


## The influence of social media viral status on the acceleration of criminal law processes in indonesia

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Article Info	ABSTRACT
<b>Keywords:</b> viral social media, criminal law, investigation,	Social media viral status refers to statuses, pictures, photos, videos, and all other information that spreads quickly and widely, so that viral information is widely known by the wider community, and has become a topic of discussion by many netizens or netizens in cyberspace. The purpose of this study is to determine the effect of social media viral status on accelerating the criminal justice process in Indonesia, as well as solutions for the community regarding the viral social media status. The method in this study uses qualitative analysis methods. The data collection technique in this study was for primary data by means of documentary studies and interviews and for secondary data by studies of primary, secondary and tertiary legal materials. The results in this study state that there is an influence of social media viral status on the acceleration of the criminal justice process in Indonesia. As well as solutions for law enforcement agencies such as the police in fixing the public complaint system, namely Improving the Complaint Acceptance System, Training and awareness for officers, Building an Evaluation and Monitoring System, Strengthening collaboration with social media, Increasing Transparency and Public Communication, and internal evaluation and system improvement.
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### INTRODUCTION

The use of social media for information and communication technology is expected to grow. The greatest advances in information and communication technology that have had the greatest effect on human beings can be attributed to the internet. Currently, it can be said that people's dependence on modern technology cannot be separated. However, the perspective of the development of information and communication technology is not only based on the existence of increasingly advanced communication devices, but also on the cultural influence of society. According to the grammar, social media, or "Media Sosial" in English, consists of the words "Social" and "Media", where "Social" refers to social containers or locations and "Media" indicates community or interaction. Social networks, on the other hand, are websites where users can create web pages (accounts) in private, then interact and talk with other people. Facebook, Twitter, Instagram, Line, Path, and Myspace are the biggest social networks that are often used by netizens (social media users). Social

media uses the internet if conventional media uses broadcast media and print media. Anyone interested is invited to express themselves openly on social media. Mayfield (2008) asserts that social media is considered a new category of online media. The following are some of the characteristics that are usually possessed by social media, including: 1. Contribution, especially through social media, providing feedback to those who are interested; 3. Conversation, social media uses better communication techniques, meaning that it uses a two-way communication conversation method; 2. Openness, the majority of social media is open to receive comments and participation; 4. Communities can easily emerge and interact successfully thanks to social media. because those who live there share the same interests; 5. Connectivity; the majority of social media platforms survive because of their connectivity.

Social media is used by the public as a tool for learning and seeking information, but as it develops it is also used as a tool for cyber crime. It is impossible to discuss this "viral" phenomenon without mentioning social media and its impact on everyday life in our culture. The findings of the "online study" show that the term "Viral Virus" is shortened to "Viral" in English. Viruses cause disease. To be virtual is to be unreal. You can outline using different annotations. Every status, picture, photo, video, and other information that spreads quickly and widely from one social media user to another is referred to in cyberspace as "viral", and many of them eventually become the subject of discussion among netizens in cyberspace. . In a practical sense, a virtual or viral virus is the spread of information or communication through cyberspace (internet media), especially on social media. "Going viral" means being disseminated by social media users or active internet users (netizens/internet citizens). (www.romelte.com, 2018).

The conditions faced by the Indonesian nation today require an adaptive mindset and government accountability. At almost all social phases and echelons, social media has significantly changed the way people interact with each other. For the social cycle to work, society must change and develop. As a result, the Indonesian government had to impose restrictions on the use of social media. Social media is "a group of internet-based applications that build on the theoretical and technological foundations of Web 2.0, and which enable the creation and exchange of user-generated content," according to Andreas Kaplan and Michael Haenlein (2010).

