented by Ampere and used as a single source of arousal. As a result, there is a link between cyber security and wire electricity. The term "cybernetics organics" refers to the use of cybernetics in the creation of a cyborg organ. According to one theory, crime is a product of society itself, with the implication that it is society itself that causes crime.²⁴

According to Van Zyl, "cyber-sex, which is sometimes committed at work, is possibly the safest form of prostitution." Much scholarly writing tends to equate prostitution with street prostitution, but it is claimed that prostitutes in various regions of the world have avoided street prostitution in favor of other types of prostitution, such as online prostitution. According to Weitzer (2005), "just a minority of prostitutes work on sidewalks in the United States, Britain, the Netherlands, and many other countries." There are several websites and groups that promote sex work, and because of the risks connected with street prostitution, cyber prostitution is regarded as successful and safe. the research of Weitzer, "victimization and abuse are most prevalent among street prostitutes and those trafficked into prostitution." Other workers, on the other hand,

¹⁹ Pranay Prakash and Namita Singh Malik, "Cyber Sex Trafficking-A New Way Of Exploitation," *Journal of Positive School Psychology* 6 No. 6 (2022): 1108.

²⁰ Ahmed Al-Rawi and Kiana Zemenchik, "Sex Workers' Lived Experiences With COVID-19 on Social Media: Content Analysis of Twitter Posts," *JMIR Publications* 6, no. 7 (2022): 9, <https://doi.org/10.2196/36268>.

²¹ Max Morris, "The Limits of Labelling: Incidental Sex Work Among Gay, Bisexual, and Queer Young Men on Social Media," *Sexuality Research and Social Policy* 18 (n.d.): 858.

²² Wiranda Nugraha Sabri, Lo Yustrisia, and Riki Zulfiko, "Pertanggung Jawaban Terhadap Pelaku Tindak Pidana Prostitusi Anak Di Pengadilan Negeri Padang Pariaman," *Collegium Studiosum Journal* 6, no. 2 (2023): 445.

²³ Dewi Bunga, *Prostitusi Cyber: Diskursus Penegakan Hukum Dalam Anatomi Kejahatan Transnasional* (Denpasar: Udayana University Press, 2012), 31; Nia Chusnafariha, "Cyber Prostitution Dalam Perspektif Hukum Islam Dan Hukum Positif" (Semarang, UIN Walisongo, 2017), 35.

²⁴ Chusnafariha, "Cyber Prostitution Dalam Perspektif Hukum Islam Dan Hukum Positif," 37.

"are much less susceptible to violence, exercise more control over their work, and derive at least some psychological or physical rewards from what they do".²⁵

The concept of Social Media in Prostitution

The concept of online prostitution, within the scope of this study, intersects with the broader phenomenon of social media as delineated by the Merriam-Webster Dictionary. Social media platforms constitute electronic communication channels wherein users establish virtual communities to disseminate information, exchange ideas, and share multimedia content. This ubiquitous medium has facilitated rapid global connectivity, serving as a conduit for the exchange of diverse perspectives and cultural expressions. However, the omnipresence of social media also engenders a fertile ground for criminal activities, including online prostitution.²⁶

Social media, as defined within the scholarly discourse, encompasses Internet-based platforms characterized by their decentralized nature, persistent availability, and facilitation of mass-personal communication. These platforms serve as dynamic arenas wherein users engage in interactions, share user-generated content, and cultivate virtual communities spanning a spectrum of interests and affiliations. Positioned between traditional broadcast mediums and private communication channels, social media platforms afford users a unique amalgamation of scalability and privacy, enabling individuals to participate in group interactions while retaining varying degrees of personal autonomy and control over their digital presence.²⁷

Within this conceptual framework, the phenomenon of online prostitution intersects with the multifaceted functionalities and affordances of social media platforms. Online prostitution, as elucidated in scholarly inquiry, leverages the communicative potential of social media to facilitate the solicitation, negotiation, and consummation of commercial sexual transactions within digital environments. By harnessing the scalability and accessibility of social media platforms, individuals involved in online prostitution navigate a virtual landscape wherein they disseminate promotional content, interact with prospective clients, and orchestrate transactions with unprecedented efficiency and discretion. Moreover, the decentralized nature of social media platforms provides a fertile ground for the diffusion of compelling content, dialogue creation, and community building within the realm of online prostitution. Through user-driven platforms and participatory mechanisms, individuals engaged in commercial sex work harness the communicative affordances of social media to cultivate virtual networks, share testimonials, and establish reputational capital within online communities. This dynamic ecosystem facilitates the proliferation of commercial sexual content, dialogue, and interactions, transcending geographical boundaries and regulatory constraints to create a global marketplace for commercial sexual services.

²⁵ Siyanda Dlamini and Ndumiso P Nzama, "A Criminological Exploration of Cyber Prostitution within the South African Context: A Systematic Review," *American Journal of Humanities and Social Sciences Research (AJHSSR)* 3, no. 1 (2019): 139.

²⁶ Pankhuri Thukral and Vanshika Kainya, "How Social Media Influence Crimes," *Indian Journal of Law and Legal Research* IV, no. II (2022): 2, <https://doi-ds.org/doi/10.2022-64941518/IJLLR/V4/I2/A18>.

²⁷ Thomas Aichner et al., "Twenty-Five Years of Social Media: A Review of Social Media Applications and Definitions from 1994 to 2019," *Cyberpsychology, Behavior, And Social Networking* 24, no. 4 (2021): 218.

In interconnected world, the proliferation of smartphones and internet access has democratized information dissemination, enabling individuals to engage with social media platforms effortlessly. This accessibility has not only revolutionized communication but has also catalyzed the emergence of online spaces where illicit activities thrive.²⁸ While social media presents myriad opportunities for networking, marketing, and community building, it concurrently harbors darker facets characterized by cybercrimes, including online prostitution. The symbiotic relationship between social media and criminal behavior is underscored by the exponential growth of internet users globally. As more individuals partake in online interactions, the prevalence of cybercrimes, including online prostitution, escalates proportionally. The democratization of social media platforms, coupled with the anonymity they afford, creates an environment conducive to the clandestine solicitation of sexual services and exploitation of vulnerable individuals, including minors. Consequently, the advent of social media has facilitated a paradigm shift in the landscape of prostitution, with traditional brothels being supplanted by virtual platforms where transactions occur discreetly and across geographical boundaries.²⁹

In the realm of online prostitution, the concept of social media transcends conventional modes of communication, extending beyond mere text messaging or voice calls to encompass a multifaceted engagement with digital platforms designed to foster social interaction and connectivity.³⁰ Unlike traditional forms of communication, social media platforms are imbued with a unique ethos of connectivity, community building, and content sharing, ostensibly intended to facilitate interpersonal relationships and enhance social connectivity. However, within the context of online prostitution, social media is subverted from its intended purpose³¹, repurposed as a conduit for the commodification of intimacy and the facilitation of commercial sexual transactions. At its core, social media platforms offer a dynamic ecosystem wherein individuals navigate virtual landscapes populated by diverse communities, interests, and interactions. Through the strategic deployment of multimedia content, curated profiles, and interactive features, users craft digital personas aimed at engaging with peers, fostering connections, and cultivating virtual networks. Within this milieu, social media serves as a digital agora wherein individuals project identities, share experiences, and participate in a myriad of online activities ranging from personal expression to professional networking.

