

PREVENTION OF CRIMINAL ACTIVITIES ON SOCIAL MEDIA BY THE PUBLIC RELATIONS DEPARTMENT OF BATANG POLICE IN THE PERSPECTIVE OF LAW AND HUMAN RIGHTS (A CASE STUDY ON ONLINE GAMBLING)

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ABSTRACT

Public relations, often referred to as PR, is a communication process in which activities are carried out to establish interactions and collaborations with the public. The role of public relations is vital to society, as without it, meaningful interaction would not occur. Public relations serve as a bridge for the dissemination of information. In the context of governance, the role of public relations is crucial for cultivating a positive image of the nation and the state. One of the key tasks of public relations in government is to develop and implement plans related to "Public Service" that are presented by leaders to gain approval. In an organization, particularly within local government structures, public relations also plays a strategic and essential role. As a communication activity, public relations functions as a bridge to create a conducive environment, both internally and externally, with the goal of shaping the image or reputation of the government organization. Internally, public relations is responsible for designing information in a way that ensures consistency and coherence. Given the increasing importance of public relations, there is growing expectation that government public relations personnel expand their knowledge, understanding, and expertise in the field to enhance the performance and professionalism of governmental tasks.

Keywords: Crime, Social Media, Public Relations, Batang Police Department, Law, Human Rights

INTRODUCTION

Indonesia is a law-based state, as explicitly stated in Article 1, paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which declares that Indonesia is a state of law. As a law-based state, the objective of Indonesia, as outlined in the fourth preamble of the 1945 Constitution, is to protect all the people of Indonesia and the entire territory of Indonesia, to promote the general welfare, to educate the nation's life, and to participate in the creation of world order based on freedom, eternal peace, and social justice.

According to Sri Endah Wahyuningsih, a law-based state is one that optimally enforces the law, upholds human rights, and ensures equality before the law and government for all citizens, who must respect the law and the government without exception. Therefore, the enforcement of the law becomes one of the key parameters for the success of a law-based state.

Human Rights (HAM) in Indonesia are regulated by the 1945 Constitution of the Republic of Indonesia, both in its preamble and in the body of the text. Articles 28A to 28J of the 1945 Constitution guarantee the protection of human rights in Indonesia, and this protection is further detailed in Law No. 39 of 1999. This law was established to protect human rights in Indonesia while also limiting them, as it specifies the types of human rights that should be protected. Thus, human rights are not absolute and free, but are subject to limitations. In this sense, the law (or legislation) serves both to protect and to restrict human rights.

Crime is one form of "social disease" that is difficult to address, as it is unpredictable and can occur to anyone, regardless of age. Criminal acts may be committed either consciously or unconsciously, and sometimes due to being compelled by certain situations and conditions. Criminal activities often happen without regard to time or place, which disrupts public safety and comfort in social interactions. The types of crimes can vary, but they are generally categorized into four types: conventional crimes such as murder, transnational crimes such as drug trafficking, crimes with contingency implications such as social instability, and crimes against the state's wealth such as corruption. The number of criminal activities in Indonesia is likely uncountable, and perpetrators often show no remorse for their actions.

Legal violations or criminal acts are a responsibility of every segment of society. However, considering that social instability and social ills are part of life, it is logical to acknowledge that in society, unhealthy social ambitions and excessive needs without sufficient resources may push individuals to commit crimes. It is not surprising, therefore, that society often reacts by opposing the presence of criminality. The issue of crime always attracts public attention, as almost every magazine or newspaper has a section dedicated to criminal news. As such, crime reporting has a significant impact on society.

Providing information and documenting police activities supports the development of knowledge about crime and the process of raising legal awareness among the public. Generally, the public tends to increase their knowledge through more accurate sources, either by reading or listening to information.

In this context, the role of public relations (PR) in the police force is essential in delivering information and providing services to the public, especially regarding security and safety issues. Public relations also helps explain the policies, plans, and outcomes of the institution's work. Every organization, including government agencies, requires public relations practitioners.

Public relations refers to a communication process through which interactions and cooperation with the public are facilitated. Its role is crucial for effective communication, as without PR, there would be no interaction. In government, PR plays a key role in building a positive image for the nation and state. One of the tasks of public relations in government is to develop plans related to public service, which leaders present to obtain public approval.

In an organization, especially within local government, public relations plays a strategic and important role. As a communication activity, PR functions as a bridge for fostering a conducive atmosphere both internally and externally, with the aim of building a positive image or reputation for the government organization. Internally, PR ensures that the information shared is

consistent and interconnected. As PR continues to gain importance, many hope that public relations officers in government will expand their knowledge and understanding of the field, thereby improving the efficiency and professionalism of government tasks.

