

IMPLEMENTATION OF CRIMINAL DEVELOPMENT IN CORRECTION INSTITUTIONS

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Abstract

This study aims to analyze the implementation of prisoner coaching in Class IIB Polewali Mandar Penitentiary and to analyze the factors that influence the implementation of prisoner coaching in Class IIB Polewali Mandar Penitentiary. This research is empirical research. The data sources used consist of primary data, namely data from informants at Class IIB Polewali Mandar Penitentiary. Secondary data, namely data obtained from books, the internet, and related legislation. Data collection techniques are by interviews and direct observation. All of these data were analyzed by descriptive qualitative. The results of the study show that (1) the implementation of convict coaching in Class IIB Polewali Mandar Penitentiary has been carried out quite well personality development and independence development. Personality development includes fostering religious awareness, fostering awareness of the nation and state, fostering intellectual abilities, fostering legal awareness and skills. While fostering self-sufficiency includes bread making, carpentry, electric welding, hydroponics, barbershop, paving blocks, handicrafts from sticks, laying hens, fisheries, goat farming, sewing, workshops, agriculture, and laundry. (2) The factors that influence the implementation of convict coaching at the Polewali Mandar Class IIB Penitentiary include legal factors, law enforcement factors, facilities or facilities, community factors, and cultural factors, each of which has an interrelated role so that the implementation run optimally.

Keywords: Development, Convicts, Penitentiary

INTRODUCTION

Every citizen has an obligation to comply with the law. In society, behavior that is not in accordance with the rule of law can be referred to as a deviation from the norm which causes disruption to the order and peace of human life. Such deviations are labeled by society as a violation or even as a crime. In line with these developments, the law continues to develop and undergo changes to follow human needs in order to regulate all aspects of human life for the realization of national goals in accordance with the mandate of the opening of the 1945 Constitution of the Republic of Indonesia (1945 Constitution), which contains several aspirations of the nation. including participating in carrying out world order (Dwiatmojo, 2013).

Crime in human life is a social phenomenon that will always be faced by every human being, society, and even the state. Reality has proven that crime can only be prevented and reduced, but it is difficult to completely eradicate it. The higher human ability can also have a negative impact, which among other things is the more sophisticated the crimes committed (Waluyo, 2008). Criminal acts are punishable acts, punishable acts, and criminal offences (sofyan & Aziza, 2016). Citizens who are negligent or intentionally commit an act that is prohibited by law, especially criminal law, will be given sanctions that aim to give a deterrent effect to the perpetrator so that he does not repeat the said action and functions as a regulator of action in society as well as a tool of coercion so as to achieve order and prosperity.

Prison sentences are then carried out through the penitentiary system in correctional institutions. The implementation of the penitentiary system measures more humane than the previously believed prison system. The implementation of fostering convicts using a correctional system that prioritizes rehabilitation and reintegration is carried out according to the basic principles or principles in the implementation of correctional coaching (Panungkelan, 2016). Based on the duties and functions, Correctional Institutions have contributions and aspects of law enforcement. This is related to the obligations and functions of Correctional Institutions to provide guidance to the body and soul of prisoners/correctional students (Situmorang, 2019). It is stated in the General Provisions of Article 1 Number 18 of the Law of the Republic of Indonesia Number 22 of 2022 Concerning Corrections that "Prison institutions are places to carry out the function of coaching convicts". All provisions for the running of correctional facilities are contained in the Law of the Republic of Indonesia Number 22 of 2022 Concerning Corrections. This law is one of the legal foundations for correctional technical service units by replacing the previous law, namely the Law of the Republic of Indonesia Number 12 of 1995 concerning Corrections. Correctional institutions become a container for full representation of the maximum efforts made by the government in implementing services and also guidance for prison inmates. The main functions of prisons are:

- a. After the convict is found guilty in court, Lapas accepts the convict and carries out the coaching process;
- b. Coordinate with the police or prosecutor's subsystem when correctional students are undergoing the judicial process;
- c. Receive and forward requests for clemency;
- d. Preparing for parole and release when the prison term has ended
- e. Maintain and fulfill the rights of convicts regulated based on statutory regulations (Puspita, 2018).