However, the pervasive influence of online prostitution introduces a disruptive element into this digital ecosystem, wherein social media platforms are co-opted as venues for the commercialization of intimacy and the solicitation of commercial sexual services. Rather than fostering genuine connections or nurturing interpersonal

²⁸ Ahmad Mohammad Alzubi, "Impact of New Digital Media on Conventional Media and Visual Communication in Jordan," *Journal of Engineering, Technology & Applied Science* 4, no. 3 (2022): 107, <https://doi.org/10.36079/lamintang.jetas-0403.383>.

²⁹ Pankhuri Thukral and Vanshika Kainya, "How Social Media Influence Crimes," 3.

³⁰ Davide Cino and Laura Formenti, "To Share or Not to Share? That Is the (Social Media) Dilemma. Expectant Mothers Questioning and Making Sense of Performing Pregnancy on Social Media," *Convergence: The International Journal of Research into New Media Technologies* 27, no. 2 (2021): 494, <https://sagepub.com/journals-permissions>.

³¹ Joachim Haupt, "Facebook Futures: Mark Zuckerberg's Discursive Construction of a Better World," *New Media & Society* 23, no. 2 (2021): 250, <https://doi.org/10.1177/1461444820929315>.

relationships, social media becomes a marketplace wherein individuals advertise their sexual services, solicit clients, and negotiate transactions with a degree of discretion and anonymity afforded by the digital medium.

The misappropriation of social media for the purposes of online prostitution underscores the complex interplay between technology, commerce, and societal norms within digital environments.³² By leveraging the communicative affordances of social media platforms, individuals engaged in commercial sex work exploit the scalability, accessibility, and interactivity of digital communication to promote their services, cultivate client relationships, and orchestrate transactions within virtual spaces.³³

Social media-based prostitution conducted by teenager is a subset of cybercrime that has become a major source of illegal activity in the world. According to Barda Nawawi Arief, cyber prostitution is a type of cybercrime that indicates that “delik kesusilaan” that occurs in Indonesian Penal Code (KUHP) can also occur in the real world (cyber space), particularly in cases involving pornography, “mucikari”, and adultery. As a subset of cybercrime, social media-based prostitution conducted by teenager has the following characteristics with cybercrime:³⁴

- a. Illegal activity performed without consent or authorization. This occurs in cyberspace (cyberspace), making it impossible to determine which country is responsible.
- b. The work is done by using any means of communication that is connected to the internet.
- c. The process results in financial or immaterial losses (time, money, goods, wages, dignity, and information) that are becoming ever greater as compared to traditional health care.
- d. It is necessary for people to limit their use of the internet using applications.
- e. This type of work is usually done on a transnational/national scale.

Based on the contributor's research about social media-based prostitution conducted by teenager, there are two sorts of cyber prostitution using the media social platform:³⁵

- a. Solo management type, in which the individual manages oneself and is usually supervised by women. The trend of receiving softer advantages but not acting like prostitutes/prostitutes who specialize for prostitution. It is not immediately aimed at a specific quantity of charges if you want to obtain sex services from them. However, it begins with a sensual chat to provide comfort before requesting to be filled with credit or balance on Gopay and other apps. The sum

³² Zbigniew Lasocik and Łukasz Wieczorek, “Legal and Social Implications of Sexual Services Other than Prostitution,” *Archives of Criminology* XLII (2020): 147, <https://doi.org/DOI.10.7420/AK2020U>.

³³ Ardan Muharram, Muliadi Mau, and Alem Febri Sonni, “Gigolo Communication Patterns in Online Prostitution on Social Media,” in *Advances in Social Science, Education and Humanities Research* (Proceedings of the World Conference on Governance and Social Sciences (WCGSS 2023), Makassar: Atlantis Press, n.d.), 525, https://doi.org/10.2991/978-2-38476-236-1_55.

³⁴ Susi Hertati Tambunan and I Made Dedy Priyanto, “Pengaturan Tindak Pidana Cyber Prostitution Dalam Uu No. 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik (UU ITE),” *Kertha Wicara* 3 No. 2 (2014): 3.

³⁵ Dedi Andriansyah et al., “Analysis of Cyberporn and Cyberprostitution Practices on Telegram Users in Medan City” (3rd International Conference on Innovation in Education, Science and Culture, ICIESC 2021, Medan: EAI, 2021), 10.

is not as huge as paying a prostitute for localization. Concerning the advantages of this sole manager, the woman's benefits are unaffected. This isn't an issue because the advantages are exclusively achieved side by side and prioritize gratifying each other's sexual wants among FWB partners or One Night Stands. This implies it is no longer distributed among the agents or pimps who transport it. The sole disadvantage of this kind is that the number of benefits will be less than the number of prostitute types in the management team, but it is safer (protection) from raids. Because it appears consensual, prostitution in the form of a collective is more vulnerable to police investigation.

- b. The sort of management team, which is managed collectively. There is a traditional sort of prostitution in it, where pimps and prostitutes coexist. The salesman (pimp) will set up anything for the prostitute, even finding a male on the telegraph. The pimp will next decide on the fees and location of the sexual services. Typically, the rates are significantly higher than the management rate. The pimp (pimps) frequently already have ties with wealthy and powerful men. What the management team lacks is the awareness that the police have the capacity to uncover prostitution. Because there's numerous actors involved, if one of them is apprehended, the entire plot will be disclosed. In Indonesia, this is common in situations of artist prostitution.

