



Implementation of security duties from the circulation of narcotics in prisons (study at Banda Aceh class IIA penitentiary)

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Abstract

Article 4 letter (g) of the Regulation of the Minister of Law and Human Rights Number 6 of 2013 concerning the Rules of Prisons and State Detention Centers prevents each prisoner or prisoner from putting, making, carrying, distributing, and/or consuming narcotics. However, in reality, in the Class II A Prison in Banda Aceh, there are still many cases of drug trafficking and trafficking in prisons. The purpose of this study is to determine the integrated security system regulated in Law Number 22 of 2022 concerning Correctional Services, and its Implementation, Inhibiting and Supporting Factors in the Implementation of the Security System and Efforts made by correctional officers in overcoming obstacles to the implementation of security for prisoners at the Banda Aceh Class IIA Correctional Institution from narcotics trafficking. The research method used is a qualitative method with an empirical juridical approach. The results of this study show that the integrated security system regulated in Law Number 22 of 2022 concerning Correctional Services and its implementation is obtained security has been carried out by involving *stakeholders*. Security activities have been carried out 1x24 hours by applying shifts and cultural approaches, looking at the background of prisoners, the level of knowledge of prison human resources, the level of prisoner crime so that the conducive level is maintained. In practice, security activities have been carried out legal counseling and socialization, urine tests, and warden *screening*. However, in its implementation it is not yet appropriate, since human resources are insufficient for hundreds of inmates and the absence of psychologists for prisoners. The efforts that can be made by correctional officers in the circulation of narcoticstika by increasing the integration of prison officers, increasing cooperation with *stakeholders*, implementing a culture of mutual care, carrying out duties professionally and trying to become a forum for *sharing* prisoners, conducting periodic room raids, conducting socialization, conducting rehabilitation and counseling

Keywords: duties, inmates, narcotics, circulation, penitentiaries

Introduction

The penitentiary is a place to foster inmates involved in criminal law cases in particular the purpose is none other than to be able to nurture the inmate to be better and not to repeat the criminal acts he has committed in the future. The number of people involved in criminal cases makes there are many phenomena that exist in the prison itself.

The phenomenon in the Penitentiary still occurs violations of the law that never stop from year to year continuing. This phenomenon does not occur in districts alone, even almost all of Indonesia. It's as if this has become a culture, making lawlessness in prisons commonplace. In fact, lawlessness remains a mistake that has broken the law.

One of the prisons that is still subject to violations of the law is the Banda Aceh class IIA Penitentiary which is experiencing *over capacity*. Currently, the prison population reaches 727 people from a capacity of 380 prisoners and 75.61% of the residents of Banda Aceh class IIA prison are 549 prisoners with narcotics cases, the data was obtained based on the preliminary findings of researchers in prison class IIA Banda Aceh. Overpopulated Penitentiaries are often a source of trouble. One of the problems that occurs is that there is still a lot of drug trafficking and trafficking in prisons^[1].

The problems in this prison vary such as the circulation of drugs in the prison. The importance of focusing on the problem of drug trafficking in prisons will be discussed so that the formation of the personality of inmates can be

better. Because, drugs can disrupt and damage the future of the nation. Therefore, it is important to discuss more about handling it. Before going further, based on the preliminary findings made by the author, the author will describe the case of drug trafficking in prison class II-A in Banda Aceh as many as 4 cases as follows:^[2]

- a. The first case, whose initials were R Police searched every room in the detention cell. Police found a variety of drugs in the form of dried marijuana, marijuana trees, 10 small packages of methamphetamine and various electronic devices including cell phones and laptops. This revelation began with the arrest of an inmate with the initials M arrested on Saturday, August 24, 2020. Where he has 25 grams of methamphetamine to be circulated in prisons. In addition, the BNN team investigated the case and arrested two other prisoners, namely I and R.
- b. The second case, Initialized I and R, whose chronology of the case begins Prisoner I is predicted to be the brains of the owner of 25 gr of methamphetamine. Meanwhile, R, as a scalper between I and a meth agent pseudonym ZA. Based on the confessions of the three detainees, they have carried out 3 drug businesses and the BNN squad is hunting another accused is TMR (28).
- c. In the third case, the perpetrator's initials were TMR, after which he was killed at his home in Gampong Meusale, Indrapuri Regency, Aceh Besar. In the TMR's

detention, the BNN squad took 5 large packages of methamphetamine weighing up to 470 gr which the defendant placed at the bottom of the chicken coop. The four defendants were arrested at the BNN Aceh office.