However, in the reality of existing social facts, there are still many correctional institutions that have not carried out maximum correctional guidance due to poor conditions coupled with the excess of occupants in almost all correctional institutions in Indonesia (S & Susanti, 2019). Evidenced by the many cases of riots that occurred in several correctional institutions in Indonesia, such as the occurrence of riots at the Mako Brimob Penitentiary, fires at the Class I Correctional Institution Tangerang, riots at the Class IA Correctional Institution Tanjung Gusta Medan which were caused by power and water failures. and so forth. The crisis that occurred in this correctional institution was almost entirely caused by the condition of excess capacity (Sujatno, 2008). According to the Public Database System of the Directorate General of Corrections, prisons in Indonesia have overcapacity of 258%. The large number of inmates in a correctional institution creates various obstacles in efforts to fulfil the rights of convicts in a correctional institution.

Guidance is a part of the process of rehabilitation of the character and behaviour of convicts while serving a sentence for loss of independence so that when they leave the penitentiary, they are ready to mingle back with society because the crimes carried out in penitentiaries already have a purpose, so they are no longer directionless or no longer as if they were will torture.

The correctional development system in Article 3 of the Law of the Republic of Indonesia Number 22 of 2022 concerning Corrections is carried out based on the principles of protection, non-discrimination, humanity, mutual cooperation, independence, proportionality, loss of independence as the only suffering, and professionalism. This coaching system experiences several differences in the

principles contained in the Law of the Republic of Indonesia Number 12 of 1995 concerning Corrections, which at this time the law was stated to have been repealed. In the Law of the Republic of Indonesia Number 12 of 1995 concerning Corrections, the correctional system is carried out based on the principles of protection, equality of treatment and service, education, guidance, respect for human dignity and worth, loss of independence as the only suffering,

It is very important to carry out coaching for convicts in an effort to restore a good society, not only material or spiritual, but both must be balanced. The guidance of convicts is expected to be able to shape the personality and mentality of convicts who are considered not good in the eyes of society to change in a normal direction and in accordance with applicable norms and laws. This is in line with the goals of the correctional center, namely to form correctional inmates so that they become fully human, realize mistakes, improve themselves, and not repeat crimes so that they can be accepted again by the community, can play an active role in development and can live normally as good citizens and responsible (Rumadan, 2013).

Guidance for convicts in the Law of the Republic of Indonesia Number 12 of 1995 concerning Corrections does not provide an explicit obligation for convicts to take part in the coaching programs provided by correctional institutions so that convicts sometimes feel indifferent to participating in these coaching activities. However, the coaching of convicts has been re-arranged in Article 11 of the Law of the Republic of Indonesia Number 22 of 2022 concerning Corrections which explicitly requires convicts to follow in an orderly manner the coaching program that has been provided by correctional institutions. This coaching is also one of the certain requirements for obtaining the right to remission, assimilation, leave to visit or be visited by family, conditional leave, leave before release, parole,

The correctional function is to prepare the inmates to be able to interact socially in society because convicts who have entered correctional institutions will usually feel alienated. So that the training is carried out to overcome these problems. Implementation of coaching for convicts is regulated in Government Regulation of the Republic of Indonesia Number 31 of 1999 concerning Guidance and Guidance of Correctional Assisted Citizens, namely formulating convict coaching carried out through several stages of coaching, namely the initial stage, advanced stage, and ending with the final stage.

The implementation of convict coaching is also based on the pattern of convict coaching that has been issued by the Ministry of Justice of the Republic of Indonesia based on the Decree of the Minister of Justice of the Republic of Indonesia No. M. 022-PK.04. 10 of 1990. However, this coaching will of course depend on the situation and conditions that exist in correctional institutions because their backgrounds are different.