In the same way that online product purchases provide information on the type of product, the price, the method of payment, and other factors, online commercial sex purchases do the same. The results of the study show that there are two types of commercial sexual information that are widely disseminated in social media: information about the services offered, the prices and methods of payment, the rules for using the services, and testimonies. The information consists of images, videos, hashtags that support the information content. The information on sex services offered uses specific terms such as OpenBO (Open Booking Order) or can be opened/booked depending on the wishes of the service booker; include room (booking is included with hotel/apartment room); availBO, ready BO (can/ready to use/booked); free crot (free to have sex more than once), openVCS, camsex (Camera Sex), VCS (Video Call Sex) or provide video call sex. Video call sex services and also cameras for sex scenes; 3 times a day slots (can order 3 times in 1 day); ST (Short Time) or can only serve 1-2 hours per message; LT (Long Time) or can be ordered 6-8 hours up to a full day/full night; full service; RR by DM (Rate and Rule by Direct Message-direct message) or specs from service providers such as bra size, height and weight will be notified in direct messages inbox on social media if potential sex service users are serious about ordering. Information about the price/tariff of commercial sex services is also displayed on the timeline of the service provider, while some are not. If a potential user is serious about booking a service, then the rate will be informed through more personal communication such as through direct messages or DM (Direct Message), or other conversational applications.³⁶

³⁶ Christiany Juditha, "Prostitusi Daring: Tren Industri Jasa Seks Komersial Di Media Sosial," *Jurnal_Pekommas* 6 No. 1 (2021): 57.

The phenomenon of online prostitution, examined within the framework of this study, is deeply intertwined with the pervasive influence of social media platforms, which serve as the primary conduits for the dissemination, negotiation, and consummation of commercial sexual transactions within digital environments. Reflecting the evolutionary trajectory of e-commerce paradigms, the transactional dynamics of online commercial sex purchases are underpinned by a multifaceted informational architecture that leverages the communicative affordances of social media to orchestrate interactions between service providers and clientele. Drawing inspiration from conventional online retail practices, the informational ecosystem surrounding online prostitution mirrors the structure and functionality of digital marketplaces, albeit with distinct nuances tailored to the commodification of sexual services within digital ecosystems.

Central to the propagation of this informational ecosystem are multimedia elements such as images, videos, and hashtags, which serve as potent conduits for augmenting the visibility and salience of commercial sexual offerings within online communities. Leveraging the communicative affordances of social media, service providers craft bespoke narratives to articulate the unique value propositions of their offerings, thereby engendering resonance and engagement among prospective clientele. The discursive terrain surrounding commercial sexual services is characterized by the strategic deployment of specialized terminology tailored to the idiosyncratic lexicon of the online sex industry.

Examples abound, with terms like "OpenBO" (Open Booking Order) signifying the availability of services for immediate reservation, while descriptors such as "room" denote the provision of accommodation as part of the service package. Similarly, terms like "availBO" and "ready BO" connote the readiness of service providers to fulfill booking requests promptly, with nuanced variations such as "free crot" implying the provision of multiple sexual encounters within the stipulated timeframe.³⁷

Moreover, the study unveils a diverse array of service modalities and associated parameters designed to cater to the disparate preferences and proclivities of clientele. From the burgeoning realm of video call sex services ("VCS" or "camsex") to duration-based bookings such as "Short Time" (ST) and "Long Time" (LT), service providers endeavor to furnish a spectrum of options calibrated to meet the evolving demands of a discerning clientele. Complementing these offerings are detailed specifications elucidating physical attributes, service rates, and operational protocols, disseminated through personalized communication channels such as Direct Messages (DM) or bespoke conversational applications. This bespoke approach not only enhances customer engagement but also facilitates the negotiation and consummation of transactions in a manner that resonates with the ethos of digital intimacy and personalized service delivery.

The creation of Act No. 11 of 2008 concerning Electronic Information and Transactions (ITE) aims to offer numerous advantages such as guaranteeing legal certainty for individuals carrying out digital transactions, advising economic growth, avoiding information centered around technology crimes, and safeguarding serviceusers

³⁷ Wildan Adli, Hafied Cangara, and Umaimah Wahid, "Analisis Komunikasi Pada Aplikasi Michat Sebagai Sarana Media Prostitusi Online DiIbu Kota Jakarta," *INNOVATIVE: Journal Of Social Science Research* 3, no. 2 (2023): 8.

through the use of technological advances, but it becomes out that the regulation with regard to online prostitution was not included by the law, so that criminals of online prostitution can continue to operate. Existing regulations such as the Criminal Code, Act No. 44 of 2008 concerning Pornography, and Act No. 11 of 2008 concerning Information and Electronic Transactions have not been able to solve these problems. Laws regulating prostitution are the Criminal Code (KUHP), Act No. 11 of 2008 concerning Information and Electronic Transactions, and Act No. 44 of 2008 concerning Pornography.³⁸

Prostitution is criminalized via regulations such as Articles 296 and 506 of the Criminal Code. The Criminal Code solely provides criminal punishment for pimps. In the realm of prostitution, there aren't no criminal punishments or fines for service vendors or service customers. This creates a legal vacuum in the regulation of sex merchants and purchasers, making full law enforcement against prostitution impossible.³⁹

Indonesian Penal Code on Social Media Based Prostitution: Regulation and Sanction of Perperator

As a rule-of-law country, Indonesia requires that law enforcement be carried out in accordance with the prevailing legislation. In other words, law enforcement must adhere to legal provisions and must not violate the regulations set forth in the legal statutes.⁴⁰ The Penal Code of Prostitution activities, according to the rule of law, are an act that breaches the laws of criminal law. Articles 296 and 506 of the Criminal Code govern prostitution. According to Article 296 of the Criminal Code, "whoever intentionally causes or facilitates obscene acts with others, and makes them a livelihood and a habit, faces imprisonment for a maximum of one year and four months or a fine of fifteen thousand rupiah." According to Article 506 of the Criminal Code, "whoever withdraws the profits from a woman's obscene acts and makes them a livelihood faces imprisonment for a maximum of one year." In his book "The Criminal Code (Criminal Code) and Its Comments Are Complete Article by Article," R. Soesilo argues that Article 296 applies to those who own brothels. This clause states unequivocally that a person whose work involves the purposeful commission of obscene activities by others with third parties shall face jail. While Article 506 defines the pimp as a pervert broker, a guy whose life appears to be supported by prostitutes living with him who is in the business of helping prostitution and seeking subscriptions from which he receives a cut.⁴¹

In addressing social media-based prostitution, the role of the police is crucial and multifaceted, encompassing the maintenance of public order, enforcement of criminal law, and protection of citizens. Police functions include preserving public

³⁸ Utomo and Ma'ruf, "The Criminal Law Enforcement Policy in Online Prostitution Treatment," 118.

³⁹ Arif Awaludin, "Advances in Social Science, Education and Humanities Research," in *Advances in Social Science, Education and Humanities Research*, vol. 358 (Surakarta: Atlantis Press, 2019), 399.

⁴⁰ Iren Manalu and Rahman Amin, "Penegakan Hukum Terhadap Tindak Pidana Eksploitasi Seksual Yang Dilakukan Oleh Suami Terhadap Istri ---," *KRTHA BHAYANGKARA* 17, no. 3 (March 16, 2023): 607, <https://doi.org/10.31599/krtha.v17i3.791>.

