



Responsibilities of guardians of children who used narcotics according to law number 35 of 2009 concerning narcotics

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Abstract

This study aims to determine and analyze the application of Article 128 paragraph (1) of the Republic of Indonesia Law Number 35 of 2009 against parents or guardians of drug addicts. This study uses primary data and secondary data. The research method used in this study is empirical legal research with a sociological legal approach.

Based on the research results Overall, the application of Article 128 paragraph (1) of the Narcotics Law to parents or guardians of drug addicts reflects an approach to child recovery and protection rather than family punishment. This article aims to ensure that child addicts get the help they need through the active role of parents or guardians in reporting them to the authorities. Failure to implement the provisions of Article 128 paragraph (1) of the Narcotics Law is detrimental to both addicts and parents/guardians. Addicts lose a golden opportunity for early rehabilitation which is crucial for their recovery, while parents/guardians potentially face legal sanctions and social stigma because they are considered negligent in their responsibilities. This article was created for the best interests of addicts so that they get the right treatment, and its failure to implement it will distance this goal. Therefore, awareness and compliance with the obligation to report are very important to reduce the number of drug abuse and help addicts to be productive again in society.

Preventive efforts (Eradication) and coercive efforts (Youth and law enforcement). Breaking the law is caused by parental indifference to children or environmental influences, where the child socializes with others and lack of affection from parents and the main factor is the lack of religious education in the child's family. In this case, all parties, both government, society and family, work together to pay attention to their teenage daughters, also limited by applicable legal regulations in accordance with Article 81 of Law Number 22 of 1997 concerning narcotics.

From the research results, considering the importance of implementing Article 128 paragraph (1) of the Narcotics Law in efforts to rehabilitate underage drug addicts early, the government and related institutions need to pay attention to conducting outreach, increasing access to and the quality of rehabilitation services, strengthening cross-sector cooperation, easy and safe reporting mechanisms, proportional law enforcement and early concern for parents and guardians and not hesitating to report if there are indications that a child is becoming a drug addict.

Keywords: Responsibilities of guardians of children who use narcotics, law number 35 of 2009

Introduction

Seeing the development and use of narcotics for underage child addicts, the regulation can be seen in Article 55 of Law No. 35 of 2009 concerning Narcotics, which explicitly states that, Parents or guardians of underage Narcotics Addicts are required to report to community health centers, hospitals, and/or medical rehabilitation and social rehabilitation institutions appointed by the Government to receive treatment and/or care through medical rehabilitation and social rehabilitation, Narcotics Addicts who are old enough are required to report themselves or be reported by their families to community health centers, hospitals, and/or medical rehabilitation and social rehabilitation institutions appointed by the Government to receive treatment and/or care through medical rehabilitation and social rehabilitation. Provisions regarding addicts for minors are also contained in Article 128 which states that, Parents or guardians of addicts who are not yet of age, as referred to in Article 55 paragraph (1) who deliberately do not report, shall be punished with imprisonment for a maximum of 6 (six) months or a maximum fine of Rp. 1,000,000.00 (one million rupiah), Narcotics addicts who are not yet of age and have been reported by their parents or guardians as referred to in Article 55 paragraph (1) shall not be prosecuted, Narcotics

addicts who are of age as referred to in Article 55 paragraph (2) who are undergoing medical rehabilitation 2 (two) times the period of medical treatment at a hospital and/or medical rehabilitation institution appointed by the government shall not be prosecuted, Hospitals and/or medical rehabilitation institutions as referred to in paragraph (3) must meet the health standards set by the Minister.

Law No. 35 of 2009 concerning Narcotics has regulated very severe sanctions or penalties, but the crime of drug abuse is increasingly heading towards an increase with various cases. Of course here the role of parents and the community to report various allegations of drug abuse committed by children who are not old enough greatly affects the process of law enforcement and eradication of narcotics.

The participation of all components of society in combating narcotics is greatly needed as an effort for social and humanitarian protection in eradicating narcotics crimes. As stated in the Narcotics Law Article 106 that: The rights of the community in efforts to prevent and eradicate the abuse and illicit trafficking of narcotics and narcotic precursors are manifested in the form of: Seeking, obtaining, and providing information on suspected narcotics and narcotics precursor crimes, Obtaining services in seeking, obtaining, and

providing information on suspected narcotics and narcotics precursor crimes to law enforcement or the National Narcotics Agency handling narcotics and narcotics precursor crime cases, Delivering suggestions and opinions responsibly to law enforcement or the National Narcotics Agency handling narcotics and narcotics precursor crime cases, Obtaining answers to questions about their reports given to law enforcement or the National Narcotics Agency, Obtaining legal protection when the person concerned exercises their rights or is asked to attend the trial process.

