


## Legal Protection for Victims of Extortion Crimes: A Study at the Medan Polrestabes

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Article Info	ABSTRACT
<p><b>Keywords:</b> Legal Protection, Sextortion, Victims of Crime</p>	<p>Cybercrime is becoming increasingly complex in today's digital era, one of which is sextortion, which poses a serious threat to the security and privacy of individuals, particularly women and children. Sextortion is a technology-based sexual crime that exploits a victim's intimate data for blackmail. This study aims to determine the form of sextortion crime, to determine legal protection for victims of sextortion crimes and to determine the obstacles in efforts to provide legal protection for victims of sextortion crimes. This type of research uses an empirical legal research approach. The nature of the research used is descriptive analysis. Using the method of legislative approach related to the legal issues being studied. The results of this study indicate that the legal protection provided to victims of sextortion by the police, including: Provision of legal assistance, Confidentiality of victim identity, Arrest of perpetrators with preliminary evidence, Provision of other assistance in the form of health services, Rehabilitation efforts. Legal protection for victims of crime is an effort to restore losses suffered by victims. Legal regulations in Indonesia cover various aspects of community life in Indonesia, one example is the formation of various Government Regulations and Laws that regulate and guarantee the security of the continuity of community life. For the obstacles themselves there are no, but for the difficulty in revealing this case (profiling), investigators find it difficult to communicate with the victim, where the victim feels embarrassed when communicating because of the problems he experiences which cause fear, anxiety and trauma that he feels during this case.</p>
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### INTRODUCTION

The use of social media in society has become a primary need in everyday life (Irfan & Masyhuri, 2025). High accessibility to information and communication technology means that almost all levels of society are connected through various digital platforms (Suri, 2019). This phenomenon has also encouraged the government to regulate digital activities through laws and regulations, as stated in Law Number 11 of 2008 concerning Information and Electronic Transactions, which was later updated through Law Number 19 of 2016. This Information and Electronic Transactions Law aims to provide legal protection to the public so that they can use information technology safely and comfortably (Aprilianti, 2024).

However, along with the increasing use of technology, various forms of misuse have

also emerged which are actually detrimental to users (Prawitasari et al., 2022). Social media, which was originally created as a space for interaction and self-expression, has now also become fertile ground for cybercrime (Tamhidah, 2023). According to research results, there are several crimes that frequently occur, including defamation, distribution of pornography, online fraud, and gambling (Samudra, 2020). In this context, information and communication technology is like a double-edged sword, not only providing benefits, but also providing significant risks for its users.

One form of cybercrime that is increasingly common is the crime of "sextortion", namely sexual-based blackmail carried out by threatening to spread personal photos or videos containing pornography (Yusuf DM et al, 2022). The perpetrators' access to the content is obtained through various means, such as hacking personal accounts or direct receipt from the victim with limited consent. This crime is complex because in addition to causing material losses, it also has a profound psychological impact on the victim.

Based on the research results, it shows that women are the group most vulnerable to becoming victims of sextortion (Siagian & Subroto, 2024). Although sextortion is basically included in the realm of extortion as regulated in Article 368 of the Criminal Code, the substance that is the object of extortion makes it a more specific crime. Therefore, this crime can not only be prosecuted under the Criminal Code, but also under the Electronic Information and Transactions Law and the Pornography Law. In practice, sextortion overlaps with Non-Consensual Pornography, but is distinguished by the element of extortion that is characteristic of sextortion. However, the laws and regulations in Indonesia have not explicitly regulated the crime of sextortion. However, the elements of sextortion can be traced in various articles, both from the Criminal Code as *lex generalis* and the Electronic Information and Transactions Law and the Pornography Law as *lex specialis*. For example, Article 27 Paragraphs (1) and (4) of the Electronic Information and Transactions Law and Article 29 of the Pornography Law are the most relevant legal bases in reaching this action. Although there are legal loopholes, law enforcement against sextortion still faces major challenges.

One of the biggest obstacles in handling sextortion cases is the culture of victim-blaming and slut-shaming. Sextortion victims are often blamed for the events that befell them, with reasons such as dressing revealingly, being too open in communicating, or being considered "immoral". Social stigma like this causes victims to feel ashamed, afraid, and reluctant to report to the authorities. This shows that in addition to legal efforts, a social approach and public education are also needed to create an environment that supports victims in seeking justice.

The modes of sextortion crimes are also increasingly developing, one of which is love scam, namely fraud based on romantic relationships (Utami et al., 2024). The perpetrator builds an emotional connection online, then manipulates the victim into sending intimate personal content. Unbeknownst to the victim, the content is recorded and used as a tool for blackmail. This crime usually targets individuals who are psychologically and socially vulnerable, especially those who are lonely, lack a strong support network, or are less aware of digital security.