⁴¹ Muhammad Akbar Ridha and Yati Nurhayati, "Comparative Law Against Online Prostitution According To Indonesian And Dutch Law," *Al' Adl: Jurnal Hukum* 14 No. 1 (2022): 235.

security by preventing and responding to illegal activities such as online prostitution. They are responsible for investigating and prosecuting offenders under the Criminal Code, specifically Articles 296 and 506, which target those who facilitate or profit from obscene acts. Additionally, the police protect the community by offering support to victims and raising awareness about the legal consequences of engaging in or supporting prostitution. This comprehensive approach underscores the police's commitment to maintaining order, enforcing the law, and safeguarding public welfare.⁴²

Law No. 44/2008 includes an understanding of pornography services. Article 1 paragraph (2) contains the definition of pornography services which reads as follows It reads: *"Pornographic services are any type of pornographic service provided by an individual or corporation through live performances, cable television, terrestrial television, radio or other means. or corporation through live performances, cable television, terrestrial television, radio, telephone, internet, and other electronic communications as well as newspapers, magazines, and other printed matter."* Law No. 44/2008 on Pornography Article 4 paragraph (2) states regarding the form of prohibition against pornographic services as follows: *"Every person is prohibited from providing pornography services that: a. explicitly presents nudity or a display that suggests nudity; b. explicitly presents the genitals; c. exploiting or exhibiting sexual activity; or d. offering or advertising, either directly or indirectly, sexual services."*⁴³

Prostitution is prohibited based on Indonesian Law, the contents of article 4 paragraph (2) letter (d), namely: *"Every person is prohibited from providing pornography that offers or eliminate, either directly or indirectly sexual services."* The pornography legislation mentions it for commercial employees themselves in Article 8, which states: *"Every person is prohibited from intentionally or with his/her consent becoming an object or model containing pornographic content."*⁴⁴

In the context of legal ramifications surrounding the provision of sexual services, it is essential to delineate the intricate nuances pertaining to the indirect dissemination of such content, which may render perpetrators, including prostitutes, liable under the Information and Electronic Transactions (ITE) Law. This legal framework stipulates that individuals engaged in activities indirectly linked to the dissemination of sexually explicit material through electronic means, such as images or video recordings, can be subject to criminal prosecution for offenses related to decency standards as outlined in Article 4, Paragraph 2 of Law Number 44 Year 2008 concerning Pornography. Central to this legal interpretation is the recognition that individuals involved in prostitution may not only engage in direct acts of solicitation or provision of sexual services but also employ electronic communication channels, such as social media platforms, to transmit information or electronic files containing sexually explicit material to intermediaries or potential clients. This indirect mode of engagement, facilitated through online messaging and electronic media platforms, expands the scope of legal liability beyond the act of

⁴² Rahman Amin and Muhammad Fikri Al Aziz, "Penguatan Komisi Kepolisian Nasional Dalam Pengawasan Penyidikan Tindak Pidana Oleh Polri," *KRTHA BHAYANGKARA* 17, no. 1 (April 28, 2023): 7, <https://doi.org/10.31599/krtha.v17i1.815>.

⁴³ Prambudi Adi Negoro and Invantri Graham Oerba Atmadja, "Analisis Terhadap Prostitusi Online Ditinjau Dari Hukum Pidana Positif Di Indonesia," *Recidive* 3 No. 1 (2014): 75.

⁴⁴ Aditya Angga Tamarol, "Proses Hukum Terhadap Pelaku Yang Terlibat Prostitusi Online Menurut Hukum Yang Berlaku Di Indonesia," *Lex Et Societatis* 7 No. 7 (2019): 74.

prostitution itself to encompass the transmission or dissemination of content deemed indecent or pornographic in nature.⁴⁵

According to legal authorities, the act of transmitting such content, whether in the form of textual information, images, or videos, via electronic media channels constitutes a violation of decency standards and may expose perpetrators, including prostitutes, to criminal sanctions. This interpretation underscores the dual nature of legal culpability wherein individuals engaged in prostitution may be held accountable not only for their direct involvement in commercial sex activities but also for their indirect actions involving the dissemination of sexually explicit material through electronic means.

It is imperative to recognize that legal liability under the ITE Law is predicated on the transmission or dissemination of content that contravenes decency standards, rather than solely on the act of engaging in prostitution per se. Thus, individuals involved in prostitution may find themselves subject to criminal prosecution not only for their direct involvement in the sex trade but also for their ancillary actions involving the transmission of indecent material through electronic media channels.

One of the illegal activities, according to Article 4 paragraph (2) letter d, is offering or promoting sexual services, either directly or indirectly. If this statement is analyzed further, the elements are as follows:⁴⁶

a. Any individual

The component of every individual indicates that the article's legal subjects are persons and legal entities (*Rechtspersoon*).

At the heart of this legal framework are the legal subjects comprising individuals engaged in online prostitution, colloquially referred to as sex workers or prostitutes. These natural persons navigate digital platforms, such as social media networks and online marketplaces, to solicit, negotiate, and provide commercial sexual services to clients. From the perspective of legal analysis, these individuals are recognized as legal subjects endowed with rights, obligations, and liabilities under applicable laws and regulations governing commercial transactions, electronic communications, and public morality.

In addition to individual sex workers, the legal framework surrounding online prostitution also encompasses legal entities, which may include businesses, organizations, or platforms facilitating the commercialization of sexual services within digital environments. These entities may operate online marketplaces, social media platforms, or other digital channels wherein individuals engage in solicitation, negotiation, and transactional activities related to commercial sex work. As legal entities, these platforms or businesses are subject to regulatory oversight, legal liabilities, and ethical considerations concerning their role in facilitating or enabling online prostitution activities.

b. It is illegal to supply

This legal provision serves as a cornerstone of regulatory frameworks aimed at combating the proliferation of sexually explicit material within digital

⁴⁵ Ridha and Nurhayati, "Comparative Law Against Online Prostitution According To Indonesian And Dutch Law," 242.

⁴⁶ Negoro and Atmadja, "Analisis Terhadap Prostitusi Online Ditinjau Dari Hukum Pidana Positif Di Indonesia," 76.

environments, particularly content that intersects with the commercialization of sexual services online.

