LEGAL VIEW OF ACTION PERPETRATORS DISGUISE IDENTITY BY THE PRESS THROUGH ELECTRONIC MEDIA RELATED TO ARTICLE 165 PENAL CODE JUNCTO REGULATION NUMBER 40 YEAR 1999 ABOUT PRESS

Abstract

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Mass media give very big impact for the community. Television has long been recognized by society is the mass media have an important role in various aspects of national life. The role of television in public life including social aspects, politics, religion, culture, and morality of the Indonesian nation. Journalism was always in touch with the news (news) is written, or the process of delivering a written message to the audience (many communicants, or receiving messages). Works of journalism or writing in the press in general might be called news. The press needs freedom in providing information to the wider community and society requires a variety of information, including information about criminal news. One of the functions criminal news is to know what crimes are much happening so that people can anticipate the crime. The problem is that if the concealment of the identity of perpetrators of crimes committed by the press in an interview is not followed by notice to the judiciary or police officers. It is probable that the human press can be detrimental to the public interest to disguise the identity of perpetrators who have been interviewed by the personnel of the press, because by knowing the existence of a crime or offense but not followed up with a report to the authorities, the investigator or the police. Such personnel actions of the press contrary to Article 165 of the Penal Code which contains an obligation for every citizen to know about the existence of a crime to report such crimes to the judiciary or police officers. Press has the right to reject in the Press Law and Ethics of Journalism is one of the gaps (loopholes) used by personnel of the press for violating Article 165. Problems that the authors were taken in this paper is how the effectiveness and progress of solve that case of the perpetrators informant disguise identity by the press.

To achieve the above goal, the author conducted a study that is descriptive analysis using a normative juridical approach. Data were analyzed qualitatively juridical, which laws and regulations that one must not conflict with other laws and regulations, and considering the hierarchy of legislation and legal certainty.

Based on research, can be concluded that human beings act to disguise the identity of the press that offenders as a resource in conducting investigative interviews can be categorized as a crime and violating Article 165 The Book of Criminal Law Act, if not followed by reported crimes known to mankind is the official press judicial or police. Usage rights to the resource persons rejected by the press who are witnesses, crime victims propriety, as well as minors who become perpetrators of evil does not conflict with Article 165 of the Penal Code. Article 165 of the Penal Code has not been effective and not create a deterrent effect of punishment because there are still many broadcast investigative news shows offenders as persons with names, faces and voices disguised. Settlement of crimes to the press that disguise the identity of perpetrators is not done through the courts but through the way of mediation with the Press Council and the Indonesian Broadcasting Commission as a mediator.