According to Law No. 14 of 2008 on Public Information Disclosure, public institutions are required to provide access to public information for any requestor. Information is a fundamental need for every individual, both for personal development and for social interaction. With information, individuals are able to make decisions that align with their needs. However, the dissemination of information requires careful consideration within the information system, and the communication process must be planned to ensure that the information is processed and analyzed appropriately.

In the case of the Batang Police Public Relations Unit, it has become a necessity to consistently fulfill its tasks and functions. The current evolution of public relations is increasingly significant. In practice, the Batang Police Public Relations Unit must align its actions with the leadership to avoid contradictory messages. The role of the unit is to maintain public order and security, ensuring a stable and conducive environment through persuasive actions.

This commitment must be shared, as stated in Law No. 2 of 2002 on the Indonesian National Police, Article 2, which defines the police's duties to maintain public security and order, enforce the law, provide protection, and serve the public.

RESEARCH METHOD

This research employs a combination of juridical-empirical legal methods, where the juridical-empirical approach means that the analysis of the issues is conducted by integrating legal materials (which serve as secondary data) with primary data obtained from field research.

DISCUSSION

The prevalent crimes in Indonesia include credit card fraud, banking fraud, defacing, cracking, online gambling, the spread of misinformation via the internet, and terrorism. Based on the *modus operandi*, there are several types of cybercrime cases that are frequently encountered in Indonesia, namely:

1. Credit Card Theft

According to Rommy Alkatiry, the misuse of someone else's credit card online is one of the most significant cybercrime cases related to internet business in Indonesia. The abuse of another person's credit card is relatively simple and can be carried out both physically and online. The name and credit card details of individuals, obtained from various locations (such as restaurants, hotels, or other places where credit card transactions occur), are entered into online shopping platforms to purchase goods.

2. Hacking, Modification, or Destruction of Homepages

As years have passed, hacking incidents have become more frequent. Hacking cases generally aim to steal specific data from the target. However, some hacking activities are intended to destroy data or systems, leading to digital damage. According to John S. Tumiwa, hacking activities in Indonesia are not as severe as those abroad. Indonesian hackers typically gain access to vulnerable websites and inform the owners to take precautions. In contrast, hackers abroad have infiltrated banking systems and damaged bank databases.

3. Defacing

Defacing is a part of web hacking or application program activities, focusing on altering the appearance and/or physical configuration of a website or application program without accessing its source code. Defacing refers to the result of cracking activities and similar acts, where the technique involves reading the source code (specifically in the context of web hacking), then changing images, editing HTML tags, etc. Defacing can be done for fun, to showcase programming skills, or to steal data and sell it to other parties.

4. Website or Email Attacks via Viruses or Spamming

Spamming is a system for sending mass messages or advertising content, often repeatedly, without the consent of the recipient. Spammers send large volumes of spam messages due to the low operational costs, as spam does not require a mailing list to reach the desired audience.

Due to the low entry barriers, many spammers have emerged, resulting in a significant increase in unsolicited messages. As a consequence, various parties have been negatively impacted; not only internet users, but also Internet Service Providers (ISPs) and the general public experience discomfort. Spam often disrupts users and, in some cases, deceives its recipients.

A. Prevention of Crime on Social Media from the Perspective of Law and Human Rights by the Public Relations Department of Batang Police

In a legal state, the position and relationship between citizens and the state should be balanced, where both parties have rights that are protected by law and are equally bound by legal limitations. According to Mochtar Kusumaatmadja, the ultimate aim of law is to provide protection for human interests, particularly the interest of securing a decent life and fulfilling needs without discrimination. Therefore, law is not merely a set of principles and rules that regulate human life in society, including its institutions and processes, but also serves to make the objectives of law a reality.

Law is not an end in itself, but rather a tool to achieve legal goals, which can be used to direct humanity toward good and just purposes, as well as actions that are pleasing to God (SWT). In the words of Roscoe Pound, law is a tool of social engineering,

or, as Mochtar Kusumaatmadja also stated, law is a tool of development. In this sense, law refers to the rules or regulations that function as tools to guide human activities towards the goals desired by societal progress or reform.

Democracy, as a political system within a state governed by law, embodies the principles of equality and liberty for its citizens. Citizens, as the holders of sovereignty, are entitled to the protection of their fundamental rights, which must be guaranteed in the legal system. Similarly, individuals engaged in electronic transactions are entitled to the same legal protections when conducting legal actions through information technology. A state based on the rule of law must ensure this protection. Indonesia, as a law-based state (*rechtsstaat*), operates not solely on the basis of power (*machtstaat*) but under a constitutional system, in contrast to absolutism (unlimited power). The fundamental principles that every citizen must uphold are the supremacy of law, equality before the law, and the enforcement of law through methods that do not contradict legal norms.