Article 13 paragraph (1) of Government Regulation No. 25 of 2011 concerning the implementation of mandatory reporting for narcotics addicts explains that narcotics addicts who have carried out the mandatory reporting as referred to in Article 6, explains that narcotics users who are not yet of age are required to undergo medical rehabilitation and/or social rehabilitation in accordance with the rehabilitation plan as referred to in Article 9 paragraph (2) concerning mandatory reporting for narcotics addicts.

In practice, government officials and law enforcers in examining, prosecuting, adjudicating and deciding on narcotics abuse crimes, tend to impose sentences that are not in accordance with Law No. 35 of 2009 concerning narcotics crimes in the Banda Aceh District Court, because parents or guardians of addicts who are not yet of age, as referred to in Article 55 paragraph (1) who deliberately do not report, are punished with imprisonment for a maximum of 6 (six) months or a maximum fine of Rp. 1,000,000.00 (one million rupiah). Criminal cases that occur only impose sentences on the child, not the parents.

The judicial process that occurs only imposes punishment on the perpetrator, while parents who actually also play a role in supervising their children so that they do not commit crimes and become addicts are not subject to any sanctions. This will certainly have an impact on the weak supervision of parents towards their children.

From the background description above, the main problem is how to apply Article 128 paragraph (1) of the Republic of Indonesia Law Number 35 of 2009 to parents or guardians of drug addicts and what is the supporting basis for the failure to implement the provisions of Article 128 paragraph (1) of the Republic of Indonesia Law Number 35 of 2009 concerning Narcotics against drug addicts and parents of addicts who do not report their underage children as addicts.

Theoretical Concept

Crime of Drug Abuse

According to R. Soesilo, "Criminal acts are acts that are prohibited or required by law, which if carried out or ignored, the person who carries out or ignores them is threatened with punishment".

To understand the meaning of Narcotics Crime, the next step is to explain the meaning of narcotics. Americans call it "Narcotics" and in Malaysia it is known as "Dadah", while in Indonesia it is called "Narkotika".

The types of narcotics that are often used are opioids, the name of a group of substances, both natural, semi-synthetic and synthetic, taken from the "poppy" tree, first discovered in Asia Minor, used for medicine by the Egyptians, and finally spread to Greece. The substances included in the opioid group are:

- a. Opium is a white powder made from processed poppy plant sap which is dried and ground into powder. This powdered opium contains morphine and kadoin which are very effective in relieving pain.
- b. Morphine is a derivative of opium which is made from a mixture of poppy tree sap and other chemicals.
- c. Heroin is a semi-synthetic opioid derived from morphine through a chemical process.

Signs of drug abuse are feelings of pleasure and happiness, often sleepy, heavy and weak breathing and small pupils. As a result of overdose can cause shortness of breath and gasping, moist skin, unnatural laughter and coma can die. Symptoms of drug withdrawal such as watery eyes, loss of appetite, shaking and frequent yawning.

Unlawful elements of Narcotics Crimes

Article 204 of the Criminal Code, Paragraph (1): "Anyone who sells, offers, receives or distributes goods, while he knows that the goods are dangerous to the life or health of people or are of a dangerous nature, is subject to a maximum prison sentence of 15 (fifteen) years." Paragraph (2): "If someone dies due to the act, the person guilty is sentenced to life imprisonment or temporary imprisonment for a maximum of 20 (twenty) years."

From the formulation of the Article above (Article 204 of the Criminal Code), the elements of a Criminal Act are objective elements and subjective elements.

The Consequences of Criminal Acts of Abusing Narcotics for Users

A criminal incident of drug abuse will not only result in losses for the user, resulting in his rights and obligations being disturbed or damaged by his actions and deeds, but will also result in physical and psychological consequences such as pharmacological effects and other side effects.

Theories of Proof

The law of evidence is the entire legal rules or statutory regulations regarding activities to reconstruct a true reality from every past event that is relevant to the suspicion of a person suspected of committing a criminal act and the validation of every means of evidence according to the applicable legal provisions for the benefit of the trial in criminal cases.