- d. The fourth case, which was carried out by the initials ZA, ZU and AK, at that time the BNN Team also dealt with other actors named ZA, ZU and AK. ZU's contribution is to welcome meth from ZA to be delivered to the prison and AK's position is to put meth in the prison parking lot

The provisions regarding the circulation of narcotics are further regulated in PPLP No. DP.3.3/17/1 dated January 27, 1975 in Article 26 letters (g) and (h) which states that, "Fruits or shipments may be examined in more depth, any means of transportation that goes out or in addition to being checked for cargo, is also examined as a part that can be used as a hiding place for goods/people."

Based on Article 1 Number 6 of Law Number 35 of 2009 concerning Narcotics which states that, "The illicit circulation of narcotics and narcotic precursors is any activity or series of activities carried out without rights or against the law which is determined as a criminal act of narcotics and narcotic precursors."

Article 4 letter (g) of the Regulation of the Minister of Law and Human Rights Number 6 of 2013 concerning the Code of Conduct of State Prisons and Detention Centers states that, "Storing, making, carrying, circulating, and/or consuming narcotics and/or precursors of narcotics and other dangerous drugs". Violations of this rule are listed in Article 10 paragraph (3) which is classified as a serious offense. As for violations committed by prisoners or detainees suspected of criminal acts, the head of the prison or the head of the detention center will notify the competent authority. Such events can also raise complex problems such as weak security levels in prisons. This is evidenced by the frequent cases of narcotics trafficking among prisoners. Therefore, it raises the question of whether the Penitentiary does not fully provide a deterrent effect on drug offenders so that in practice there is still found the use and circulation of narcotics that occurs in prisons.

There are several writings related to this topic, including research conducted by Aldo Pratama stated that over the past 3 years drug-specific crime offenders have continued to experience a significant increase. This is the result of the carelessness of guarding and security and the actions of some of the officers who participated in smuggling the prohibited items. In this research conducted by Aldo, it has not been completed to discuss what is the purpose of the author's research on the integrated security system regulated in Law Number 22 of 2022, its implementation, inhibiting and supporting factors and the efforts made by correctional officers in overcoming obstacles to the implementation of security for prisoners in prisons. Therefore, the author is interested and discusses further ^[3] tentang "IMPLEMENTATION OF THE TASK OF SECURING THE CIRCULATION OF NARCOTICS IN PRISONS (Study in Banda Aceh Class IIA Penitentiary)"

Research Methods

This research method uses qualitative research methods. Qualitative research is research to understand social conditions by using the communication process between the researcher and the observed object. The approach used in this study is empirical juridical. Empirical juridical research

is field research that examines legal regulations which are then combined with data and behavior that occurs in society ^[4].

Discussion

A. Integrated Security System regulated in Law Number 22 of 2022 concerning Correctional and Implementation of the System in Class II A Correctional Institution Banda Aceh

Based on practice in the field, data was found that almost all prisons in Indonesia have not been able to have a qualified security system other than Nusa Kambangan Prison. [5] The integrated security system carried out by the Banda Aceh Class IIA Penitentiary includes the following:

1. Surveillance and Security

The supervision carried out by the Banda Aceh Class IIA Penitentiary is carried out 24 hours with a division into 3 shifts, namely the morning shift, day shift and night shift, each officer spreads into residential blocks and at the guard doors. Supervision is carried out directly using 3 (three) types of supervision, namely preliminary supervision, supervision carried out together with the implementation of activities and supervision of feedback. [6]

The Banda Aceh Class IIA Penitentiary has several guard posts, namely the inner post, the outer post, and the upper post. Every day there are 9 (nine) security officers on guard or commonly referred to as pickets, and 1 (one) P2U officer, where these officers carry out a *rolling* system guarding at terse but posts every 2 (two) hours, so that for the whole it can be considered quite safe ^[7].

In the Banda Aceh Class IIA Penitentiary, the implementation of security has been carried out as much as possible by providing human resources owned and with various efforts made, considering that the Banda Aceh Class IIA Correctional Institution is a prison with a *maximum security* system in Aceh Province. Each prison refers to SOPs that have been regulated in laws and other implementing regulations, but in its implementation there are several different things, because each officer must understand the culture in the place. In this era, the implementation of security uses a cultural approach by looking at the background of prisoners, the level of knowledge of prison human resources, the level of prisoner crime so that the conducive level is maintained ^[8].

Security is assisted by *stakeholders* such as the Kepolice and the Indonesian National Army (TNI). Prisons can't do many things on their own to make the task lighter ^[9]. Supervision and security have been running well, have been implemented in accordance with the Community Law No. 22 of 2022 such as providing guidance for community-assisted residents (WBP). Security standards include nurturing, providing the same treatment and services, guiding and ensuring WBP rights to be fulfilled. Direct task execution according to existing standards. Every WBP activity is monitored directly in order to achieve legal effectiveness ^[10].

