



Fostering prisoners in eradicating narcotics trafficking in correctional institutions

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Abstract

This study aims to explain the factors causing the occurrence of recurring class I narcotics crime, coaching of prisoners in the effort to prevent recurrence of class I narcotics crimes, as well as obstacles and efforts to foster recurring class I narcotics crime in Blangkejeren Class IIB Penitentiary. The results showed that there are factors that cause prisoners to repeat the narcotics crime class I, namely education, economy, environment and labelling factors. Coaching class I narcotics recidivists who have not been effective is due to the absence of special guidance for class I narcotics recidivists, as well as the obstacles and efforts obtained in conducting coaching class I narcotics recidivists, namely lack of supervisors and facilities, overcapacity and convicts. less enthusiastic. Suggestions for the Class IIB Blangkejeren Penitentiary can pay attention to the factors that cause prisoners to repeat the class I narcotics crime, carry out special coaching for narcotics recidivists, increase the number of supervisory officers and facilities so that the implementation of coaching runs well and effectively with the aim of preventing repeat prisoners of class I narcotics crimes.

Keywords: Coaching of prisoners, repetition of crimes, narcotics class I

Introduction

Correctional Institution is one of the legal institutions that has a big role in achieving success in law enforcement. Soerjono Soekanto explained that conceptually, the meaning of law enforcement lies in the activity of harmonising the relationship of values outlined in the rules as a series of final stage value elaboration, to create, maintain and maintain peaceful living relationships. A good state is a state that is able to carry out law enforcement not only to force its citizens to comply with regulations but also to protect and nurture its citizens. ^[1] In Indonesia, this shift in orientation in punishment is seen with the replacement of the term prison to the term correctional. This replacement is intended to orientate the development of prisoners towards more humane actions and adapted to the conditions of the prisoners. Criminals sentenced to imprisonment will be placed in a correctional institution. This institution is a technical institution within the Ministry of Law and Human Rights. The Penitentiary is a place to re-socialise everyone who has committed a crime. Access is very potential for the emergence of a series of criminal offences that exist in correctional institutions in addition to weak supervision, and guarding, the existence of non- optimal coaching factors resulting in various problems including drug smuggling in prisons. Narcotics trafficking in prisons in a legal perspective is closely related to the legal system in prisons, that narcotics trafficking in prisons will not occur if the legal system works well. ^[2]

Narcotics trafficking brings many victims, such as other people who cooperate with prisoners to deliver drugs to prisons, and officers who are tricked and in other ways. The abuse and trafficking of narcotics in correctional institutions is a problem and a fact that cannot be denied. Therefore, coaching efforts are needed to prevent drug trafficking. ^[3]

The crime of Narcotics is a special criminal offence because it is not regulated in the Criminal Code but is regulated in Law Number 35 of 2009 concerning Narcotics. According to Law Number 35 of 2009 concerning Narcotics Article 1

number 1 is a substance or drug derived from plants or non-plants, both synthetic and semi-synthetic, which can cause a decrease or change in consciousness, loss of taste, reduce to eliminate pain, and can cause dependence, or very heavy addiction. And its circulation is regulated under Article 1 number 6 of Law Number 35 of 2009 concerning Narcotics. Illicit Trafficking of Narcotics and Narcotics Precursors is any activity or series of activities carried out without the right or against the law which is determined as a criminal offence of Narcotics and Narcotics Precursors.

One of the problems of narcotics trafficking is the circulation of narcotics in correctional institutions. According to Law No. 22 of 2022 on Corrections, the Correctional Institution, hereinafter referred to as Lapas, is an institution or place that carries out the function of Guidance for Prisoners. As stated in Article 35 paragraph (1) of Law No. 22 of 2022 on Corrections, the development of prisoners is organised by correctional institutions. As based on the Decree of the Minister of Justice of the Republic of Indonesia number: M.02-PK.04.10, 1990 concerning the Development Pattern of Prisoners/ Detainees that in which there are 2 (two) coaching patterns, namely personality coaching and independence coaching. In accordance with Article 38 of Law Number 22 of 2022 concerning Corrections that, Guidance Based on the results of Litmas, Guidance in the form of: a. personality coaching; and b. independence coaching. Coaching is very important in changing prisoners for the better not the other way around and the government has tried to provide funds and this coaching programme for prisoners to be better so that they can contribute later to this country, as there are prohibitions in correctional institutions, one of which is that in correctional institutions the circulation of Narcotics is prohibited, which is regulated in the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 6 of 2013 concerning the Rules of Procedure of Correctional Institutions and State Detention Centres Article 4 letter (g) states "Every inmate or detainee

is prohibited from storing, making, carrying, distributing and or consuming narcotics and other dangerous drugs". However, although there are legal provisions governing the problem of drug trafficking in Indonesia, namely Law Number 35 of 2009 concerning Narcotics, in reality the sanctions in the law have not been maximised in dealing with the problem of narcotics abuse. This can be proven by the existence of narcotics trafficking in Indonesia, one of which is in correctional institutions.

