



COUNTERMEASURES AGAINST FALSE REPORTS FROM THE PUBLIC AT THE BREBES REGENCY FIRE DEPARTMENT

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Abstract

Background. False reporting to emergency services presents a significant operational and legal challenge. In the context of the Brebes Regency Fire Department, the act of falsification, wherein a report appears legitimate externally but is factually incorrect, undermines emergency response capabilities. This study was motivated by the need to address this issue, focusing on two central questions: (1) What are the primary motives of individuals who submit false reports to the Brebes Regency Fire Department? (2) What countermeasures has the department implemented to mitigate the occurrence and impact of these false reports in its jurisdiction?

Methods. This study utilizes a normative juridical approach. This method of legal research is characterized by its reliance on the analysis of library materials and secondary data, also known as doctrinal or literature-based research.

Results. The findings indicate several key motives for the submission of false reports. These include intentional acts driven by curiosity, often inspired by information found through online search engines and social media platforms. Other contributing factors identified are a lack of public knowledge (ignorance) regarding emergency protocols and genuine panic from reporters, which leads to inaccurate information. Furthermore, the research reveals that overlapping or redundant reports for a single incident create significant logistical difficulties for Fire Department personnel during operational preparations for various emergencies, such as fires, animal control (e.g., snake removal), and electrical hazards.

Conclusion. The primary countermeasure implemented by the Brebes Regency Fire Department is public education. The department actively informs the local community about correct and responsible reporting procedures. These efforts aim to enhance the department's operational effectiveness, accountability, and transparency. Ultimately, the success of these public service objectives is fundamentally dependent on fostering cooperation and support from the community it serves.

Keywords: False Reporting, Fire Department, Legal Countermeasures



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INTRODUCTION

Rapid population growth in Brebes Regency has led to a significant increase in the demand for land for residential and commercial activities. This urban expansion, driven by socio-economic development, necessitates the establishment of more housing, commercial industries, and social facilities. Such changes in land use have intensified the burden on urban infrastructure, giving rise to a range of complex social, economic, political, and security challenges within the community.

Among these challenges, the threat of fire poses a unique risk. Unlike other natural disasters such as floods, earthquakes, or storms, where technological advancements often provide early warnings that allow for mitigation of casualties and material loss, fires are characteristically unpredictable. Their sudden and unforeseeable nature leaves minimal opportunity for preemptive action, distinguishing them as a particularly pressing urban hazard.

The legal response to fire-related incidents falls within the domain of criminal law, which is founded upon a framework of legal principles and theories. These principles are fundamental guides for the application of criminal statutes, while legal theories, such as the retributive, utilitarian (relative), and integrative models, provide a scholarly basis for interpreting the criminal justice system (Muladi, 2022). This framework is essential for the coherent application of both substantive and procedural criminal law.

Within this legal context, a critical distinction is made between intentional acts (*dolus*) and negligence (*culpa*). According to Samosir (1992), while both concepts relate to unlawful acts with criminal liability, they differ fundamentally in their nature. An act of *dolus* is characterized by the perpetrator's clear intent to commit an offense, demonstrating a willful disregard for the law. In contrast, an act of *culpa* arises from carelessness or a failure to exercise due care, resulting in an unintended offense.

This distinction is codified in the Indonesian Criminal Code (KUHP), specifically in Article 188, which addresses negligence leading to a fire. The article states: "Whoever, through negligence (*culpa*), causes a fire, explosion, or flood, shall be punished with a maximum imprisonment of five years or a maximum confinement of one year or a maximum fine of four thousand five hundred rupiah, if the act endangers the property of others, poses a threat to the life of another person, or results in death." Conviction under this article requires

the fulfillment of two key elements: (1) the incident was caused by negligence rather than intent, and (2) the act resulted in a general danger to property, human life, or caused a fatality. This provision underscores that even unintentional acts of negligence that lead to fire are subject to criminal prosecution.

However, the challenges faced by the Brebes Regency Fire Department extend beyond managing actual fires to include the deliberate submission of false reports. This issue drains critical resources and complicates emergency response. For instance, on December 5th, the department received a fraudulent report from an individual using the alias "Kinanti," who claimed her house was on fire. Upon arrival at the specified location, response units found no evidence of a fire or any signs of danger. Subsequent inquiries with local residents confirmed that no individual by that name resided in the area, verifying the report as a hoax.

Motivated by the prevalence of such incidents, this research aims to investigate the phenomenon of false reporting to the Brebes Regency Fire Department. This study seeks to answer the following research questions:

1. What are the primary motives of individuals who submit false fire reports to the Brebes Regency Fire Department?
2. What countermeasures has the Brebes Regency Fire Department implemented to address the issue of false reporting within its jurisdiction?