Data collected from the Medan Police during the period 2021–2024 shows that

sextortion cases continue to occur from year to year. Although there were no reports in 2022, it does not mean that there were no cases. Most likely, the victims felt ashamed and were not ready to face the stigma of society and the tiring legal process. The recorded cases show that the perpetrators came from various backgrounds, and the victims were generally women who experienced losses both materially and psychologically.

As a concrete example, in 2021 a victim named Suci Suciati suffered losses of up to tens of millions of rupiah due to sextortion carried out by the perpetrator Porsea Paulus Bartolomeus. In the same year, another victim, Lestari Gulo, was blackmailed by Arisman Hareva who was then charged with the Pornography Law. Subsequent cases in 2023 and 2024 showed a similar pattern, with the applicable modes, impacts, and legal provisions. However, some cases ended with restorative justice, which, although resolving the case peacefully, did not provide a sufficient deterrent effect on the perpetrators.

Based on these issues, this study aims to analyze in depth the crime of sextortion from the perspective of Indonesian criminal law, by reviewing aspects of relevant criminal elements and the legal basis that can be used to ensnare the perpetrators. In addition, this study also aims to examine how legal protection is provided to victims, and evaluate the effectiveness of law enforcement carried out by the police, especially the Medan Police, in handling sextortion cases during the period 2021–2024.

This research has important implications, both theoretically and practically. Theoretically, this research is expected to contribute to the development of criminal law, especially in the context of sexual-based cybercrime. In practice, the results of this study can be used as a consideration for policy makers and law enforcement officers to formulate special regulations that explicitly regulate the crime of sextortion, so that it can increase the effectiveness of law enforcement while providing more comprehensive protection to victims. In addition, through this study, it is also hoped that public awareness will be raised regarding the importance of digital literacy and caution in using social media, in order to prevent similar crimes in the future.

This study is unique compared to previous studies because it specifically highlights the crime of sextortion from the perspective of criminal law in Indonesia, focusing on the Medan Police Headquarters during the period 2021–2024. Unlike previous research, which tended to focus on general cybercrime or non-consensual pornography, this study examines sextortion as a form of sexual extortion with its own unique characteristics, including its *modus operandi*, legal substance, and barriers to law enforcement. It also explicitly evaluates the effectiveness of legal protection for victims, a practice that has often been overlooked in previous studies.

In this study, primary data was obtained through direct interviews with two informants who have strategic roles in handling cybercrime cases, particularly sextortion, in the Medan City Police area. The first informant is First Inspector Omrin Siallagan, S.H., who serves as Assistant to the Special Crimes Unit, and the second informant is First Inspector Hari Tenang Kurniawan, S.H.I, who serves as an investigator. Both informants were selected purposively (purposive sampling), namely based on the consideration that they have knowledge, experience, and direct involvement in the investigation process of the sextortion case that is

the focus of this study. This selection aimed to obtain in-depth and relevant information regarding the nature of the crime, legal protection for victims, and obstacles encountered in the law enforcement process. The interview technique used was semi-structured, allowing researchers to explore the data flexibly yet purposefully, in order to obtain a more comprehensive picture of the reality of handling sextortion cases in the field.

Furthermore, this research does not directly derive recommendations from previous research, but rather stems from the identification of legal gaps that have not been explicitly addressed in Indonesian legislation. Therefore, this research offers a new and relevant contribution to the development of cybercriminal law discourse, as well as encouraging the need for specific regulations and a more humanistic social approach to handling sextortion cases. This provides an important basis for encouraging legal reform and the formulation of policies that are more adaptive to the dynamics of today's digital crime.

## METHOD

This type of research uses an empirical legal research approach. In this empirical research method, it is also about the implementation of normative legal provisions (Laws) in their actions in every specific legal event that occurs in a society (Muhaimin, 2020). Meanwhile, the approach used in this study uses a case approach and a statutory approach.

The data sources used in this study are: primary and secondary data. Primary data is carried out and data is obtained directly which is located at the Medan Police Headquarters. The research location is a place or object for conducting research. The researcher took the research location because in the Medan Police Headquarters in the case of the sector already exists, and the research location is also affordable for researchers. This research was conducted from August 12, 2024 to September 4, 2024. While secondary data is library data which includes official documents, publications on law including textbooks, legal dictionaries, legal journals, and conclusions from interviews at the Medan Police Headquarters.