The number of internet users in Indonesia currently is 63 million, according to the Ministry of Communication and Informatics. 95 percent of those surveyed access social networks online. Facebook and Twitter are the social networking sites that receive the most traffic. India, Brazil and the United States are the top 3 Facebook users, followed by India. The fifth largest Twitter user in the world comes from Indonesia. Only the United States, Brazil, Japan and England outperformed Indonesia (kominform.go.id). The information above shows that access to information is getting easier. Good and bad information can be found in large amounts online. Sometimes misinformation or disapproval fosters a culture of insulting one another and fuels animosity. Conflicts in society will occur if not resolved. Due to lack of knowledge of the differences, all that happened.

Indonesia is a constitutional state, according to Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia (Wignyosoebroto Soetandyo, 2007). According to Mahfud MD (2011), Indonesia is a country based on law (Rechtsstaat), not just violence (Machtsstaat). The third amendment to the 1945 Constitution leads to the contents of this article. Article 28I of the 1945 Constitution paragraph 5 emphasizes that human rights are implemented in accordance with the principles of a modified constitutional state to safeguard and protect them. The notion of a rule of law is very important, therefore Indonesia needs to express and state it in several articles in the constitution, particularly the 1945 Constitution. The notion of a rule of law has several consequences, including the requirement that all legal standards and results comply with these basic standards. The rule of law concept also calls for the legislative, executive and judicial branches of government to operate in accordance with applicable legal standards. According to Abdul Latif, one of the components of a rule of law state is a government that operates according to the law (the principle of legality), with the power and authority of the government fully sourced from the Constitution or laws. The government is careful in carrying out its duties, the parliament is very vocal in controlling and participating in politics, the people do not hesitate to voice their criticism, and respect for human rights – the rights of citizens – is the hallmark of political life and behavior. This communication process, of course, starts with the government changing its mindset from the top to receiving public complaints so that it is able to criticize social problems or government performance (Abdul Latif, 2005).

In the era of globalization and the rapid development of information technology, social media has become one of the main means of communicating, sharing information, and influencing public opinion. Its presence has opened a wide door for massive and rapid circulation of information throughout the world, including in Indonesia. This phenomenon does not only cover social, political, and economic issues, but also includes the criminal law sector.

Criminal law as one of the main pillars of a country's legal system plays an important role in maintaining justice and public order. However, the development of information technology and social media has had a significant impact on the criminal justice process in Indonesia. Information and issues spread on social media can create viral status, where an event or problem becomes viral and attracts wide attention from the public (Octarina & Ulfa, 2019)

The emergence of social media viral status can have an impact on various aspects of the criminal justice process, including investigations, investigations, prosecutions, and trials. The speed and breadth of information generated by viral social media status can influence how law enforcement handles a criminal case and how the legal process itself takes place.

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According to Eddy OS (2014), the general function of criminal law is to maintain public order, while the special function of criminal law in addition to protecting legal interests also gives legitimacy to the state in order to carry out the function of protecting legal interests.

Based on the above, the researcher is interested in examining whether there is an effect of social media viral status on the acceleration of the criminal justice process in Indonesia, as well as what are the solutions for the community regarding the social media viral status. The results of this study are expected to provide a deeper understanding of the role of social media in accelerating the criminal justice process in Indonesia. In addition, the results of this study are also expected to provide input for law enforcement and the government in dealing with the challenges posed by viral phenomena in this digital era. Thus, it is hoped that this research can make a positive contribution to the development of a criminal justice system in Indonesia that is more adaptive and responsive to the times.

## METHODS

This study uses a sociological normative legal research methodology, especially normative legal research which is supported by empirical/sociological legal research, according to the topics that have been formulated previously (Sugono, 2011). In this study primary data was collected through documentary research and interviews, while secondary data was collected through primary, secondary and tertiary legal literature reviews . To get clarity about the topic to be explored, the analytical approach used in this study is a qualitative analysis method, in which all data received or collected is edited, processed, and arranged systematically.

## RESULTS AND DISCUSSION

### Social Media Viral Status

Social media, which includes blogs, social networks, wikis, forums and virtual worlds, allows people to easily join, share and create content. Most people use blogs, social networks and wikis as their main social media platform. According to Asur et al. (2010), social media is also referred to as an online discourse platform where users can express their creativity by creating and sharing materials. Through the use of social media, communities and people can share, create, discuss and edit user-generated material, which is a new form of communication in today's times (Kietzmann, 2011).