METHOD

This study employs a doctrinal or normative juridical research method, which establishes law as the foundational framework of norms (Ali, 2009). The research adopts a Statute Approach, involving the analysis of legislation, and a Case Approach, which examines secondary sources such as academic literature and relevant news reports. These methods are utilized to conduct a juridical review of the criminal liability associated with false reports from the public, focusing on a case study of the Brebes Regency Fire Department.

RESULT AND DISCUSSION

The Legal Framework for Countering False Public Reports

Legal countermeasures represent the process of transforming legal ideals and concepts into tangible reality to serve the public good (Dellyana, 1998). This process involves harmonizing the values embedded in legal norms with the actual conduct of individuals in

society to achieve justice, truth, and social benefit. Public order, a key objective of this process, is realized when citizens adhere to established legal, religious, and social norms, as well as prevailing legislation. In the local context of Brebes, this is mandated by regulations such as Brebes Regent Regulation No. 53 of 2009 concerning the Implementation of Brebes Regency Regional Regulation No. 1 of 2015 on Public Peace and Order. These regulations provide the legal basis for maintaining social stability, particularly during disasters like fires and floods.

A violation of legal norms invariably leads to accountability. In criminal law, this is known as criminal responsibility or liability (*toerekenbaarheid*), defined as the condition wherein an individual can be subjected to punishment or sanctions for their actions (Ismaniyari, 2018). Crime is recognized as a profound threat to social tranquility and a persistent humanitarian issue, described by Benedict S. Alper as "the oldest social problem" (Arif, 2010).

According to Sudarto, criminal law contains legal rules that attach specific penal consequences to certain prohibited acts (in Ali, 2015). In line with this, the Indonesian Criminal Code (KUHP) serves two primary functions:

1. It defines and describes actions that are punishable by law, thereby informing the public and law enforcement officials which behaviors are prohibited.
2. It specifies the legal reactions, including punishments and other measures, that will be imposed on those who commit these prohibited acts. Modern criminal law aims not only to punish but also to protect society from harmful behaviors.

Crimes are thus violations against the legal order, committed with or without intent, and the imposition of punishment serves to preserve that order and protect the public interest (Arief, 2003). The Fire and Rescue Service (*Dinas Pemadam Kebakaran dan Penyelamatan*), as a regional agency responsible for fire-related matters, operates within this legal framework, with its duties stipulated in the Minister of Home Affairs Regulation No. 16 of 2020.

Motives of Perpetrators of False Reports

A crime of falsification involves an act that contains an element of untruth, where an object or situation is presented in a manner that appears authentic but is contrary to reality (Chazawi, 2001). Understanding the motives behind such acts is critical for developing effective countermeasures. Based on an interview with Mr. Sujadi, S.E., Head of the Public Order and Fire Safety Division (*Kabid Linmas Damkar*) of Brebes Regency, the primary motives for submitting false reports to the Fire Department are as follows:

1. **Intentional Acts of Curiosity:** Perpetrators are often driven by a desire to test the Fire Department's response. This is facilitated by the high transparency and accessibility of the department's contact numbers, which are readily available on public search engines and social media platforms like Google and Instagram.
2. **Ignorance or Lack of Awareness:** Some false reports originate from a lack of understanding, particularly from minors. An incident in May 2022 involved a child who called to report a fire; however, upon investigation, the location was found to be calm with no emergency. This highlights a need for continuous evaluation of how to handle such calls.
3. **Panic and Redundant Reporting:** Genuine panic can cause individuals to provide inaccurate or incomplete information. This situation often leads to multiple, overlapping reports for a single incident, which complicates the logistical preparations of Fire Department personnel for both fire suppression and other emergencies, such as animal control or electrical hazards.

From a legal perspective, assessing criminal responsibility for these acts requires determining if the perpetrator is capable of being held liable. This capacity hinges on two factors: the intellectual ability to distinguish between right and wrong, and the volitional ability to act in accordance with that understanding. An individual lacking this capacity cannot be deemed to have criminal intent (*culpa*). As stated in Article 44 of the KUHP, an individual cannot be held responsible if their mental faculties are impaired by defect or disease. This aligns with Chazawi's definition of falsification, where the core of the crime is the deliberate creation of a state of untruth.

Countermeasures by the Brebes Regency Fire Department

False reports severely impede the Fire Department's ability to optimally perform its technical duties in fire prevention, public education, and emergency response. To address this, the Brebes Regency Fire Department has implemented a multi-faceted strategy focused on accountability, deterrence, and public education.

The primary countermeasures are:

1. **Enhanced Administrative Accountability and Transparency:** The department is improving its formal administrative procedures. This includes actively socializing the correct reporting channels and disaster prevention protocols to the local community.

By promoting transparency, they aim to build public trust and responsible reporting

habits.