METHODS

This study aims to analyze the implementation of prisoner coaching in Class IIB Polewali Mandar Penitentiary and to analyze the factors that influence the implementation of prisoner coaching in Class IIB Polewali Mandar Penitentiary.

This research is empirical research. The data sources used consist of primary data, namely data from informants at Class IIB Polewali Mandar Penitentiary. Secondary data, namely data obtained from books, the internet, and related legislation. Data collection techniques are by interviews and direct observation. All of these data were analyzed by descriptive qualitative.

RESULTS AND DISCUSSION

Implementation of Convict Development in Class IIB Polewali Mandar Penitentiary

Convicts are human beings created by God who have a position that has reason and mind. Prisoners are problematic human beings who are distinguished from society in order to practice good social relations (Panjaitan, 2014). Prisoners receive coaching and guidance so that they can regret all the actions they have committed so that they can change themselves and be accepted back into society. For this reason, correctional officers must organize a truly appropriate coaching program for the parties concerned. The inaccuracy of coaching carried out to convicts results in ineffectiveness in the coaching process.

Consequences that can arise if the incorrect implementation of coaching strategies results in prisoners experiencing mental disorders or depression, attitudes or behavior of prisoners that are worse than before so that they can result in repetition of criminal acts (residue), prisoners cannot integrate with outside society and so on. This is a tough task for correctional officers who interact directly with convicts and society in general to turn an inmate into a human being who can realize his own mistakes and wants to change himself for the better.

Development of convicts at Class IIB Polewali Mandar Prison basically still refers to the development of prisoners in general and based on the Law of the Republic of Indonesia Number 22 of 2022 concerning Corrections where the purpose of coaching is to form correctional inmates so that they

become fully human, realize their mistakes, improve themselves, and not repeating the same things they have done and received punishment so that they can be accepted again by society. To achieve this goal, prisoners are required to take part in the entire series of coaching activities that have been implemented at Polewali Mandar Class IIB Lapas.

Guidance at Class IIB Polewali Mandar Prison is carried out in the form of coaching which is divided into two areas, namely personality development and independence coaching.

1. Personality Development

a. Development of Religious Awareness

The development of religious awareness carried out at Class IIB Polewali Mandar Prison is the spiritual development of Islam and Christianity. Spiritual development aims to increase faith and devotion to God Almighty so that convicts can realize mistakes and realize the consequences of wrong actions. This training was attended by all prisoners in Class IIB Polewali Mandar Prison according to their respective convictions.

Spiritual development is carried out by fostering religious awareness in the form of congregational prayers, regular recitations, joint dhikr, sermons, religious study, and other religious activities. The implementation schedule is carried out every day starting at 08.00-12.00 with Iqro' and Al-Qur'an/Tajwid learning from the Ministry of Religion of Polewali Mandar Regency which is divided into each residential block as Monday is carried out by orchid residential blocks and flamboyant residential blocks, Monday Tuesday it is carried out by the Tanjong residential block, Seroja residential block, and Teratai residential block, Wednesday is carried out by the Mawar residential block and Kenanga residential block, Thursday is carried out by the Cambodian residential block and Melati residential block. Every Friday, Al-Qur'an, recitation, tartil, and memorization by all inmates at the Class IIB Polewali Mandar prison mosque. As well as every Sunday worship is held for Christian inmates.

b. Development of National and State Awareness

Fostering awareness of the nation and state which was carried out at Class IIB Polewali Mandar Prison, namely carrying out flag ceremonies and scouting. This development is carried out through fostering the introduction of Pancasila. This coaching is provided with the aim of growing awareness of the nation and state within the convicts. With the growing awareness of the nation and state, it is hoped that after the convicts leave prison they can become fostered citizens who can provide something useful for their nation and country.

c. Development of Intellectual Ability (Intelligence)

Intellectual Ability Development is carried out at Class IIB Polewali Mandar Penitentiary, namely the illiteracy program and package A, B, and C programs. This development is the basic development to improve the inmates' intellect in the form of developing knowledge of reading, writing, and arithmetic. This coaching focuses on literacy education, recognition of numbers. Development of other intellectual abilities namely holding a reading garden and provision of a library. This coaching is needed so that the knowledge and thinking skills of correctional inmates are increasing so that they can support the positive activities needed during coaching.