A platform where people are free to express themselves by posting their writings and even forming interactions on the internet, or more specifically on various existing social media, is the essence of social media, according to the various definitions given above. Many people seek freedom of speech through social media, which benefits its users.

One of the main benefits of social media is that it can be used as a tool or space for creativity. Social media users can post various things on their profiles, leave comments, and even upload pictures, videos and photos. They can also chat (talk) with their friends on their account. Usually, it is in these settings that incidents or situations occur that ultimately embarrass perpetrators with social media accounts. Users' freedom of speech is often used as a forum for creativity, but if not careful, it can become a means to slander or embarrass someone.

Social media has features that differentiate it from conventional media. One of its characteristics is the presence of user generated content and connectivity between users. This means that each user can interact with other users through the content they share on social media. In addition, social media users can redistribute (re-share) content created by other users on their own social media. This feature is very commonly used on platforms like Facebook, YouTube, Instagram, and Twitter.

Usually, uploaded news or videos can quickly spread (viral) depending on the content. Users can also communicate with their friends on their social media accounts. However, these settings can also be the scene of embarrassing incidents or situations for users with social media accounts. Users' freedom of speech is often used creatively, but if not used carefully, it can be used as a means to slander or insult someone. Top of Form

A content is categorized as viral if it has been shared repeatedly by social media users and spreads across social media users' networks (Deza & Parikh, 2015). Based on research by Deza & Parikh (2015), viral content has a high virality score compared to other content. The virality score can be seen from the number of viewers (views) who view the content, the number of social media users who like the content (up votes) more than other content, the least number of users who do not like the content (down votes), and the number of users who re-share the content (shares) more than any other content.

Van Dijk & Poell (2013) explained that social media has popularity characteristics that can make users popular. Therefore, many social media users are competing to create content that can become viral. Some users even plan content creation hoping to achieve some level of virality. The study conducted by Vallet et al. (2015) showed that the virality of content can be predicted by calculating the popularity and virality values on social media. This research was conducted using the YouTube and Twitter platforms. The popularity of content is seen from the number of viewers (views), while virality is seen from the number of mentions by social media users. Content that has a high popularity and virality value is the most accessed content.

Basically, the virality of a photo or video has a positive impact on society because news can efficiently reach the public, but on the other hand, every viral photo or video must have an object, in this case humans who have privacy (Octarina & Djanggih, 2019). Objects in viral photos or videos react immediately, because most netizens' uploads only display an event that is considered exciting without paying attention to the series of events. As is the case with the video that went viral relating to a nurse apologizing to a female patient because she was suspected of having committed sexual harassment. The incident occurred at the end of January 2018 at a hospital in Surabaya (Ravianto, 2018). Almost all news spreader accounts uploaded a piece of the video, so that not a few gave the nurse a verdict which in fact a verdict from the Court had not yet occurred.

### **The Influence of Viral Media Status on the Acceleration of Criminal Law Processes in Indonesia**

The hashtag #It's Useless to Report the Police has returned to being discussed on social media some time ago. The hashtag reflects disappointment and satire towards the

police institution which is considered slow in responding to complaints from the public. This shows dissatisfaction and distrust of the police's performance in dealing with security and law enforcement issues.

The community considers that reporting an incident or complaint to the police often does not produce the expected results. Disinterest in reporting to the police is common due to the slow process, complicated bureaucracy, and lack of transparency and accountability in handling cases. In several cases that received media attention, there were reports that were mixed up and did not receive adequate follow-up, making the public feel that reporting the incident was just a waste of time and energy.

It is true that in Indonesian law there are no rules that specifically regulate how long the police process must be completed. This has become a source of dissatisfaction and anxiety for the public in making reports to the police. Ignorance regarding the deadline for resolving cases often makes people doubtful and unsure whether their complaints will be followed up quickly or even left hanging without certainty.