The actual role of evidence for the court has specific characteristics with the following characteristics:

- a. Relating to facts that have meaning in the field of criminal law, including whether the behavior and circumstances that occurred meet the qualifications of theft or not.
- b. Relating to facts that could become a criminal case, including whether there were victims who were endangered and whether the incident was caused by humans, not nature.
- c. Organized through criminal procedure regulations, among other things, it is stipulated that those authorized to examine facts must be the police, judges and other officers according to the procedures regulated by law.

Valid Evidence in the Criminal Procedure Code

Valid evidence refers to evidence recognized by the Criminal Procedure Code so that evidence outside the

Criminal Procedure Code cannot be used as valid evidence. Valid evidence according to Article 184 of the Criminal Procedure Code is as follows:

- a. Valid evidence such as witness statements, expert statements, letters, instructions and statements from the accused.
- b. Things that are generally known do not need to be proven.

The Effects of Drug Use

Narcotics are narcotics and illegal drugs, narcotics are to cure pain and help to sleep. Narcotics are opium opium comes from the papaver plant. Morphine comes from opium, to be clear 10 kg of opium is pulled 1 kg of morphine. Heroin comes from morphine to be clear morphine is cooked in a laboratory to produce heroin. Synthetic materials that have similar power to morphine. Heroin is the basis for understanding narcotics because 90 percent of narcotic addiction is from people who abuse heroin.

Signs of heroin addiction such as runny nose, red face, sleepy, seems unhealthy and looks dirty, clothes are dusty because they are negligent about themselves, have no appetite, and often the money to buy heroin is not enough and are forced to hold back from buying food. Itching and wounds from injections. Uncertain character often acts savagely without feeling wrong.

Research Methods

Types and Approaches of Research

The research method used in this study is empirical legal research, which is a sociological legal type of research. This research is based on normative legal science (statutory regulations), but does not examine the norm system in statutory regulations, but observes how reactions and interactions occur when the norm system is applied in society.

The problem approach used in this research is a qualitative approach that aims to produce descriptive analytical data, namely a method used to describe a condition or situation that is currently taking place, the aim of which is to provide data on the research object so that it can explore things that are ideal, then analyzed based on legal theory or applicable laws and regulations.

This research was conducted by the Banda Aceh City District Court, this was done to make it easier for the author to obtain data as reference material in compiling the thesis. The sample selection was carried out purposively, where from the entire population studied, several people will be taken as samples that are estimated to be able to represent the entire population.

Data Collection Sources and Techniques

The research data used in this study consists of secondary data, namely primary legal materials and secondary legal materials and tertiary legal materials. While primary data is in the form of interviews and observations in the form of data obtained from observations conducted by researchers in Banda Aceh City in order to collect data by observing the phenomena of a particular society within a certain time in relation to the provisions of Article 128 of Law No. 35 of 2009 concerning Narcotics.

Research Result

Application of Article 128 Paragraph (1) of the Republic of Indonesia Law Number 35 of 2009 to Parents or Guardians of Narcotics Addicts

Criminal acts of drug abuse often occur in society, whether it is an act committed by adults or minors. A child who commits an unlawful act is caused by the parent's indifference to the child or the influence of the environment, where the child socializes with others and the lack of affection from parents and the main factor is the lack of religious education in the child's family.

The results of the interview with the Judge of the Banda Aceh District Court regarding the Application of Article 128 Paragraph (1) of the Republic of Indonesia Law Number 35 of 2009 Against Parents or Guardians of Narcotics Addicts are as follows:

“Article 128 Paragraph (1) does provide a strong legal basis for prosecuting parents or guardians who are negligent in supervising their children. However, in practice, it is often difficult to prove the element of parental error or negligence objectively. In addition, the availability of competent expert witnesses is also a challenge in itself. In recent years, cases involving this article have indeed increased. However, the number is still relatively small compared to other drug abuse cases. The verdicts handed down are usually in the form of fines or imprisonment with probation. Factors that influence the severity of the sentence include the level of parental error, the impact of drug abuse on the child, and the efforts made by the parents to help their child recover”.