Fundamentally, every human being is born as a creation of Allah SWT, endowed with natural rights, including freedom, the right to life, the right to protection, and other inherent rights. This aligns with the natural law principles of the 18th century, which emphasized individual liberty and the primacy of reason. One of the proponents of this view, John Locke, asserted that legal theory begins with individual freedom and the value of reason. Locke also advocated for the social contract, arguing that individuals enter into this contract to create a society that respects freedom, the right to life, and property as inherent human rights.

According to Locke, these rights are not surrendered to the ruler during the social contract. Thus, the power granted to the ruler through the social contract cannot be absolute. Instead, such power exists to protect these natural rights from potential threats, whether internal or external. Likewise, the laws created by the state serve to protect these fundamental rights, often referred to as human rights, ensuring no distinctions between individuals. Through the protection of human rights, individuals can develop themselves, contribute to society, and enhance human well-being.

The principle of legal protection against government actions is based on and derived from the concept of the recognition and protection of human rights. Historically, the Western world developed the concepts of recognizing and protecting human rights aimed at imposing restrictions and establishing the obligations of society and government. On the international stage, the United Nations, through a workshop organized by UNAFEI during the UN Congress X/2000, provided guidelines for preventing crimes related to computer networks globally. These guidelines include:

1. Computer-related crime (CRC) should be criminalized;
2. Appropriate procedural law is necessary to investigate and prosecute cybercriminals;
3. There must be cooperation between governments and industries to prevent and combat computer crimes, ensuring the internet is a safe space;
4. International collaboration is needed to trace and apprehend internet criminals;
5. The UN should take action to provide technical assistance for combating CRC.

The United Nations (UN) held a congress on the Prevention of Crime and the Treatment of Offenders, which addressed the issue of cybercrime. Cybercrime was included in the agenda during the UN Congress VIII/1990 in Havana and the X/2000 in Vienna. The resolution of the UN Congress VIII/1990 in Vienna on computer-related crimes proposed several policies to prevent internet fraud, including:

1. Encouraging member states to intensify efforts to combat computer misuse by considering measures such as:
 - a. Modernizing substantive and procedural criminal law;
 - b. Developing computer security and prevention measures;
 - c. Raising awareness among the public, judiciary, and law enforcement about the importance of preventing computer-related crimes;
 - d. Providing training for judges, officials, and law enforcement on economic crime and cybercrime;
 - e. Expanding ethical guidelines for computer use and incorporating them into computer science curricula;
 - f. Adopting victim protection measures for cybercrime victims as outlined in the UN Declaration on Victims, and encouraging the reporting of cybercrime.
2. Encouraging member states to enhance international efforts to combat cybercrime;
3. Recommending that the UN Committee on Crime Prevention and Control (CCPC) should:
 - a. Disseminate guidelines and standards to assist member states in addressing cybercrime at national, regional, and international levels;
 - b. Conduct further research and analysis to find new ways to address future cybercrime issues;
 - c. Consider cybercrime when reviewing the implementation of extradition agreements and international cooperation in crime prevention.

Based on this UN resolution, the response to cybercrime is not only through criminal law policies, both substantive and procedural, but also through preventive measures. The preventive policies outlined in the UN resolution include efforts to improve computer security and other preventive actions as specified in the resolution.

This ties into the concept of techno-prevention, which involves using technology to prevent or combat crime. The UN Congress recognized that cybercrime, closely linked to technological advances, cannot be addressed solely through legal approaches but must also involve technological solutions. In addition to securing the technology itself, the resolution also emphasizes the need for a cultural approach in combating cybercrime by raising public and law enforcement awareness of cybercrime issues and promoting ethical computer use through educational media in line with the UN resolution.

CONCLUSION AND SUGGESTION

A. Conclusion

Based on the explanation above, the following conclusions can be drawn from the research:

1. The law enforcement efforts carried out by the Batang Police Criminal Investigation Unit (Satreskrim Polres Batang) in addressing perpetrators of online gambling crimes involve both preventive and repressive measures. Preventive actions include cyber patrols and collaboration with the Ministry of Communication and Information to prevent the emergence of criminal activities. Repressive actions involve firm measures such as arrests and the imposition of criminal sanctions on online gambling offenders.
2. Further efforts in preventing online gambling include raising public awareness about the dangers of engaging in gambling and increasing surveillance in the cyberspace via internet media. This awareness campaign is implemented by directly engaging with the community through warnings and educational outreach programs.

B. Suggestion

The following recommendations can be made based on the conclusions outlined above:

1. The Indonesian National Police should collaborate with the Ministry of Communication and Information Technology to procure advanced tools for detecting activities related to online gambling. Additionally, cooperation with law enforcement agencies in other countries is necessary to prevent new gambling syndicates from entering Indonesia.
2. The Batang Police Resort should conduct training for investigators within the Batang Police Criminal Investigation Unit to enhance the quality and expertise in handling online gambling cases. It is also recommended to recruit information technology specialists and collaborate with hackers to assist in tracking down elusive gambling syndicates.

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