In addition, there is a more serious problem involving police officers offering fast report processing in exchange for fees. This practice has become an open secret in the community and destroys the integrity and public trust in the police institution. This kind of corruption offends the principles of justice and law enforcement which should be upheld by the authorities. Illegal levies by members of the police not only harm society financially, but also undermine a fair and equitable justice system. This creates the impression that the police are prioritizing personal interests or financial gain rather than providing good public service and carrying out law enforcement duties with integrity.

The investigation stage is not at all limited by the time when the investigation process must be completed. In contrast to the investigation stage, based on the Chief of Police Regulation Number 14 of 2012 concerning Criminal Investigation Management it is stated that the time to complete an investigation is calculated based on the weight of the case. The difficulty level of case investigation is divided into easy cases, moderate cases, difficult cases, and very difficult cases.

However, the regulation does not state exactly how long the investigation process will take and depends on the police's subjective judgment without any significant consequences for the police if the process has exceeded the existing time limit. Seeing this, the phenomenon emerged that the community or even victims made "complaints" on social media which turned out to have a tremendous impact so that in the end the police moved to process the existing cases.

The investigation stage in the legal process in Indonesia is indeed not limited by a definite time for completion. This means that the police have the freedom to conduct investigations to collect evidence and information related to a case. However, it should be noted that the investigation phase must still be carried out in the best, efficient and proportionate way to safeguard justice and human rights.

Article 1 point 2 of Law Number 8 of 1981 concerning the Criminal Procedure Code (hereinafter referred to as the Criminal Procedure Code) states that an investigation is a

series of investigative actions in matters and according to the manner stipulated in this law to seek and collect evidence by This evidence sheds light on the crime that occurred and to find the suspect.

Investigations are carried out by investigators who are state police officials or certain civil servant officials who are given special authority by law to conduct investigations. While the investigation is the initial process before an investigation is carried out, namely a series of investigators to search for and find an event that is suspected of being a crime in order to determine whether or not an investigation can be carried out according to the method regulated in the Criminal Procedure Code.

Basically, the Criminal Procedure Code does not explain explicitly regarding the period of investigation and investigation, but in the provisions of article 31 of the Indonesian National Police Regulation Number 12 of 2009 concerning Supervision and Control of the Handling of Criminal Cases within the Indonesian National Police (hereinafter referred to as Perkapolri 12/2009) it is stated whereas the time limit for completing a case is determined based on the criteria for the level of difficulty of very difficult, difficult, moderate, or easy investigations. The deadline for settlement of cases is calculated from the date of issuance.

On the other hand, the investigative stage in the legal process has provisions regarding the time of completion based on the weight of the case. Chief of Police Regulation Number 14 of 2012 concerning Management of Criminal Investigation categorizes the level of difficulty of investigation into easy, moderate, difficult and very difficult cases. However, the regulation does not explicitly state how long it will take to complete the investigation of a case.

The uncertainty in the completion time of this investigation creates uncertainty for the community and victims, who may feel frustrated and unsure when the legal process will be completed. The lack of meaningful consequences for the police if the time limit is exceeded is also a serious problem. This situation then encourages the public or even victims to make complaints or voice these problems on social media.

In the era of social media that is increasingly broad in reach, complaints on social media often get extraordinary responses and attention from the wider community. Communities and victims feel that through social media they can express their dissatisfaction with the slow pace of the legal process and ask the police to act more quickly and responsively (Octarina et al, 2022). This phenomenon, where social pressure from social media influences police action, has occurred in several cases.

The two cases that have come to the surface are a case of sexual harassment that was experienced by a KPI employee named MS, and a case of rape of three children by their biological father. In the case of sexual harassment, MS actually reported the problem to his superiors at KPI and the police in 2019, but the report received no serious response. The police officer even suggested MS to solve the problem internally at KPI. After reporting to superiors, the solution obtained was only in the form of moving MS's workspace to avoid bullies, while the alleged perpetrators did not receive any sanctions

The bullying continued. Emotionally unable to stand it, MS returned to the Gambir Police for the second time in 2020. In the second report, the police only asked for the numbers of the alleged perpetrators without any legal process. Feeling confused because the report had not been responded to, MS then wrote down his experience in a letter which went viral on Twitter in early September 2021. After it went viral on social media, only the police, KPI, and other parties began to act to follow up on this case.