Several of these factors greatly influence the emergence of a crime of drug abuse. The crime of drug abuse that occurs in the jurisdiction of the Banda Aceh District Court is increasing. The factors include:

1. Religious Factors, namely Adolescence is a phase of development with psychological shocks that arise, due to emotional impulses. In facing this shock, children or adolescents often feel anxious, restless, anxious and even disappointed, this mental condition tends to be negative if it is not limited by applicable norms or rules, it will have a negative impact on the child's development process and it will be easy for children to be influenced to commit crimes;
2. Family factors are the closest environment for raising and guidance and in the family, children receive their first education and are the strongest environment in raising children who have not yet entered an important role in child development, a good family will have a positive impact on children, and vice versa a broken family will have a negative impact on child development, making it easy for children to commit crimes;
3. Educational factors, for children after the family is school, the Indonesian nation's adolescence is a place of guidance, development and school education, in general children or adolescents are in high school or equivalent, in the process of guidance in these places, there is usually a lot of interaction between children, in this process there are many realities that not only have positive psychological aspects, but also lead children to things that are delinquent;
4. Community Factors, namely the state of society and environmental conditions that have various characteristics and forms will have a direct or indirect

effect on children, poverty causes a big language for the human soul because of the very striking differences that can affect the mental stability of humans in life, it is not uncommon for children to have feelings of inferiority, so that they are easily pushed to commit crimes such as stealing, robbing and others. So that the results of their actions can be used to support their needs to have fun just to give birth to a sense of satisfaction and as a source of finance to buy narcotics;

5. Economic Factors, namely the high level of community needs is not comparable to the low purchasing power of the community is one of the factors in the economy that causes someone to dare to do something that violates the law. It often happens in our society because of economic pressures they are willing to do anything to be able to meet their life needs. The shortcuts taken sometimes contain the risk of dealing with the authorities.
6. Environmental factors can play an important role in drug use in children. Environmental factors that can influence drug use in children are:
 - a. Peer Influence: Friends who use drugs can influence children to do the same.
 - b. Availability of Drugs: The availability of drugs in the surrounding environment can make it easier for children to obtain and use drugs.
 - c. Lack of Parental Supervision: Lack of parental supervision can make it easier for children to use drugs without knowing.
 - d. School Environment: An unsupportive school environment can make it easier for children to use drugs.
 - e. Media and Advertising: Media and advertising that promote drugs can influence children to use drugs.
 - f. Lack of Positive Activities: Lack of positive activities in the surrounding environment can make it easier for children to use drugs as a way to fill their free time.
 - g. Family Conflict: Family conflict can make it easier for children to use drugs as a way to cope with stress and negative emotions.

This can be seen from the cases registered at the Banda Aceh District Court from 2019 to 2023 totaling 254 (two hundred and fifty four) cases, and 2 (two) cases were taken as samples in the name of the defendant M. Yusuf Bin Zainal with Number 04 / Pid.B / 2022 / PN-BNA and Mukiah with Number 10 / Pid.B / 2022 / PN-BNA, Suspect M. Yusuf Bin Zainal committed drug abuse because he needed money for his living expenses, where at that time he was still unemployed.

At the trial at the Banda Aceh District Court, the suspect in the narcotics abuse case, M. Yusuf Bin Zainal, was sentenced to 11 (eleven) years and 2 (two) months in prison because he was proven guilty of carrying/using narcotics with evidence of 2 small packages of dried marijuana weighing 2.5 (two point five) grams.

The aggravating factors for the suspect are that the suspect committed an act that was against the law, the defendant had previously been convicted in a similar case and the defendant never regretted his actions.

In the decision of the Banda Aceh District Court, Rukiah Binti Abdurrahman has been proven legally and convincingly guilty of committing a criminal act without the

right to carry, transport, and transact class I narcotics of the marijuana type, therefore the defendant was sentenced to 1 (one) year in prison and a fine of Rp. 100,000,- (one hundred thousand rupiah) subsidiary to 1 (one) month in prison in accordance with Article 81 paragraph (1) of the Narcotics Law Number 22 of 1997.

In fact, we know that in Article 81 paragraph 1 of Law No. 22 of 1997 concerning narcotics, it has been emphasized that every perpetrator of a narcotics crime is prohibited from illegally producing, processing, extracting, converting, withdrawing or providing narcotics. And whoever violates Article 81 letter a shall be punished with imprisonment for 12 (twelve) years and a maximum fine of Rp. 20,000,000, - (twenty million rupiah) if the act involves kuka leaves or marijuana plants. And if it involves other narcotics, it shall be punished with a maximum of 20 years in prison and a maximum fine of Rp. 30,000,000, - (thirty million rupiah).