d. Development of Legal Awareness

Fostering legal awareness of penitentiary inmates is carried out by providing legal counseling which aims to achieve a high level of legal awareness so that as members of society they are aware of their rights and obligations in order to participate in upholding law and justice, protection of human dignity, peace, order, legal certainty, and the formation of the behavior of every Indonesian citizen who obeys the law. Legal counseling further aims to form a family that is aware of the law which is fostered while being back in the midst of society.

e. Physical Development

Physical Development at Class IIB Polewali Mandar Prison aims to maintain the health and fitness of inmates as well as hone their talents in sports. This coaching is carried out with activities including morning exercises which are routinely carried out every Saturday and then followed by sports such as futsal, volleyball, takraw, table tennis, badminton, and tennis.

2. Independence Development

Independence coaching is education that is directed at providing talent and skills that aim to provide opportunities for convicts so that if they are released later they can be used as a livelihood. The independence coaching held at Polewali Mandar Class IIB Prison includes the following activities:

- a. Making Polewali Lapas Bread (Lapole Bread);
- b. Carpentry;
- c. Electric welding

- d. Hydroponics
- e. *Barbershop*
- f. *Paving Blocks*
- g. Handicrafts from Lidi
- h. Laying Chicken Farm
- i. Fishery
- j. Goat Farm
- k. Sew
- l. workshop
- m. Agriculture
- n. *Laundry*

Factors Influencing the Implementation of Convict Development in Class IIB Penitentiary Polewali Mandar

Punishment aims to improve or rehabilitate criminals to be good so that they benefit society and restore balance, harmony and harmony in society. So the imposition of punishment on the perpetrators of crimes is not only seen as a reward for actions that are harmful or deterrent but has a certain use, namely in its implementation the purpose of imposing a sentence is to rehabilitate his behavior and reintegrate convicts with society.

Convicts as members of society who because of the crimes they commit are in correctional institutions which are also inseparable from their nature as humans who have to work to make ends meet so that work has a very strategic and important value in the financing of convicts.

To achieve the goal of coaching, it must be supported by the implementation/application of law. According to Soerjono Soekanto, in measuring the ineffectiveness of law, it is better to pay attention to the factors that affect the effectiveness of an application of law. These factors are:

1. Legal Factors

In the practice of administering law in the field there are times when there is a conflict between legal certainty and justice. This is due to the fact that the conception of justice is an abstract formulation, while legal certainty is a procedure that has been determined normatively so that the ambiguity of the rule of law or law has resulted in not being optimal at the implementation stage.

Related to the development of prisoners in correctional institutions, there are several laws and regulations regarding the development of prisoners:

- a. Law of the Republic of Indonesia Number 22 of 2022 concerning Corrections;
- b. Government Regulation of the Republic of Indonesia Number 31 of 1999 concerning Guidance and Guidance of Correctional Inmates;
- c. Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number M.2 PK.4-10 of 2007 concerning Requirements and Procedures for Implementing Assimilation, Free Prior Leave, and Conditional Leave.

2. Law Enforcement Factors

The negligence/inability of law enforcement officials in conducting coaching for convicts results in the ineffectiveness or failure to achieve the objectives of sentencing. In this case the functioning of the law, the mentality or personality of law enforcement officials plays an important role, if the regulations are good but the quality of the officers is not good then it will cause problems. Therefore, one of the keys to success in law enforcement is the mentality or personality of law enforcement, especially regarding the implementation of coaching.

In the implementation of the correctional system, the process is an interactive process between prisoners, officers, and the community who are supported by appropriate coaching programs in achieving their goals because this is closely related to the functions and tasks carried out by correctional officers, namely actively should be able to mobilize, coordinate, and directing all elements of existing resources in efforts to social reintegration of convicts but in fact the human resources of correctional officers are currently unable to optimally support the implementation of the correctional system.