Central to this prohibition is the recognition that pornography, whether disseminated through electronic media or other channels, may serve as a vehicle for the solicitation, promotion, or normalization of commercial sex transactions. By prohibiting the provision of pornography that offers or eliminates, whether directly or indirectly, sexual services, lawmakers seek to disrupt the symbiotic relationship between sexually explicit material and the commodification of intimacy within digital spaces. In the context of online prostitution, the prohibition on supplying pornography underscores the multifaceted ways in which sexually explicit material may intersect with commercial sex work. Pornographic content, whether intentionally or inadvertently, may serve as a catalyst for the solicitation of sexual services, perpetuating harmful stereotypes, and contributing to the objectification and exploitation of individuals involved in commercial sex work.

c. Prostitution Services

Pornographic offerings include any sort of pornographic services offered by people or businesses via live performances, cable television, terrestrial television, or other means. Individuals or companies can communicate with one another via live performances, cable television, terrestrial radio, television, phone, the internet, and other digital means of communication, as well as magazines, newspapers, and other written content.

d. Directly or indirectly offering or advertising.

Advertising refers to the process of presenting something to the general public via advertising media, whereas offering refers to the act of displaying something to the general public with the intent of attracting attention. The activity is intended to attract enthusiasts with the goal of purchasing what is supplied or marketed. The act of promoting or offering can be done directly or indirectly, depending on what is offered or marketed. This can be done either directly or indirectly.

e. Sexually explicit services

The giving of paid services in exchange for sexual enjoyment is a component of sexual services. This article is closely connected to internet prostitute since online prostitution is essentially the giving or advertisement of a sexually service, either directly or indirectly. A sexual service is provided indirectly. Since images that are pornographic of commercial prostitutes are frequently used in internet-based prostitution commercials to draw prospective consumers, this article is more suitable when applied to on the internet prostitution perpetrators because it directly mentions the act of offering or advertising a sexual service. Promote the practice of sexual service.

The terms of punishments in the pornography law are also controlled particularly relating to the parties concerned. As stated in article 30 of the pornographic statute pornography: *"Every person who provides pornography as referred to in article 4 paragraph (2) shall be punished with imprisonment of imprisonment for a minimum of 6 (six) months and maximum 6 (six) years and/ or a fine of fine of at least Rp.250,000,000.00 (two hundred fifty million rupiah) and*

at most Rp.250,000,000.00 (two hundred fifty million rupiah). hundred fifty million rupiah) and a maximum of maximum of Rp.3,000,000,000.00 (three billion rupiah)."⁴⁷

Based on Law No. 44/2008 includes an understanding of pornography services. Article 1 paragraph (2), it only prohibits activities that provide pornographic services especially in letter c which is shown to pimps who have provided pornography by means of sexual exploitation, where sexual exploitation based on the Law Number 21 of 2007 on the Eradication of Crimes of Trafficking in Persons is any form of utilization of the sexual organs or other organs of the victim for profit.⁴⁸

Prostitution using a pimp and/or online is also considered sexual exploitation. The prohibition of sexual exploitation is governed in Law Number 21 of 2007 on the Eradication of Crimes of Trafficking in Persons in Article 1 paragraph (8) and Article 2 paragraphs (1) and (2), which explain as follows:⁴⁹

- a. Article 1 paragraph (8) reads: "*Sexual Exploitation is any form of utilization of body organs sexual organs or other organs of the victim for profit, including but not profit, including but not limited to all activities prostitution and fornication*".
- b. Article 2 paragraph (1) reads: "*Every person who carries out recruitment, transportation, harboring, sending, transferring, or reception of a person with threat of violence, use of violence, abduction, harboring, forgery, deception, abuse of power or position of vulnerability, debt bondage or giving payments or benefits despite obtaining the consent of the person having control over another person, for the purpose of exploitation of that person in territory of the Republic of Indonesia, shall be punished with imprisonment of minimum imprisonment of 3 (three) years and maximum imprisonment of 15 (fifteen) years and fine of not less than Rp120,000,000.00 (one hundred and twenty million rupiah) and a maximum of Rp 600,000,000.00 (six hundred million rupiah)*".
- c. Article 2 paragraph (2) reads: "*If the act as referred to in paragraph (1) results in a person being exploited, then the perpetrator shall be punished with the same punishment as referred to in paragraph (1)*"

The term "prostitution" is not used under all provisions of Indonesian Law No.11 of 2008 on Information and Electronic Transactions (UU ITE). Except in article 27 paragraph (1), which discusses banned conduct and mentions the term decency in relation to anything that reeks of pornography. According to Article 27(1) of the ITE Act: "*everyone who is intentional and without the right to distribute and/or separate and/or make accessible Electronic Information and/or Electronic files that have a charge that violates decency.*" In Article 27 paragraph (1), decency refers to acceptable traditions or habits in interpersonal relationships, particularly those involving sexuality (adultery). The process of "distributing" is described in the ITE Law as the practice of transmitting and/or distributing Electronic Information and/or digital documents to many persons or diverse parties via electronic networks. While distributing can be defined as the process of sending Electronic Information and/or Electronic Documents to another party via

⁴⁷ Tamarol, "Proses Hukum Terhadap Pelaku Yang Terlibat Prostitusi Online Menurut Hukum Yang Berlaku Di Indonesia," 74.

⁴⁸ Cici Defianasari, "Pertanggungjawaban Pidana Pekerja Seks Komersial (PSK) Dalam Prostitusi Online," *Simposium Hukum* 1 No. 1 (2019): 20.

⁴⁹ Ketut Krisna Yudha Jaya, Ni Putu Rai Yuliantini, and Dewa Gede Sudika Mangku, "Penjatuhan Pidana Terhadap Pelaku Tindak Pidana Prostitusi Online (Studi Kasus Putusan Nomor 6/Pid.R/2018/Pn.Bjb)," *Komunikasi Yustisia* 5 No. 2 (2022): 283.

an Electronic System. Any individual who breaches Article 27 of the ITE Law is subject to criminal charges under Article 45 paragraph (1) of Law No. 19/2016 (as a change to Law No. 11/2008) on Information and Electronic Transactions (UU ITE), with a maximum penalty of 6 years in prison and/or a fine of 1 billion IDR.⁵⁰

Law Enforcement Through Cyber Patrol in Indonesia Regarding Social Media Based Prostitution

According to Jimly Asshidiqie, law enforcement is the process of making efforts to enforce the law. for the establishment or functioning of legal norms in real terms as a guideline for the behavior of legal relations in social life and society. guidelines for the behavior of legal relations in the life of society and the state.⁵¹

Positivistic legal understandings that prioritize legal certainty continue to affect law enforcement in Indonesia. Several law enforcement situations that emphasize legal clarity will be discussed in this paper.⁵²

In the current period of modernity and globalization, ideal law enforcement is defined as law enforcement that can provide legal certainty, order, and legal protection while also fulfilling a feeling of fairness and efficacy. In order to combat crime, numerous tactics of retaliation can be used against offenders, including both criminal and non-criminal measures that can be combined. If criminal tactics are used to combat crime, it means that criminal law politics will be carried out, specifically elections to attain criminal legislation outcomes that are appropriate for the conditions and situations at the present and in the future. Because Indonesia is a legal state, everyone who commits a criminal violation must face the consequences of their conduct through the legal system. A criminal crime is defined as an act banned by a rule of law, when the prohibition is supported with threats (sanctions) in the form of specific punishments as responsibilities. In this case, there is a relationship with the principle of legality, in which no act can be punished unless it has been regulated in law, so for those who violate the prohibition and the prohibition has been regulated in law, the perpetrators can be subject to sanctions or punishment, while the threat of punishment is addressed to the person who caused the incident, there is also a relationship with the principle of legality, in which no act can be punished unless it has been regulated in law.⁵³

With the growth of online crime cases that are upsetting the community, law enforcement officials developed a work unit in the shape of a squad called cyber patrol. Since the publication of news concerning pornographic content, the phrase "cyber patrol" has become popular. There are three features that are fixated in the form of

⁵⁰ Ridha and Nurhayati, "Comparative Law Against Online Prostitution According To Indonesian And Dutch Law," 234.