However, in reality, why is the criminal decision against the perpetrators of narcotics crimes not in accordance with what is stipulated in Article 81 paragraph 1 of Law Number 22 of 1997, then to find out the answer or explanation of the problem, it is necessary to review the two cases that have been described above, why is the suspect M. Yusuf Bin Zainal who only brought, used with evidence 2 small packages of dried marijuana weighing 2.5 (two point five) grams was sentenced to 11 years and 2 months in prison, while the suspect Mukiyah Binti Abdurrahman who committed narcotics abuse intentionally without the right to carry, transport narcotics in the form of marijuana weighing 1,715.28 (one thousand seven hundred fifteen point twenty eight) grams was only sentenced to 1 year in prison and a fine of Rp. 100,000, - (one hundred thousand rupiah).

After analyzing the two cases, it is clear that there are differences in the verdicts against perpetrators of narcotics crimes which should be in accordance with the contents of Article 81 of Law Number 22 of 1997 concerning narcotics, but why are they different in their application. Here, we look again at the background of the perpetrators, that the suspect M. Yusuf Bin Zainal received a heavier sentence because the suspect M. Yusuf had often committed narcotics crimes and had previously been sentenced in the same case, while the suspect Mukiyah Bin Abdurrahman, who deliberately carried and transported narcotics weighing 1,715.28, received a lighter prison sentence than M. Yusuf. Why did this happen? Because this was the first time the suspect Mukiyah Bin Abdurrahman was in a narcotics case and had never been sentenced before. With these considerations, the judge at the Banda Aceh District Court made a decision to decide who was entitled to a lighter and heavier sentence.

Supporting Basis for the Non-Implementation of the Provisions of Article 128 Paragraph (1) of the Republic of Indonesia Law Number 35 of 2009 Concerning Narcotics Against Narcotics Addicts and Parents of Addicts Who Do Not Report Their Minor Children as Addicts

In dealing with the narcotics problem carried out by the Indonesian government at this time, the method is pre-emptive, preventive, treatment and rehabilitation of sufferers of narcotics abuse.

The results of an interview with the Head of Public Relations of the Aceh Besar Police regarding the supporting basis for the failure to implement the provisions of Article

128 paragraph (1) of the Republic of Indonesia Law Number 35 of 2009 concerning narcotics against narcotics addicts and parents of addicts who do not report their underage children as addicts are as follows:

“Article 128 paragraph (1) is indeed important, but in practice we find many obstacles. One of them is the still high social stigma against drug addicts. Many parents are ashamed and afraid if their children are known to be addicts. In addition, the lack of legal awareness in society is also an obstacle. To overcome this, we have made various socialization efforts, worked with community leaders, and provided counseling services for addicts. However, much still needs to be done. We hope that there will be stricter regulations and heavier sanctions for negligent parents”.

1. Pre-emptive Efforts

Pre-emptive means: prevention carried out early in the form of educational activities by influencing the causal factors and opportunity factors which are usually called Criminogenic Correlative Factors for the occurrence of use to create awareness.

This activity is basically in the form of environmental development and development as well as the development of positive facilities and activities. Efforts that can be taken are as follows:

a. Efforts to Develop Teenagers

In an effort to educate teenagers, as is known, education is an effort to improve knowledge, attitudes and skills through providing education, direction, guidance, development, stimulation and supervision of the subjects of education.

Thus, youth development is an effort to improve the knowledge, attitudes and skills of youth so that they can become good human beings. Here, the development referred to is not only through education directly provided by adults or parents, but also development for youth can also be through unintentional education (informal education) with habits that exist in their families.

Basically educating children does not always have to be given specifically. From the daily events that they experience, the child has indirectly gained various experiences that are very valuable for their future development. In this case, it is the parents who must be able to provide guidance and direction appropriately to the child, so that in the future the child can develop and grow as an individual with a mature personality.

The implementation of education for children does not have to be through special education, but can also take place without both parties realizing it, but the child has gained a lot of knowledge and experience from the activities obtained indirectly so that the child can grow and develop as an individual with a mature personality.

The problem of youth development is basically a shared responsibility between parents, government and society, through the implementation of various forms of education, both formal, informal and non-formal education that take place in the wider community environment. With this shared responsibility, efforts to develop youth can be carried out well, especially for parents through education in the family, various educational materials can be provided, both physical and spiritual education.