The data collection tools in this study used two methods, namely documentation studies and interviews. The data analysis techniques in this study were: researchers read and understand the contents of each legal data that has been obtained, conduct legal interpretation (interpretation) of existing provisions, conduct comparative analysis between Indonesian law and finally researchers compile conclusions and recommendations.

## RESULTS AND DISCUSSION

### Forms of Sextortion Crimes

Sextortion is a new crime that has entered the virtual world or cyberspace (cyber crime)(Permana, 2022). Cyber crime is an unlawful act carried out using the internet which is based on sophisticated computers and telecommunications (Yurizal, 2018). Cybersex can be defined as the use of the internet for sexual purposes or using a computer for any form of sexual expression or gratification. (Juditha, 2020). Cybersex can also be seen as “virtual gratification”, and a “new form of intimacy” can also mean “sexual intercourse or adultery”. This means that cybersex is a new form of adultery (Rahayuning, 2019).

Sextortion is a form of cybercrime that is carried out by blackmailing or exploiting the

victim, either materially or sexually (Christian, 2020). Sextortion perpetrators usually take advantage of victims and trick them into sending pornographic material such as nude photos or videos to the perpetrator (Putri & Sukmareni, 2024). Meanwhile, Law Number 44 of 2008 in Article 1 paragraph (1) defines pornography as images, sketches, illustrations, photos, writing, sounds, noises, moving images, animations, cartoons, conversations, body movements or other forms of messages through various forms of communication media and/or public performances, which contain obscenity or sexual exploitation which violates moral norms in society (Mustika, 2016).

Sextortion victims usually follow the perpetrator's wishes in the hope that the victim's pornographic photos or videos will not be spread, although in reality most perpetrators will still spread them after successfully getting the victim to give what the perpetrator wants. According to previous research results, there are several online gender-based crimes that can be classified as follows:

1. Cyber harassment is an act that is done in physical or non-physical form in various ways such as taking pictures, looking at, showing sexual organs, sending pictures of sexual organs by contacting or asking someone to do something they don't want which causes someone to feel insulted, unconstrained, depressed or offended by the behavior. If the sexual behavior occurs through electronic data media or the internet, this is called cyber sexual harassment.
2. Revenge pornography involves the distribution of images or recordings or videos of physical sexual acts without the consent of the individual concerned. In this motive, the perpetrator's intention is to take revenge on the person concerned.
3. Sextortion can be categorized as a cybercrime that occurs when the perpetrator obtains or claims to have sensitive material belonging to the victim in different ways, such as by fake tricks, hacking a PC, or hacking a webcam. Then the perpetrator threatens the victim to spread the material unless the victim will provide other sexual photos, sexual services or a certain amount of cash.
4. Defamation of another person is a violation of norms in society. According to I Made Vidi Jayananda et al., defamation is an activity carried out by someone who spreads slander or false accusations against another person by using writings, speech, photos or recordings that defame a person's good name and honor and then cause insults.
5. Impersonation is one type of online gender-based crime. Cyberbullying also falls into this category of crime. The crime is committed by a party claiming to be someone who pretends to be the person being targeted and then transfers something that tarnishes the person's reputation or for other specific purposes (Mustika, 2016).

Crimes committed using technology are called cyber crimes (Fitriani & Pakpahan, 2020), Cybercrime is one of the dark sides of technological progress which has a very broad negative impact on all areas of modern life today (Butarbutar, 2023). Cyber crime or cyber-based violence is a term used to explain the meaning of unlawful acts, which are committed via online or cyber-based media (Supanto et al, 2023).

Based on the case obtained at the Medan Police Headquarters, there was a case involving a former member of the Medan Regional People's Representative Council, the following is the

chronology: "In 2021, the suspect named Porsea Paulus Bartolomeus created a fake Facebook account named Eligius Fernatubun looking for victims and one of them with the initials SC as a victim who is a member of the Medan Regional People's Representative Council. The introduction began through Porsea Paulus inviting friends on Facebook with the initials SC, starting from the introduction, the messenger started telling stories and the defendant claimed to be a member of the police in Papua.

Then the two became closer and more intimate, after that the defendant asked for the WhatsApp number of the initials SC and seduced him and asked him to show the victim's body naked and the request was complied with by SC, without SC's knowledge, Porsea Hutapea recorded a member of the Medan Regional People's Representative Council who was naked for 30 minutes. From the 30-minute duration, the suspect cut the 5 videos into 3 minutes each. The recorded Sex Video Call was used by the suspect to ask the victim to send money with the threat of spreading the video. As a result of the suspect's actions, the victim felt ashamed and harassed, threatened and blackmailed and his good name was tarnished and also suffered a loss of 33,200,000. The suspect then created a fake Facebook account in the name of the initials SC with a photo of himself taken from DC's original Facebook account. At that time the victim (SC) who was at home received a call informing that there was a fake SC account that uploaded SC's vulgar videos and photos. When SC opened Facebook there was an account using his name with the status "for those who are curious, this is a video if anyone wants to chat via messenger, especially for Medan city officials".