The search of the hand fruit (shipment) is carried out carefully, the medicines that are welcome to enter or obtain permission to enter are given to the person concerned according to their rights and obligations and are given to the health sector of the Penitentiary. However, it is sometimes seen as unimportant by the guard officers on the grounds that the person being examined is a trustworthy person or a

familiar person, so that the goods carried are unlikely to be smuggled in prohibited items or conceded ^[11].

2. Disciplinary and Disciplinary

In the Banda Aceh Class IIA Penitentiary, disciplinary and disciplinary measures are carried out referring to the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia No. 29 of 2017 against the Amendment to the Regulation of the Minister of Law and Human Rights No. 6 of 2013 against the Order of State Prisons and Detention Centers ^[12].

Regarding the prohibitions that must be obeyed by prisoners in accordance with what has been regulated in Article 4 of the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 6 of 2013 concerning the Rules of State Prisons and Detention Centers which contains every rule that must be obeyed and obeyed in prisons and for correctional officers, the following author presents orderly obedience which the author has clearly summarized as follows: ^[13]

- a. Have financial relationships with other Inmates or Prisoners or with Correctional Officers;;
- b. Carrying out immoral acts as well as or intimate perversions;
- c. Carrying out escape attempts or assisting in escape;
- d. Encroaching on zones or special places inaugurated by prison heads or detention centers without the excuse of the entitled correctional officers;
- e. Resisting or restricting correctional officers in carrying out their obligations;
- f. Bring or or put money in an unlawful way and other objects of value;
- g. Place, manufacture, carry, distribute, and or or consume narcotics and or or precursors of narcotics and other drugs at risk;
- h. Putting, making, carrying, distributing, and or consuming beverages that have alcohol;
- i. Fill the residence room with cooling equipment, fans, tv, and or other electronic equipment;
- j. Have, bring or or use electronic equipment, such as laptops or PCs, cameras, recording equipment, clenched phones, pagers, and the like;
- k. Carry out the installation of electrical installations in the rooms of the residence;
- l. Making or placing firearms, pointed weapons, or the like;
- m. Bring along or put some items that can cause banging and/or or fire;
- n. Carrying out acts of violence, whether physical or mental violence, to prisoners, inmates, correctional officers, or visitors or tourists;
- o. Producing evocative conversations that can lead to the formation of security and discipline constraints;
- p. Making tattoos, lengthening hair for male prisoners or inmates, making piercing, using earrings, or anything of the sort;
- q. Encroaching on blocks and or other residential rooms without the excuse of correctional officers;
- r. Carrying out activities that can disturb or turn off the security of individuals or prisoners, prisoners, correctional officers, tourists, or visitors;
- s. Carry out devastation to prison or detention center facilities;
- t. Committing robbery, exploitation, betting, or lying;

- u. Circulating deviant links; and
- v. Carry out other activities that can create security constraints and discipline in prisons and detention centers.

Inmates convicted of illicit drug trafficking or making, carrying, placing, distributing, or consuming narcotics and other illegal drugs and addictive substances will be sentenced to severe disciplinary punishment ^[14].

B. Inhibiting and Supporting Factors in the Implementation of the Security System in the Banda Aceh Class IIA Penitentiary from Narcotics Trafficking

1. Inhibiting Factors

a. Human Resources

Human resources are the main requirement in running a system, considering that the system will not be carried out without an implementer of the system. If human resources do not master how the implementation will run optimally, then there is a failure in the system that cannot be blamed on an agency, but human resources that must be reviewed and improved again. All of them will rely on the executor of the law, namely human resources ^[15].

Three types of security have been implemented by correctional officers of the Banda Aceh Class IIA Penitentiary, it's just that the average implementation is hampered by the implementation of a person who does not master the regulations optimally. In fact, as a correctional officer, you have to master a lot of applicable regulations.

b. Infrastructure

Banda Aceh prison has *x-rays* and CCTV cameras only in a few places. Unlike Nusakambangan Prison, which has CCTV camera facilities for prisoners' residential rooms. For now, *x-rays* can no longer be used, because they were damaged and burned during the riots a few years ago. Then, to operationalize these security tools requires large maintenance costs, and we do not have the cost of it, as is the case with *x-rays* that must be carried out maintenance within a period of 3 months and require a lot of money. To date, there is no budget for the maintenance of security items in prisons, if any are only able to cover maintenance for ordinary items ^[16].

The prison building is a new building built by BRR. The 380-inmate household has been filled with more than 700 inmates with 500 of them being narcotics case inmates. The shape and layout make it easier for inmates to escape at the same time and do other forbidden things, between the unsealed residential block and the layered exit, there is only one layer for the inmate to go to the infield. This condition makes prisoners, especially inmates of narcotics cases, present new ideas for illicit circulation of narcotics, such as putting narcotics into prisons in the mode of using *drone* camera media from outside, there have also been 9 cases in the last 2 years using the media of caste balls thrown from outside into the prison. Therefore, it is not always that these narcotics enter through the front door, but rather generate a lot of ideas from inmates to put the narcotics into the prison. ^[17]

2. Supporting Factors

Supporting actors in carrying out security duties is a good cooperation between security officers and warga binaan pemasyarakatan. The community institution always tells correctional residents that good behavior makes it easier and

makes them feel that the prison period is short, and will even be given remission if they behave well with the aim of providing encouragement that will have an impact on their psychological well-being^[18].