In essence, the family or household is the first and foremost place for children to obtain mental development and personality formation which is then supplemented and perfected by the school. Likewise, religious education must

be carried out by parents during childhood by accustoming them to the morals and behavior taught by religion.

From the quote above it is clear that the problem of the success of adolescent development is very dependent on parents through education in the family is the first experience obtained by each child. Parents pay less attention to the problem of education and development for adolescents, then of course the attitudes and personalities of adolescents will tend to lead to things that are not good, and vice versa if they teach a lot of good education and religious education, then adolescents will certainly be able to create good personality patterns too.

However, efforts in fostering teenagers remain a problem, namely the existence of crime and delinquency among teenagers. Thus, to realize better guidance for teenagers, especially by parents, through several efforts.

b. Instilling Religious Education

Youth development through religious education is one of the efforts to shape the personality patterns of teenagers towards a better direction. In line with that, it is stated as follows:

“By providing religious education to teenagers, it can be expected that they will be easily guided according to the growth and development they are experiencing. During their growth and development, a teenager always feels invited to do bad things, and will even bleak the future of those who do it”.

If a teenager has been well-educated in religious education, surely the teenager will no longer need strict supervision from his parents. Because with the truth that radiates from religion, teenagers in their actions will be based on their moral responsibility and teenagers are able to evaluate all their behavior consistently. Teenagers will increasingly have a direction towards a more solid future.

In the period of growth and development, a teenager tends to do things that are not good, so if religious education has been embedded in teenagers, then they no longer need to receive strict supervision, where their spirituality has become stronger to accept and face all the influences they encounter in their lives. Because religion has given them demands about the right path to achieve a more stable, peaceful and happy future life.

Teenagers who have been instilled with religious education, in terms of their lives, will not be easily influenced by bad things or things that violate unwanted provisions. So in the development of teenagers, the implementation of religious education is very necessary, because religious education for teenagers is a source of calm, peace and happiness in their lives.

With religion, teenagers will know the nature of compassion, open-mindedness, realize that life is a combination of suffering and happiness, failure and success. With religion, teenagers will avoid arrogance, because happiness and success are gifts from God that must be appreciated. If teenagers have received good religious education, then a healthy faith will be created in themselves. Be calm, teenagers have their own beliefs, not carried away by the current, have a deep sense of security. Dynamic, always open to knowledge, not fanatical, open to the truth wherever the truth is.

The application of religious education in the development of adolescents will enable them to know about the advantages

and disadvantages of attitudes, behavior and actions, so that adolescents can form a better and noble personality pattern in accordance with religious teachings.

In connection with this, parents, especially mothers, in raising teenagers are very much in demand for the implementation of religious education, because through religious education, teenagers will know about actions that are contrary to religion, and besides that, through religious education they will be able to know about everything, both those related to the afterlife.

Parents' efforts in educating their teenage sons and daughters through religious education can be done through various activities such as religious studies, lectures, courses and others, so that the teenage children can get used to implementing religious teachings in their lives. Thus, if teenagers are accustomed to receiving religious education in the family environment, then in their lives they will always do things that do not violate religious provisions.

Furthermore, the experiences that children get in the family will always be reflected in their daily lives. Therefore, if there is no religious education for teenagers, then in their lives they will never experience peace of mind. Moreover, if teenagers are always in anxiety and also due to various other environmental influences.

Thus, in the development of adolescents, it is very much demanded that parents make an effort to provide them with religious education. Because religious education can calm the soul and always provide a way out of the problems encountered in life.

c. Building Close Relationships with Teenager

Parents are educators, mentors and organizers in the household, thus parents need to build close relationships with all members of their family, especially with adolescent children, because they are experiencing a period of growth and development in all areas, especially in terms of their mental and spiritual development.

The life of a teenager always needs other people to be close and help them when facing difficulties. Thus, they can express all the contents of their hearts or can ask about something that is still a question mark for them. Therefore, children at adolescence really need guidance and direction, so that they will easily determine the best path to take in solving every problem they face.

The relationship between parents and children is very important, especially in terms of knowing each other about problems or difficulties encountered in their lives. As parents, it is very important to stimulate children to have intimate conversations. Through conversations with children, it is hoped that you can find out what they need, what the child thinks and how both of you can understand what is meant. Conversations like this can be done at any time, the important thing is that there is a pleasant atmosphere of togetherness between the two of you. Playing activities that are done together with you are generally the easiest to create a pleasant atmosphere of togetherness.