The implementation of coaching can prevent and eradicate drug abuse and can indicate problems in correctional governance, including not optimal capacity, facilities and infrastructure, correctional officers and weak intelligence functions. So that the weakness of the coaching system is a very potential access for the emergence of a series of criminal acts in correctional institutions, and such weak supervision and guarding also results in the occurrence of drug smuggling or narcotics trafficking in prison. However, not a few correctional officers have succeeded in tackling the eradication of narcotics trafficking in correctional institutions.

Correctional Institution in addition to being a place of punishment also serves to foster the prisoners. According to the legal dictionary (Dictionary of Law Complete Edition), an inmate is a person who is serving a sentence or criminal period in a correctional institution.^[4] One way to achieve the objectives of criminal law is punishment, in the form of punishing a person or group of people who have committed a criminal offence or an act that is considered contrary to existing norms.^[5] However, there are several cases, there is guidance in the Correctional Institution but there are still prisoners who commit repetition of criminal acts or commit other acts that are not in accordance with the law.

The function of the penitentiary that is aspired to be not as expected. Especially with the development of narcotics trafficking in correctional institutions, this phenomenon has raised concerns that can be an obstacle in achieving the development goals of correctional institutions. Narcotics trafficking in correctional facilities is illicit trafficking that is carried out without rights or against the law.^[6] This has an impact on the formation of a negative view of the community towards the implementation of law enforcement within the correctional institution. However, in practice, the existence of narcotics trafficking in correctional institutions, this phenomenon is a failure in achieving the objectives of guidance in correctional institutions, which is very detrimental to the State, which budgets funds for such guidance. In addition, there are rights that are lost after prisoners carry out coaching in correctional institutions, including the right to get a job, the right of involvement of former prisoners as public officials. While the purpose of coaching is an activity organised to improve the quality of personality and independence of prisoners and foster children. For this reason, an effort and real steps are needed to overcome and eradicate narcotics trafficking in correctional institutions related to the actions applied by the correctional institution itself.

Appropriate coaching is needed for prisoners, especially to prevent narcotics trafficking in Class IIB Blangkejeren Correctional Institution, and analyse the coaching provided, with the ability of officers to evaluate the coaching process and the development of prisoners as students, in accordance with the duties and objectives of coaching, so that in this case the officers function as a coaching team in correctional

institutions in accordance with their potential and abilities and the achievement of coaching objectives to restore correctional prisoners as good citizens, prevent prisoners from the possibility of repeating criminal acts by correctional prisoners, and the realisation of security and coaching objectives for prisoners in correctional institutions.

Research Method

This type of research uses empirical juridical, namely, research on the role of law enforcers in carrying out their functions, which discusses how the law works in society and customary gampong institutions. The data used are primary data and secondary data. Data collection techniques using interview techniques and reviewing documents and laws related to this research. Furthermore, the data is processed and analysed with qualitative descriptive analysis techniques.^[7] Based on the background above, the problem formulation in this research focuses on the Development of Prisoners in Eradicating Narcotics Trafficking in Correctional Institutions.

Result and Discussion

Development of Prisoners in Correctional Institutions in an Effort to Eradicate Narcotics Trafficking

Guidance and education activities contained in class IIB Blangkejeren correctional institutions in the form of activities that can increase devotion to God Almighty, intellectual, professional behaviour, mental and physical health where all these activities are carried out in several stages including: activities during the observation, research, and introduction to the environment to determine the planning for the implementation of activities in fostering personality and independence in WBP. The implementation time starts when the inmate has the status of an inmate up to 1/3 of the day of his punishment.

Based on Decree of the Minister of Justice Number: M.02-PK.04.10 of 1990 concerning Development Patterns or Prisoners explains that there are special development programmes based on the specificity of the crime committed. Special treatment programs in the form of rehabilitation, changing the behaviour of drug prisoners in dealers and producers get special programs and places. The Class IIB Blangkejeren Correctional Institution does not carry out a special programme for narcotics prisoners, especially for class I narcotics recidivist prisoners, besides that the development of narcotics prisoners, especially class I narcotics recidivists, is not directed towards the ability to work.^[8]

The factors that cause the recidivism of drug offences are as follows

1. Education Factors

High and low levels of education can affect a person's way of thinking, where he does not know the good and bad of an act committed and get the impact and effects for him, his family and loved ones. The average prisoner who recidivated class I narcotics who was successfully interviewed by the author was a graduate from elementary school (SD) only to junior high school (SMP).

2. Economic Factors

Crimes in Indonesia are triggered by the economic crisis, including income inequality and the injustice of each community's own economy, as well as the situation that occurred in Blangkejeren. Economic factors make people

have a desire to get money in a fast time and by any means, so there is a desire for someone to commit crime by breaking the law.