Cooperation between correctional officers and related agencies is also a supporting factor for the prison. Many parties who help in carrying out the coaching duties provided by the prison to its Assisted Citizens include the National Narcotics Agency (BNN), the Job Training Center (BLK) and so on, as well as in terms of prison security assisted by the TNI and Police and other related agencies^[19].

The Banda Aceh Class IIA Penitentiary began to implement a culture of smiles, greetings, and asking about family news, carrying out duties professionally, and trying to be able to become a friend and parent teacher for prisoners and become a forum for *sharing* prisoners, so that prisoners feel they have a new family and do not make much noise in residential blocks. They have implemented legal effectiveness according to legal products with security, care, and guidance.

C. Efforts of Correctional Officers in Overcoming Obstacles to the Implementation of Security for Inmates in Banda Aceh Class IIA Correctional Institution from Narcotics Trafficking

One of the prevention efforts carried out is counseling. Namun, so far, counseling is not routinely carried out and depends on requests from the Correctional Institution itself. There is a synergy with the prison to carry out socialization and counseling. In conducting socialization, it also depends on the condition of the residents who are assisted by the community, namely whether it is conducive or not conducive, so that BNN will carry out counseling and socialization depending on the wishes of the prison itself. Kecuali, there is an act that should be suspected, namely the illicit circulation of narcotics in the prison, BNN will immediately act by entering the prison. Hal also referred to reports or not, such as cases of narcotics entry using *drones* and the media of caste balls thrown into prisons and BNN helping prisons. BNN also conducts urine tests and *screenings* of correctional officers and inmates on a regular basis to minimize the use of narcotics in prison settings^[20].

Other efforts are conducting periodic room raids, socializing the adverse effects of narcotics circulation which will increase the legal process, conducting drug rehabilitation in prisons in collaboration with counselors from BNN, counseling has often been carried out both from LBH and kantor wilayah, a security strategy to anticipate disturbances by fulfilling WBP rights, the distribution of tasks according to the task schedule set by the guard commander, and the existence of a system of replacing guard squads from the previous squad to the next squad with a *rolling* system once every 2 hours according to applicable rules^[21].

So far, correctional residents have routinely been tested for urine, as well as officers who have all been tested for urine. If the urine test results show positive as a drug user, it will be handed over to BNN for rehabilitation^[22].

The efforts made by correctional officers in overcoming obstacles to the implementation of security for prisoners in the Banda Aceh Class IIA Penitentiary from the circular narkotika, the need for the addition of professional and qualified human resources, the need for the separation of prisoners according to their crimes in 1 cell, need to

cooperate with the *stakeholder*, as well as improving prison policies that are not appropriate, improving facilities and infrastructure that are still lacking such as cctv and *metal detectors*, motivating prisoners to behave well, and making activities so that prisoners can improve *lifeskills*, improve the integration and professionalism of correctional officers, and work according to standard operating procedures (SOP).

Conclusion

The implementation of the security system for prisoners that has been implemented by the Banda Aceh Class IIA Penitentiary to avoid the circulation of narcotics in the prison is to involve other *stakeholders*, between regulation and implementation is not appropriate due to human resource factors, security has been carried out 24 hours with shifts by securing a cultural approach, looking at the background of prisoners, the level of knowledge of prison human resources, the crime rate of prisoners so that the conducive level is maintained. Legal counseling and socialization have been carried out, urine tests and *screening* of wardens and inmates to minimize drug use.

The inhibiting factors in the implementation of the security system in the Banda Aceh Class IIA Penitentiary from narkotika circulation are human resources and facilities and infrastructure. That is, the number of human resources is insufficient to secure prisoners numbering in the hundreds and there is a need for psychologists for narcotics prisoners for the implementation of coaching and protection for prisoners. The supporting factor is the encouragement that will have a psychological impact on prisoners so that prisoners are easy to work with, maintaining security, order, and peace with each other.

Efforts made by correctional officers in overcoming obstacles to the implementation of security for prisoners at the Banda Aceh Class IIA Penitentiary from Narkotika Circulation by increasing the integration of prison officers increase cooperation with *stakeholders*, implement a culture of mutual care, carry out duties professionally and strive to become a sharing platform Inmates, conducting periodic room raids, conducting socialization, conducting rehabilitation and counseling.

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