Based on the quote above, it can be concluded that parents really need to develop a close relationship with their children, because through this relationship they can find out where there are complaints, both regarding their desires and the child's attitudes and behavior. Apart from that, there is also the problem of the relationship between parents and

children, there is no limit in expressing a problem they are facing.

Furthermore, if the communication relationship between parents and children, especially teenagers, can be carried out well, then any problems faced by teenagers can be easily resolved, and if necessary, teenagers can also be included in family problems to ask for their opinions, because this can arouse feelings in them, that they are respected by their parents as adults, or not as small children who must only submit to their parents.

Thus, the problem of parent-child relationships must always be considered, and provide opportunities to be able to convey each other's hearts, both between children and parents and with family members. Spending time together is essentially the main requirement for creating communication between parents and children. Because with time together, then closeness and intimacy can be created between family members. However, people cannot communicate with children if they have never met or talked together.

Parents' efforts in providing opportunities to be together in the family are very important for creating communication between children and parents, where the existence of these opportunities together can create closeness and intimacy between them, and conversely, if there are never opportunities to be together, of course there will be no opportunity to communicate.

The attitude of parents in giving treatment to teenagers needs to be sincere and honest without any element of pretense, then also regarding the power given to teenagers must be wise and need to understand their souls. Therefore, if parents understand what is being experienced by children, especially teenagers, then the child will assume that this is a statement of parental affection for them.

Furthermore, if a child's life in a household always gets guidance, then their growth and development will be shaken in their souls. Thus, parents must always give serious attention to teenagers and also at the same time build close relationships in educating, guiding and directing them, as well as in supervising children who are teenagers in their daily interactions.

2. Preventive Efforts

Prevention is better than cure (prevention is better than cure) is aimed at evaluating and controlling the occurrence of drug abuse. This effort is intended to prevent the interaction between the demand and supply of illegal drugs.

This effort is not solely the responsibility of the National Police but also involves related agencies and the community. In prevention efforts, in essence, it is:

- a. Instilling personal discipline through personal and group coaching
- b. Controlling the situation, especially concerning cultural, economic and political aspects which tend to stimulate drug abuse.
- c. Environmental monitoring to reduce or eliminate opportunities.
- d. Guidance and/or active community participation in preventing the occurrence of drug abuse.

3. Repressive efforts

Repressive is the action and law enforcement against the abuse of certain hard drugs (narcotics) through investigation activities. With the law enforcement and the provision of

sanctions that are tasked and consistent, it is hoped that it can deter the perpetrators and have a preventive impact.

The results of interviews with several parents of children involved in drug use regarding parents' understanding of Law Number 35 of 2009 concerning Narcotics are as follows:

"I have heard a little about the law, but honestly I don't really understand its contents in detail. What I do know is that drugs are dangerous and can ruin a child's future. Honestly, I have never read the law in full. But I think it is the responsibility of parents to help their children recover from drug addiction. Actually, we already have the intention, but we are still confused about where to take our children. The cost of rehabilitation is also quite expensive, and we as a simple family have a hard time affording it. I don't know if there are sanctions for parents. What is important is that we as parents have tried our best to help our children. I know that drugs are very dangerous. They can damage health, damage family relationships, and ruin a child's future. I am very sorry that this happened to my child".

The results of interviews with several parents of children involved in drug use regarding parental responsibility in preventing their children from using drugs are as follows:

"I always thought that drugs were far from our family life. I thought that drug problems only happened to street children or children who didn't get enough attention. I only really realized the dangers when my child was already trapped. Now I feel very guilty and regretful. I realize that I should have paid more attention to my child's behavior, communicated more with him, and given him more attention. I feel that as a parent, I have a big responsibility to protect my child from the dangers of drugs. I think open and honest communication is very important. We must dare to talk to our children about the dangers of drugs, set a good example, and always be there for our children. In addition, we must also pay attention to our child's social environment and recognize the early signs of drug abuse. Currently, I have taken my child to a rehabilitation center. I hope he can recover and return to a normal life. I also plan to take part in a counseling program for parents so that I can better understand my child's condition and provide the right support".