In this situation, many individuals without thinking clearly commit crimes and even repeat the crimes they have committed. The results of the author's interviews from 6 (six) class I narcotics recidivist convicts, most of them admitted that the main factor in repeating the class I narcotics crime was due to economic factors. One of the prisoners HZ (40) said that previously working as a farmer in other people's fields only earned a small wage and could not even buy basic needs (food) for everyday plus HZ (40) has a wife and children, so for this reason HZ (40) committed a class I narcotics crime, namely as a courier and even repeated the narcotics crime to meet his and his family's needs.

3. Environmental Factors

Crimes that occur tend to increase every year, crimes tend to be committed by people who are economically constrained, unemployed and also frustrated in the family and in the community. Environmental factors greatly affect a person's good and bad personality, if a human being is in a good and healthy environment then that person is healthy and good, but if a human being is in a bad environment then his personality is also bad. Environmental factors in the repetition of class I narcotics offences are the factors most chosen by recidivist prisoners based on the results of the author's interviews.

4. Labelling factor

Labelling is the giving of a label by other people to someone who has committed an act that violates the rules (norms) or values that exist in the midst of society. This labelling actually arises from the fear of the community towards someone who has committed a crime or can be called an ex-convict, it is feared that the convict can make other people, namely the community, to commit crimes as well. The results of an interview with one of the repeat convicts of class I narcotics offences said that he did not easily get a job because he was an ex-convict.

Barriers to Prisoner Development in Efforts to Prevent Drug Trafficking

1. Lack of coaches and facilities

The coach service is a correctional officer who performs the task of fostering and supervising prisoners during the coaching process at LAPAS. The Blangkejeren class IIB correctional institution only has 12 (twelve) supervisory and supervisory officers, considering that the number of prisoners in the correctional institution is 638 prisoners, of whom 510 are narcotics prisoners. Based on the results of an interview with one of the class I narcotics recidivist prisoners SY (33) said that uneven coaching was given to prisoners according to the interests and talents of each prisoner, he said that he was talented to take part in skills coaching but because it was full and the officers who guided him were few so he did not participate in the skills class.⁵ The lack of coaching officers causes prisoners not to get good coaching, so that the process of implementing coaching for WBP is not efficient considering the number of narcotics prisoners, especially class I narcotics recidivist prisoners, is not small in the Blangkejeren Class IIB Correctional Institution.

2. Exceeding Capacity

The shortage of *over capacity* is caused by the number of prisoners who are in correctional institutions exceeding the position of the facilities / buildings to be occupied that have been provided in the correctional institution itself. The number of rooms/buildings and infrastructure of correctional institutions with the number of inmates is not comparable where the number of inmates inhabiting correctional institutions is greater in number. This was also found in the Blangkejeren Class IIB Penitentiary, where the LAPAS is only enough to accommodate 380 inmates but in reality the occupants of the Blangkejeren class IIB LAPAS have 638 inmates who exceed the portion that should be. The Head of Binadik also said that one room is occupied by 8 (eight) to 10 (ten) inmates, whereas normally one room can only be occupied by a maximum of 5 (five) inmates. With the density of prisoners caused by overcapacity, prisoners are difficult to get their rights, one of which is the right to obtain guidance in correctional institutions properly. Efforts made by the Class IIB Blangkejeren Correctional Institution in dealing with overcapacity have not yet existed, even every year the number of residents in correctional institutions always increases.

3. Unenthusiastic Prisoners

Institutions There are several prisoners who are not enthusiastic and lazy in following the process of implementing coaching at class IIB Blangkejeren prison. Based on the results of an interview with one of the coaching officers said that there were several prisoners who were not enthusiastic and felt forced to follow the process of implementing the coach, in prisoners repeating narcotics crimes there were also several but not many who behaved likewise.⁶ Even once during the coaching process there were prisoners who argued until fighting with other prisoners so that it made a commotion in the ongoing coaching process. The efforts made by the Class IIB Blangkejeren Correctional Institution to secure if it has not been deterred and stopped then the officer will put the prisoner into isolation or seclusion, besides that the efforts made by the officers in the coaching process are to strictly supervise and foster firmly and well so that the implementation of coaching runs smoothly.

Conclusion

Factors that influence prisoners to reoffend are: education, economy, environment and labelling factors. Coaching carried out by the Class IIB Blangkejeren Correctional Institution against convicts of repetition of class I narcotics offences, namely: mental development, implementation of religious guidance, physical development (physical) and skills development. Obstacles and efforts in the development of inmates repeating class I narcotics crimes at the Blangkejeren Class IIB Penitentiary, namely: lack of coaches and facilities, over capacity (over capacity) and unenthusiastic inmates.

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