2. Deterrence Through a "Three-Strikes" Policy: A lenient initial approach is taken, but a clear deterrent has been established. If an individual is identified as having made three separate false reports, the case will be handed over to the police for criminal investigation. This policy is intended to create a deterrent effect (*generale preventie*) and rehabilitate offenders.
3. Stricter Verification Protocols: To filter out false alarms, new administrative checks have been introduced. Reporters are now required to provide their live location (*share location*) and a photo of their official ID card (KTP) as proof of identity when filing a report.
4. Continuous Public Education: The cornerstone of the department's strategy is educating the community on the importance of accurate and responsible reporting. This is seen as essential for improving the department's overall effectiveness, accountability, and transparency. The department recognizes that its success is ultimately dependent on the cooperation and support of the community it serves.

CONCLUSION

Based on the analysis, the motives behind the submission of false reports to the Brebes Regency Fire Department are multifaceted and can be categorized into three distinct types. Firstly, there are intentional acts driven by public curiosity, which are exacerbated by the high accessibility of the department's emergency contact information online. Secondly, false alarms arise from public ignorance, particularly from minors who are unaware of the severe consequences of their actions. Lastly, genuine public panic during emergencies often leads to inaccurate or redundant reporting, which complicates logistical preparations and resource deployment for the Fire Department.

In response, the Brebes Regency Fire Department has implemented a dual-pronged strategy to mitigate this issue. This approach combines a punitive deterrent with enhanced administrative protocols. For repeat offenders, the department has adopted an escalation policy wherein an individual who makes three false reports is referred to the police for criminal investigation, aiming to create a wider deterrent effect. Simultaneously, to improve the validity of incoming calls, the department has instituted stricter verification requirements, mandating that reporters provide their live location and a photo of their official ID card (KTP). The successful implementation of these countermeasures is crucial for fostering a more disciplined

reporting culture, which will, in turn, optimize the department's service delivery and enable it to achieve its core mission and vision.

BIBLIOGRAPHY

Books

- Ali, M. (2015). *Dasar-dasar hukum pidana*. Jakarta Timur: Sinar Grafika.
- Ali, Z. (2009). *Metode penelitian hukum*. Jakarta: Sinar Grafika.
- Arief, B. N. (2003). *Bunga rampai kebijakan hukum pidana*. Bandung: PT Citra Aditya Bakti.
- Chazawi, A. (2005). *Pelajaran hukum pidana: Stelsel pidana, tindak pidana, teori-teori pemidanaan dan batas berlakunya hukum pidana*. Jakarta: PT Raja Grafindo.
- Dellyana, S. (1998). *Konsep penanggulangan hukum*. Yogyakarta: Liberty.
- Imaniyati, N. S. (2018). *Pengantar hukum Indonesia (Sejarah dan pokok-pokok hukum Indonesia)*. Jakarta: Sinar Grafika.
- Muladi. (2002). *Lembaga pidana bersyarat*. Bandung: Alumni.
- Muladi, & Arief, B. N. (1984). *Penanggulangan hukum pidana*. Jakarta: Rineka Cipta.
- Samosir, D. (1992). *Fungsi pidana penjara dalam sistem pemidanaan di Indonesia*. Bandung: Bina Cipta.

Legislation

- Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.
- Kitab Undang-Undang Hukum Pidana (KUHP).
- Undang-Undang Republik Indonesia Nomor 25 Tahun 2009 tentang Pelayanan Publik.
- Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 16 Tahun 2020 tentang Pedoman Nomenklatur Dinas Pemadam Kebakaran dan Penyelamatan Kabupaten/Kota.
- Peraturan Bupati Brebes Nomor 53 Tahun 2019 tentang Penunjukan Pelaksanaan Daerah Kabupaten Brebes Nomor 1 Tahun 2015 tentang Ketentraman dan Ketertiban Umum.

Journal Articles

- Failin, A. (2021). Sistem pidana dan pemidanaan di dalam pembaharuan hukum pidana Indonesia. *Jurnal Cendekia Hukum*, 3(1), 19.
- Hamdan, M. (2015). Tindak pidana menyuruh memasukkan keterangan palsu dalam akte otentik. *Jurnal Hukum Universitas Sumatera Utara*, 3(3), 101. <https://media.neliti.com/media/publications/14285-ID-tindak-pidana-menyuruh-memasukkanketerangan-palsu-dalam-akte-otentik-studi-putu.pdf>
- Nawawi, A. (2017). Kualitas pelayanan pada unit pelaksana teknis Dinas Pemadam Kebakaran Kabupaten Purwakarta. *Jurnal Hukum dan Pembangunan*, 46(2), 71–73.

Online Sources

- Universitas Islam Negeri Maulana Malik Ibrahim. (2021). *Kajian pustaka*. http://lib.uinmalang.ac.id/thesis/chapter_ii/06210094-susilawati-ningsih.ps