The results of interviews with several parents of children involved in drug use regarding the steps taken to supervise and educate children about the dangers of drugs, and how to ensure that children are not exposed to drugs are as follows:

I always try to give my child an understanding of the dangers of drugs. I often invite him to watch documentaries about the impact of drugs, talk about friends who are involved in drugs, and remind him to always be careful in choosing friends. In addition, I also try to always be open with my child, so that he feels comfortable sharing anything with me. Yes, I always try to find out who my child's friends are, where he goes, and what he does. I also often check his bag and room, even though my child sometimes feels uncomfortable with it. I think our communication is quite good. My child always tells me about his daily activities. However, I may not be sensitive enough to changes in his behavior. Honestly, I didn't see any suspicious signs. My child still excels in school and looks fine. Maybe I was too confident with our harmonious family condition. I also want to remind parents to never underestimate the dangers of drugs, even though we feel that our family is good enough.

We must always be vigilant and pay attention to every change in our child's behavior. In addition, open and honest communication with children is very important to build a strong relationship".

The results of interviews with several parents of children involved in drug use regarding the importance of cooperation between parents and authorities in preventing and handling drug use among children are as follows:

"I feel that cooperation between parents, police, and health workers is very important. We cannot work alone. Parents have a very important role in educating children, but police and health workers also have a very large role in preventing drug trafficking and providing medical treatment for users. In my opinion, parents must actively provide education about the dangers of drugs to children, supervise children's social interactions, and work together with schools to create a drug-free environment. The police have a very important role in eradicating drug trafficking and arresting dealers. Meanwhile, health workers have a role in providing treatment and rehabilitation for drug users. I feel that there is still a lot that needs to be improved. For example, socialization about the dangers of drugs is still lacking. Many parents are not yet aware of the dangers of drugs and how to prevent them. In addition, access to rehabilitation services is still limited, especially in the regions. If there is good cooperation, I am sure cases like this can be prevented. The police can be more proactive in acting against dealers, health workers can provide rehabilitation services that are more easily accessible, and parents can be more active in providing education and supervision to children. I think there needs to be more intensive socialization programs, both in schools, communities, and mass media. In addition, there needs to be more complete and affordable rehabilitation facilities. The government also needs to make a firmer policy in eradicating drug trafficking".

The results of interviews with several parents of children involved in drug use regarding the importance of cooperation between parents and authorities in preventing and handling drug use among children are as follows:

"I really need information about good and affordable rehabilitation places. In addition, I also need financial support for rehabilitation and treatment costs. I also feel the need to attend counseling for parents so that I can better understand the child's condition and provide the right support. I really need it. I feel lonely and isolated. Talking to parents who have similar experiences would be very helpful to me. I have tried to search for information on the internet, but I am still confused by the many choices. I have also asked some friends, but they also do not really know. One of the biggest obstacles is the cost. The cost of rehabilitation is quite expensive, and I as a housewife find it difficult to bear it. In addition, I also feel embarrassed to tell other people about this problem. I also need emotional support from family and friends. I often feel sad and hopeless".

Conclusion

Based on the results of the research that has been conducted, the author draws the conclusion that:

1. Overall, the application of Article 128 paragraph (1) of the Narcotics Law to parents or guardians of drug addicts reflects an approach to child recovery and protection rather than family punishment. This article aims to ensure that child addicts receive the help they

- need through the active role of parents or guardians in reporting them to the authorities.
2. Failure to implement the provisions of Article 128 paragraph (1) of the Narcotics Law is detrimental to both addicts and parents/guardians. Addicts lose the golden opportunity for early rehabilitation which is crucial for their recovery, while parents/guardians potentially face legal sanctions and social stigma because they are considered negligent in their responsibilities. This article was created for the best interests of addicts so that they receive appropriate treatment, and its failure to implement it will distance this goal. Therefore, awareness and compliance with the obligation to report are very important to reduce the number of drug abuse cases and help addicts to be productive again in society.
 3. To minimize the perpetrators of narcotics crimes, law enforcement or authorized parties cooperate with the community in terms of prevention efforts. Efforts made include:
 - a. Preemptive which is coaching or creating awareness for the perpetrator.
 - b. Preventive efforts (Eradication) and coercive efforts (Youth and law enforcement). Breaking the law is caused by parental indifference to children or environmental influences, where the child socializes with others and lack of affection from parents and the main factor is the lack of religious education in the child's family. In this case, all parties, both government, society and family, work together to pay attention to their teenage daughters, also limited by applicable legal regulations in accordance with Article 81 of Law Number 22 of 1997 concerning narcotics.

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