Based on these findings, this case shows how serious and complex the crime of sextortion is that is carried out through social media, especially when the perpetrator uses a fake identity to trap the victim and spread vulgar content as a means of blackmail. This not only injures the victim's dignity and psychology, but also damages the public's reputation and causes social unrest. Therefore, in the case above, the suspect is threatened with a prison sentence of 4 years with a fine of IDR 1,000,000,000 (1 billion Rupiah). Victims of sextortion crimes usually feel embarrassed to report the perpetrators of sextortion as online gender-based violence. The low number of reports to law enforcement is due to the fear and embarrassment felt by the victim to voice the sextortion crime that happened to him.

In the large number of case report data above obtained from the Medan Police, investigators explained the intent and purpose of the perpetrator in committing the crime, namely, it was carried out by means of extortion accompanied by threats to spread sexual, intimate or personal content in the form of sexual photos and videos, with the aim of obtaining benefits in the form of: additional images or videos for the perpetrator's collection, forced sexual intercourse in order to channel lust, and get money and so on.

### **Legal Protection for Victims of Sextortion Crimes**

The perpetrator of sextortion can be anyone, from the victim's closest person to someone who doesn't even know the victim. Sextortion can occur if the perpetrator gets an indecent photo or video of the victim, the victim does not want the perpetrator to spread it, from this is born blackmail carried out by the perpetrator so that the victim is always tricked into doing or giving something ordered by the perpetrator (Herman et al, 2023).

Therefore, it is necessary to have laws and regulations that can ensnare perpetrators of

sextortion. As explained in Article 368 paragraph (1) of the Criminal Code, perpetrators of sextortion want to benefit themselves to get what they ask for, such as sexual activity or property, by threatening to spread indecent photos or videos of their victims. However, in reality, the threat of violence in the Criminal Code is different from the threat of violence in sextortion. In addition to Article 368 (1) of the Criminal Code, there are also regulations regarding extortion, namely Article 369 (1) in the Criminal Code, which reads: "Anyone who, with the intention of unlawfully benefiting himself or another person, by threatening defamation, either verbally or in writing, or by threatening to reveal a secret, forces someone to give something that is wholly or partly owned by that person or another person, or to make a debt or write off a debt, is threatened with a maximum prison sentence of four years."

This law, which aims to protect people who are victims of illegal activities carried out by criminals, places great emphasis on legal protection. This is stated in Article 1 Paragraph 3 of the 1945 Constitution which states that Indonesia is a country of law, namely founded according to law. Therefore, legal protection is seen as a crucial element and is a natural part of the concept of a country of law, which states that the state is obliged to protect the legal rights of citizens. Activities that must be carried out by law enforcement officers to provide a sense of security to the community against possible threats and disturbances from various sources, both psychological and physical, are called legal protection (Al Ghani dan Sefudin, 2024).

The forms of protection for victims of crime can be based on the impact or loss felt by the victim. In general, such protection includes:

1. Restitution

Restitution is a form of compensation given by the perpetrator to the victim, his/her family or a third party. The compensation is in the form of returning property, payment of compensation for loss or suffering felt and can also be in the form of reimbursement for certain actions. Restitution can be requested by the victim, family, or attorney based on a special power of attorney written in Indonesian and stamped. The restitution application is submitted to the court (court, *rechtsspraak*) through the Witness and Victim Protection Agency. Restitution itself aims to ensure that the losses felt by the victim can be properly addressed. This form of protection is based on the provisions of Article 1 paragraph (5) of Government Regulation of the Republic of Indonesia Number 44 of 2008 concerning the Provision of Compensation, Restitution and Assistance to Witnesses and Victims.

2. Medical Assistance and Psycho-Social Rehabilitation Assistance

This assistance is based on the provisions of Law Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 concerning Protection of Witnesses and Victims. Victims are entitled to receive assistance both medically and in the form of psycho-social rehabilitation assistance. The assistance in question can be provided by the Witness and Victim Protection Agency. Victims or their representatives can submit an application for medical assistance or psycho-social rehabilitation assistance. The application can be submitted in writing in Indonesian on stamped paper to the Witness and Victim Protection Agency.

3. Protection from Family

The family needs to provide support to the victim, especially since the family is the closest

part of the victim so that it is expected to be able to better understand the victim's condition. The family can provide encouragement and motivation so that the victim does not get lost in sadness or the problems they face. The family must provide assurance to the victim that what happened to him should not ruin the future, and should not lower the victim's spirit. The family also has an important role because it is able to help the victim to escape from the sneers or stigma of people.