On September 6, 2021 the Central Jakarta Police examined 5 reported persons who were said to have sexually assaulted MS. Propam was also involved to investigate allegations of omission in reports that MS had submitted to the Gambir Police. Meanwhile, KPI also terminated the contracts of employees who were involved in sexual harassment against MS. As of the latest news, the development of the MS case is still stagnant with the police.

Meanwhile, the rape case of three children by their biological father also became a public spotlight in early October 2021. This mother of three children directly revealed this case through the media, and the news then went viral on social media. Even though this mother had filed a complaint with the police, the investigation into her case was stopped by the East Luwu Police, South Sulawesi, only two months after the report was made. However, after this case went viral, the East Luwu Police finally conducted a new investigation regarding the rape case allegedly committed by the biological father.

There are still many examples of other viral cases on social media that after they went viral only received attention from law enforcers, such as members of the Pulogadung Police who did not take reports of theft seriously, the case of a policeman who impregnated his girlfriend so that her boyfriend became depressed and chose to commit suicide and finally the case of omission by a police officer. in cases of child abuse.

These cases reflect the dissatisfaction and concern from the community regarding the response and performance of law enforcement agencies, especially in handling sensitive cases such as sexual harassment and rape. Delays or lack of response from the police in carrying out investigations and investigations of this kind can cause victims to feel hopeless and find it difficult to get justice.

As an effort to improve public complaint reports and increase responsiveness in handling cases, the Indonesian National Police need to take the following steps:

- a) Improvement of the Complaint Reception System: The police need to improve the system for receiving public complaints, both through physical and digital channels. This includes establishing a complaint service center that is easily accessible to the public and using an online platform to report problems in a transparent and easy way.
- b) Training and Awareness: Police officers must be given training on the importance of respecting and responding to every public complaint seriously, without discrimination. Awareness of the importance of providing protection and justice for victims is very crucial.
- c) Establishing an Evaluation and Monitoring System: A strict evaluation and monitoring system is required to ensure that every public complaint report receives proper and

timely action. The use of technology in tracking and monitoring systems can also help increase transparency and accountability.

- d) Strengthening Collaboration with Social Media: In the digital era, collaboration with social media is very important. The police should actively monitor social media to detect and respond quickly to viral complaints and complaints. Active communication with social media users is also needed to provide clear and accurate information regarding progress in handling cases.
- e) Increased Transparency and Public Communication: Police need to increase transparency in informing the public about the process of handling cases. Clear and open communication about steps taken by the police can help build public trust.
- f) Internal Evaluation and System Improvement: It is important for the police to carry out periodic internal evaluations to identify obstacles and problems in handling complaint reports. From this evaluation, system improvements can be made to improve service quality and legal process efficiency.

By taking the steps above, the Indonesian National Police can improve their performance and responsiveness in handling reports of public complaints. This will help the public feel more confident and get the justice they deserve in every case that is reported.

## CONCLUSIONS

Based on the results and discussion, it can be concluded that there is an effect of social media viral status on the acceleration of the criminal law process in Indonesia. Social media has a significant role in influencing the acceleration of the criminal justice process in Indonesia. Viral phenomena on social media can voice public dissatisfaction with the slow response of law enforcement agencies, especially in handling sensitive cases. Limitations of regulations related to the time limit for solving cases in the police create uncertainty and worry among the community. Therefore, it is important for the police to improve the complaint reception system, increase officer awareness, and build collaboration with social media to increase responsiveness and transparency in handling complaint reports. With these steps, it is hoped that the public will feel more confident and confident that they will get proper justice in every case that is reported.

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