⁵¹ Immanuel Agustian Hutagaol and Diah Ratna Sari Hariyanto, "Penegakan Hukum Tindak Pidana Prostitusi Online Di Wilayah Hukum Kepolisian Daerah Bali," *Kertha Desa* 9 No. 4 (2021): 25.

⁵² Siti Kasiyati, "Law Enforcement in Indonesian Perspective of Transcendental Legal Justice Paradigm," *Journal of Transcendental Law* 2 No. 2 (2020): 103.

⁵³ Fajar Ari Sudewo, "Formulasi Kebijakan Kriminal Dalam Menjerat Pelaku Pengguna Jasa Prostitusi Online," *Diktum* 10 No. 2 (2022): 254.

pornography: obscenity, sexual exploitation, and the breach of decency norms in the community.⁵⁴

Today's internet connectivity is becoming quicker and more difficult to stay up with society suffers as a result, and the law struggles to keep up. As a result, the ITE Law was created, which must unavoidably be observed by people. The virtual police refer to the Chief of Police Circular Letter (SE) numbered SE/2/11/2021 concerning "Awareness of Ethical Culture to Realize a Clean, Healthy, and Productive Indonesian Digital Space." The cyber patrol work to monitor social media activities is based on the Chief of Police Circular Letter (SE) numbered SE/2/11/2021 concerning and Productive."⁵⁵

The phrase "cyber patrol" has been around for a long time, but the system is used to prevent and protect an online network at home or workplace to monitor each internet user's online activities, and the system is also used to block sites that smell of pornography and prostitution. A unit of cyber warriors conducts cyber patrols by monitoring the actions or movements of those suspected of committing or being involved in online prostitution. There is a squad of "cyber army" cyber troops (cyber troops) that work every day just by browsing webpages. The team is following the site that becomes the communication of the parties involved in prostitution in cyberspace by monitoring the website page. Tracking is also possible with messaging apps like Whatsapp and Instagram. These cyber patrol strategies are analogous to those used in the physical world.⁵⁶

Repressive efforts by the government, the Directorate of Cyber Crimes, in tackling social media based prostitution through the following activities: CyberPatrol investigations aimed at individuals, groups, websites, and others suspected of conducting hsocial media based prostitution or attempting to disrupt domestic security security; technical and tactical investigation and research assistance, which is intended.⁵⁷

In Indonesia, the police have authorized and can take legal action in connection with cyber patrols through the Directorate of Cyber Crimes (Dittipidsiber), which is under the Bareskrim Polri and has the task of carrying out law enforcement against crimes that occur in cyberspace. The Directorate of Cyber Crime (Dittipidsiber) is responsible for two types of crimes: computer crime and computer-related crime. Computer crime is a subset of cybercrime that uses computers as the first device to commit crimes such as electronic system retrieval (hacking), illegal interception, alteration of web website images (web defacement), system interference, data manipulation (data manipulation), and data manipulation (data manipulation). Computer-related crime is a cybercrime that involves the use of a computer as a tool, including online gambling, hate speech (hate speech), online threats, defamation,

⁵⁴ Suci Flambonita, Vera Novianti, and Artha Febriansyah, "Bahaya Pornografi Melalui Media Elektronik Bagi Remaja Berbasis Penyuluhan Hukum," *Abdidas* 2 No. 3 (2021): 605; Putu Diah Wiska Sasmitha, I Nyoman Gede Sugiarta, and I Nyoman Subamia, "Efektivitas Cyber Patrol Dalam Mengungkap Kasus Pornografi Di Polresta Denpasar," *Analogi Hukum* 4 No. 3 (2022): 279.

⁵⁵ Fuadi Isnawan, "Crime in Culture: Analysis of the SarongWar in the Holy Month from a Criminal Law Perspective," *Journal Equity of Law and Governanc* 4, no. 1 (2024): 17.

⁵⁶ Brian Obrien Stanley Lompoliuw, "Analisis Penegakan Hukum Pidana Tentang Penghinaan Di Media Sosial Ditinjau Dari Undang-Undang ITE Dan KUHP," *Lex Crimen* 8 No 12 (2019): 52.

⁵⁷ Bambang Hartono, I Ketut Seregig, and Budi Wibowo, "Strategies in Countering Hoax and Hate Speech in Indonesia," *Sociological Jurisprudence Journal* 4, no. 2 (2021): 143.

defamation of (online threat), online defamation, online blackmail (online defamation), online extortion, online fraud (online fraud), illegal access, data theft, and online pornography on the internet. A cyber patrol is a collection of teams or troops that monitor the activity and movement of terrorist networks and other cybercrime networks through cyberspace. A task force is made up of teams of numerous combined units that have more capabilities than specialized units. This monitoring method is done out only by reading the webpage.⁵⁸

In the realm of combating online prostitution via social media, law enforcement agencies, notably the Cyber Police, are at the forefront, employing proactive measures to monitor and address illicit activities in the digital sphere. With a focus on social media platforms and other online avenues, the Cyber Police undertake rigorous cyberpatrol initiatives, leveraging advanced technology and collaborative partnerships to enhance their effectiveness in combating cybercrime. Within the national context, the National Police have implemented a multifaceted strategy to counter the prevalence of cybercrime. This strategy encompasses various key actions, including the prompt response to community reports regarding cybercrime claims, rigorous documentation of cases, and subsequent investigation. Additionally, the National Police conduct online inspections through social networks, email, and e-commerce platforms to detect and deter criminal activities, including those related to online prostitution. Collaborative efforts with government agencies, particularly the Ministry of Communication and Information, strengthen coordination and cooperation in combating cyber threats. Furthermore, partnerships with financial institutions, such as Bank Indonesia, help prevent the misuse of fraudulent accounts by criminals involved in online prostitution and other cybercrimes. Advocacy for responsible internet usage is emphasized to promote digital literacy and ethical conduct among internet users. Moreover, continuous capacity building initiatives, including personnel training and courses conducted in collaboration with developed nations, enhance the National Police's knowledge and expertise in cybercrime investigation and prevention. Through these comprehensive strategies, law enforcement agencies strive to mitigate the proliferation of online prostitution and ensure the safety and security of digital communities.⁵⁹