#### 4. Protection from Society

The community also has an important role in helping to restore the victim's mental condition. The community must be able to protect and nurture the victim by not stigmatizing, ostracizing the victim, and not distancing themselves from the victim. Based on the results of interviews with the Special Crimes Committee at the Medan Police Headquarters, it was stated that many sextortion victims did not dare to report because they felt unsafe and considered it a disgrace, because the community considered that the sextortion crime that befell them was caused by their own actions. Therefore, it is very necessary for the state to make appropriate efforts to victims of sextortion so that victims believe that their rights as citizens are fulfilled to obtain justice and protection, so that sextortion victims dare to report the sextortion crime that befell them.

Legal protection for victims is not only a national issue but has become an international issue that is very important to get attention in resolving the case. Fulfillment of protection for victims is a form of fulfilling the sense of justice in society. In cases of sexual violence crimes, in practice, the most difficulties arise in resolving the case, both at the investigation, prosecution, and verdict stages. In addition to the difficulties in the explanation above, there are also difficulties in proving it, for example sexual harassment or indecent acts in general.

#### **Legal Protection Efforts for Victims of Sextortion Crimes**

Legal protection for victims of sextortion crimes is an important aspect in law enforcement that is just and victim-oriented. Many factors cause victims to have difficulty identifying and accepting the sexual harassment they experience, namely confusion, not knowing how to describe to themselves what has happened, feelings of shame, attitudes of blaming the victim by others, and positioning the victim as the one at fault such as the wrong way of dressing, lifestyle and personal life in the spotlight, blaming themselves, feeling that they should have been able to stop the harassment, denial, not wanting to believe that it really happened (Alpian, 2022).

In the legal context in Indonesia, victims of sextortion are often in a weak position psychologically, socially, and legally. Therefore, the state through law enforcement officers has a great responsibility to provide comprehensive protection for victims. In dealing with cybercrime cases, the police have implemented various mitigation efforts, both in the form of prevention and action, namely:

##### 1. Pre-Emptive Efforts

Pre-emptive efforts are the initial steps taken by the police to prevent crimes before they actually occur. In this case, the police try to educate and make the public aware so that they are not easily influenced or trapped in criminal acts, especially cyber crimes such as sextortion. For example, the police can provide counseling in schools or campuses, put up

banners or campaign media about the dangers of sharing personal information on social media, and actively provide information through mass media or official social media about the modes of crime that are currently rampant. The goal is for the public, especially teenagers and parents, to have a high level of understanding and awareness so that they are not easily deceived or exploited by criminals.

## 2. Preventive Legal Efforts

Preventive efforts have been actively implemented by the police, especially by the cybercrime team. This includes the use of social and electronic media to educate the public. They disseminate cybercrime prevention messages that can be further disseminated through chain messages. In addition, print media and radio also serve as sources of public information. The police often provide advice to the public when they appear on talk shows.

## 3. Repressive Legal Efforts

The police work together with relevant stakeholders to arrest perpetrators caught committing crimes. The police go to the crime scene (TKP) to arrest and detain suspects of cyber sextortion crimes, either because they were caught red-handed or in response to public reports. After the arrest, the police handle the matter through legal procedures. A press conference is held to brief the media before the case files are submitted to the prosecutor's office.

Based on the efforts explained above, thus, legal protection efforts for victims of sextortion crimes cannot run alone, but must be carried out systematically, continuously, and in favor of the victims. Concrete steps involving legal, social, and psychological approaches will provide hope for victims to recover and obtain complete justice.

## CONCLUSION

Based on the research results, it can be concluded that sextortion is a form of cybercrime that is particularly worrying in the digital era because it attacks the privacy, dignity, and psychological well-being of victims, especially women, who are the most vulnerable group. This crime not only causes material losses but also creates trauma, shame, and deep fear, thus emphasizing the importance of a comprehensive and victim-centered legal protection system. Police response efforts, such as preemptive (digital education), preventive (counseling), and repressive (legal enforcement) approaches, need to be continuously improved and implemented synergistically. However, various obstacles remain, such as low digital literacy, a culture of victim-blaming, and suboptimal protection of victim privacy during the legal process. Therefore, strengthening specific regulations related to sextortion, increasing cross-sector collaboration, and intensifying public awareness campaigns are needed to prevent and address this crime more effectively. For further research, it is recommended that a focus be directed at evaluating existing policies and developing legal and psychosocial intervention models that are more responsive to the needs of sextortion victims.

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