The cyber patrol unit monitors all online activities, including social media. This crew guards the virtual realm, often known as social media. People who are suspected of displaying something controversial, pornographic content, SARA, or spreading hate speech are being monitored. If what is being circulated is false information, it will be exposed. There is a Cyber Patrol that monitors social media users. Continue to watch the account to see how much activity there is. The cyber patrol squad oversees following, looking for, and locating account holders participating in internet prostitution. The account's owner. Then call, arrest, and legally process them. The following are the activities of the cyber patrol team:⁶⁰

⁵⁸ Sasmitha, Sugiarta, and Subamia, "Efektivitas Cyber Patrol Dalam Mengungkap Kasus Pornografi Di Polresta Denpasar," 279.

⁵⁹ Edi Saputra Hasibuan, "The Role Of Indonesian Police Through 'Cyber Patrol' In Preserving And Maintaining Cyber Room Security," *International Journal of Social, Service and Research* 2 No 8 (2022): 726.

⁶⁰ Diana V C Wakim, "Cyber Patrol Dalam Tindak Pidana Penyebaran Berita Bohong Di Media Sosial" (Ambon, Universitas Pattimura, 2021), 49.

- a. Maintaining social media users' security and public order
- b. Preventing possible provocations and ensuring their long-term viability
- c. Identify the possibilities of textual or picture submissions that might generate a commotion.
- d. Keeping track of all social media profiles
- e. Reading all websites or webpages on the internet network
- f. Blocking all sites containing violence, pornography, SARA, hoaxes, and so on.
- g. Keeping track of all social media profiles
- h. Monitoring cybercriminal accounts

8. cybercrime

Cyber patrol strategies entail monitoring or analyzing social media accounts or postings that are participating in online prostitution utilizing laptop computers and internet networks. If an account is discovered that posts on social media that lead to things involved in online prostitution via social media, police officers will gather at least two pieces of preliminary evidence in the form of recording files (screenshots and Uniform Resource Locator (URL)) and witnesses, namely the account owner and witnesses, namely the account owner who commented. In addition to focusing preventative actions via cyber patrols, which include monitoring, alerting, and stopping persons from committing cybercrime. In addition to stopping people from committing cybercrime, police officers conduct proactive measures by teaching the public about cybercrime through posts on social media that are subsequently distributed. He further stated that cyber patrols are carried out not just by personnel of the Criminal Investigation Unit, but also by members of the Public Relations Division and Intelkam Unit. However, it is only restricted to monitoring and analyzing social media accounts or postings that have the potential to lead to people participating in online prostitution via social media, to notify members of the Criminal Investigation Unit. Tipidter Criminal Investigation Unit II. Members of the Police Criminal Investigation Unit oversee all repressive actions (prosecution).⁶¹

Within the context of optimizing cyberpatrol to combat prostitution facilitated through social media, the utilization of social media technologies by law enforcement agencies emerges as a pivotal strategy for disseminating pertinent information to the public. Social media platforms offer law enforcement departments a dynamic avenue through which to circulate critical updates, alerts, and educational materials aimed at raising awareness and soliciting public cooperation in combating online prostitution. The inherent characteristics of social media, including its immediacy, interactivity, and expansive reach, render it an invaluable tool for law enforcement agencies seeking to engage with diverse stakeholders and mobilize collective action against illicit activities facilitated through digital channels. Indeed, the use of social media holds distinct advantages for law enforcement agencies, particularly in comparison to traditional dissemination channels such as news media. The rapid dissemination of information facilitated by social media platforms enables law enforcement agencies to communicate time-sensitive updates and alerts in real-time, ensuring that critical information reaches a broad audience swiftly and efficiently. Moreover, the viral nature of social media

⁶¹ Nyoman Noviantini, I Nyoman Gede Remaja, and Ni Nyoman Mariadi, "Efektivitas Patroli Siber Dalam Mengungkap Kasus Ujaran Kebencian Di Wilayah Hukum Polres Bulcleng," *Kertha Widya* 9 No 1 (2021): 39.

content amplifies the reach of law enforcement messages, enabling them to penetrate diverse online communities and demographic segments with unprecedented speed and scale.⁶²

By leveraging social media platforms, law enforcement agencies can cultivate a proactive and responsive approach to combating online prostitution, empowering citizens to report suspicious activities, share pertinent information, and collaborate with authorities in investigations. Additionally, the interactive nature of social media enables law enforcement agencies to foster ongoing dialogue and engagement with the public, soliciting feedback, addressing concerns, and dispelling misinformation to enhance community trust and cooperation. Furthermore, the strategic use of social media analytics and monitoring tools empowers law enforcement agencies to gather actionable intelligence, identify emerging trends, and track illicit activities related to online prostitution in real-time. By harnessing data-driven insights, cyberpatrol units can adapt their enforcement strategies, allocate resources effectively, and prioritize interventions based on the evolving threat landscape within social media platforms.

Law enforcement agencies have adopted Cyber Patrol as a proactive measure in their efforts to combat online prostitution. Leveraging the internet as a vital tool, Cyber Patrol patrols the virtual landscape, monitoring activities indicative of online prostitution and tracking websites hosting such illicit content. This approach represents a significant shift in law enforcement strategies, recognizing the prevalence of online platforms as avenues for illegal activities. By harnessing internet technologies, law enforcement agencies can extend their reach into the digital realm, identifying and addressing instances of online prostitution that may otherwise evade detection. Cyber Patrol employs a multifaceted approach, utilizing advanced algorithms and monitoring techniques to identify individuals engaged in online solicitation and to trace the virtual footprints of websites hosting prostitution-related content. Moreover, Cyber Patrol serves as a deterrent, sending a clear message to potential offenders that law enforcement agencies are vigilant in their efforts to safeguard digital spaces from illicit activities. By maintaining a visible presence in the online sphere, Cyber Patrol not only disrupts ongoing prostitution operations but also dissuades individuals from engaging in such activities in the first place. The proactive nature of Cyber Patrol underscores law enforcement's commitment to staying ahead of emerging cyber threats and adapting their strategies to effectively address evolving criminal behaviors.⁶³

In the pursuit of optimizing cyberpatrol efforts to combat prostitution through social media, a nuanced understanding of the hashtags and keywords prevalent within online prostitution accounts is paramount. Analysis reveals a distinct dichotomy between hashtags commonly employed in prostitution-related content and those utilized in non-prostitution contexts. Prostitution-centric hashtags such as #openbo, #vcsberbayar, and #realangels prominently feature in the digital lexicon of commercial

⁶² Francis D Boateng and Joselyne Chenane, "Policing and Social Media: A Mixed-Method Investigation of Social Media Use by a Small-Town Police Department," *International Journal of Police Science & Management* 22, no. 3 (2020): 3, <https://doi.org/10.1177/1461355720927429>.

⁶³ Winshery Tan, Ampuan Situmeang, and Kevin Indra Bhaskara, "TV Broadcasts Piracy Through Illegal Live Streaming Application: Challenges and Legal Protection for Copyright Holders," *Al-Adalah: Jurnal Hukum Dan Politik Islam* 9, no. 1 (2024): 71.

sex work, serving as coded signals and identifiers for individuals seeking or offering sexual services. Conversely, non-prostitution accounts predominantly utilize general hashtags indicative of diverse interests and topics prevalent in Indonesian online discourse, such as #finance, #campaign, and #job. Moreover, an examination of frequently occurring keywords within prostitution accounts unveils a lexicon tailored to the solicitation and promotion of sexual services. Terms like "vcs," "promo," "WA," and "dm" feature prominently, signaling the availability of video call services, promotional offers, and direct messaging functionalities commonly employed in online prostitution transactions. Additional keywords such as "open," "avail," "ready," and "slot" serve as markers for individuals offering or seeking immediate access to sexual services, further delineating the distinct linguistic landscape of online prostitution.⁶⁴

The analysis of hashtags and keywords prevalent within online prostitution accounts offers invaluable insights into the linguistic markers and digital signatures characteristic of commercial sex work within social media ecosystems. By leveraging these insights, cyberpatrol units can optimize their surveillance and intervention strategies, thereby augmenting efforts to combat online prostitution, safeguard vulnerable individuals, and uphold the integrity of digital platforms in alignment with ethical and legal imperatives.

The recognition of these cases through patrols conducted by Cyber Patrol officers is a very important first step in the case handling process. In carrying out their duties, Cyber Patrol officers conduct regular patrols on various social media platforms and websites to identify unlawful content, including pornographic content. Through careful surveillance, Cyber Patrol officers discovered social media accounts sharing pornographic videos, which is a strong indication of online prostitution activities. The significance of this discovery lies in the potential to identify and stop harmful prostitution practices through appropriate and timely action. By discovering social media accounts promoting pornographic content, Cyber Patrol officers can take the necessary law enforcement measures to address the issue. The quick and responsive actions of Cyber Patrol officers can prevent the spread of harmful content and allow them to gather enough evidence to follow up on the case.⁶⁵

IV. CONCLUSION

Social media platforms embody decentralized, persistent channels of mass-personal communication, offering users scalability and privacy in their interactions. Positioned between traditional broadcast mediums and private communication channels, social media platforms afford users a unique amalgamation of virtual connectivity and personal autonomy, enabling multifaceted engagement within digital spaces. Within this conceptual framework, online prostitution intersects with the functionalities of social media platforms, leveraging their communicative potential to solicit, negotiate, and

⁶⁴ Nugrahadi Kusuma and Suhardi, "Detection of Online Prostitution in Twitter Platform Using Machine Learning Approach" (2021 3rd East Indonesia Conference on Computer and Information Technology (EIconCIT), Surabaya: IEEE, 2021), 57, <https://doi.org/doi:10.1109/eiconcit50028.2021.9431864>.

⁶⁵ I Gede Sathya Narayana Andrade, I Nyoman Gede Sugiarta, and I Made Minggu Widyantara, "Sanksi Pidana Terhadap Pelaku Yang Memperjualbelikan Konten Pornografi Pribadinya Melalui Media Sosial Twitter," *Jurnal Preferensi Hukum* 5, no. 1 (2024): 10.

consummate commercial sexual transactions. The scalability and accessibility of social media enable individuals to discreetly engage in commercial sex work, disseminating promotional content, interacting with clients, and orchestrating transactions efficiently and discreetly. The dynamic ecosystem of social media facilitates the proliferation of commercial sexual content and interactions, transcending geographical boundaries to create a global marketplace for commercial sexual services. Multimedia elements such as images, videos, and hashtags augment the visibility and salience of commercial sexual offerings, while specialized terminology tailored to the online sex industry enhances customer engagement and facilitates transactional negotiations. However, the misuse of social media for online prostitution underscores the complex interplay between technology, commerce, and societal norms within digital environments. Despite regulatory frameworks such as the Criminal Code and Acts concerning Electronic Information and Transactions and Pornography, existing laws have not effectively addressed the challenges posed by online prostitution. The criminalization of pimps without penalties for service vendors or customers creates a legal vacuum, hindering comprehensive law enforcement against prostitution.

The comprehensive investigation into the phenomenon of online prostitution, particularly facilitated through social media platforms, underscores the critical role of law enforcement agencies, notably the Cyber Police, in combating illicit activities in the digital sphere. As highlighted by Jimly Asshidiqie, law enforcement serves as a cornerstone for upholding legal norms, ensuring order, and providing legal protection within society. In Indonesia, the principles of legal certainty and the pursuit of fairness and efficacy continue to guide law enforcement efforts, particularly in the context of combating cybercrime. The establishment of specialized units such as the cyber patrol unit signifies a proactive approach by law enforcement agencies to monitor and address online prostitution and other cybercrimes. Through rigorous cyberpatrol initiatives, law enforcement agencies leverage advanced technology and collaborative partnerships to enhance their effectiveness in combating cyber threats. The utilization of social media technologies by law enforcement agencies emerges as a pivotal strategy for disseminating critical information, raising awareness, and soliciting public cooperation in combating online prostitution. Moreover, the analysis of hashtags and keywords prevalent within online prostitution accounts offers invaluable insights into the linguistic markers and digital signatures characteristic of commercial sex work within social media ecosystems. By leveraging these insights, cyberpatrol units can optimize their surveillance and intervention strategies, thereby augmenting efforts to combat online prostitution, safeguard vulnerable individuals, and uphold the integrity of digital platforms. In the pursuit of optimizing cyberpatrol efforts to combat prostitution through social media, a nuanced understanding of the hashtags and keywords prevalent within online prostitution accounts is paramount. By adopting a proactive and data-driven approach informed by social media analytics, law enforcement agencies can enhance their capacity to combat online prostitution effectively, mitigate the proliferation of cyber threats, and ensure the safety and security of digital communities. Through continuous collaboration, capacity building, and innovative strategies, law enforcement agencies can uphold legal

norms, protect vulnerable individuals, and preserve the integrity of digital platforms in the face of evolving cyber threats.

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