Obstacles to coaching in correctional institutions indicate that the organizational leadership of correctional institutions influences the success of coaching convicts, besides that there are too many inmates not in accordance with the capacity of correctional institutions which makes coaching ineffective, there is no oversight of coaching making the implementation of coaching law, as well as a lack of number and the human resource capacity of correctional officers.

3. Facility Factor or Facility

Facilities or facilities are things that support the running of the coaching carried out. Coaching for correctional inmates can be less than optimal due to limited coaching support facilities and skills coaching program teaching staff (Subroto, 2021) Inadequate facilities and infrastructure can become an obstacle to the development of prisoners. Facilities and infrastructure at Class IIB Polewali Mandar Prison are still inadequate, especially for independent activity facilities such as independent sewing activities where only 3 sewing machines are available while there are 30 training participants so that the use of the sewing machine must be used in turns every day. This also applies to the lack of workshop equipment, agricultural equipment, and so on.

The budget factor must also be recognized as the factor that most determines the implementation of an activity or program. No matter how good the program is without the support of an adequate budget of the required size, it is impossible for the program or activity to run and be effective as targeted. Likewise, what was experienced by the Class IIB Polewali Mandar Prison, namely the lack of funds allocated for coaching activities, especially fostering independence because training had to be carried out and inviting instructors as trainers. With this lack of funds, there is a limited quota of inmates who are included in the self-reliance training activities.

4. Community Factors

Coaching of prisoners based on the correctional system is an interactive activity between components of prisoners, officers, and the community is one thing that is absolutely necessary. Forms of partnerships that are carried out as a means of coaching activities include community participation which must be seen as an integral aspect of coaching efforts so that community support is very much needed in achieving the desired goals in fostering fostered citizens. However, in reality there is still a lack of community participation in the context of being involved in the development of prisoners. Society which in a broad sense includes non-governmental organizations, social organizations, private institutions, professional institutions, educational institutions, and so on. Participation expected from this community, especially its partnership in the coaching process. In the process of coaching, the community can participate by providing training facilities and work activity facilities such as sports facilities, work equipment, reading books, carpentry equipment, or providing technical assistance needed by the prison. In post-coaching or in the assimilation process, the community can participate, for example by appointing convicts as foster children or giving opportunities to work in their institutions or appointing them as permanent workers after they are free and other forms of participation. or provide technical assistance needed by the prison. In post-coaching or in the assimilation process, the community can participate, for example by appointing convicts as foster children or giving opportunities to work in their institutions or appointing them as permanent workers after they are free and other forms of participation. or provide technical assistance needed by the prison. In post-coaching or in the assimilation process, the community can participate, for example by appointing convicts as foster children or giving opportunities to work in their institutions or appointing them as permanent workers after they are free and other forms of participation.

5. Cultural Factors

The correctional system is a series of law enforcement that aims to make prisoners realize their mistakes, improve themselves, and not repeat crimes so that they can be accepted again by society, can play an active role in development, and can live normally as good and responsible citizens. This shows that society must be able to accept ex-convicts back into society by not isolating them but accepting and guiding them to integrate with society so that they can interact again. This is necessary to remove the negative stigma attached to ex-convicts. The negative stigma towards ex-convicts has become an inherent culture in society.

The community's reluctance to interact with ex-convicts is an obstacle to coaching convicts in correctional institutions. This is due to public concern that ex-convicts will repeat the mistakes that have been made so that the negative understanding of ex-convicts by the community is an obstacle in coaching as a result, ex-convicts will be alienated and eventually commit crimes again. The public's negative perception of ex-convicts causes people to be more careful because there are concerns about violations of order and security in society.

CONCLUSION

The development of convicts who are carried out at the Polewali Mandar Class IIB Correctional Institution is carried out with a correctional system based on the Law of the Republic of Indonesia Number 22 of 2022 concerning Corrections and its implementation is based on Government Regulation of the Republic of Indonesia Number 31 of 1999 concerning the Development and Guidance of Correctional Inmates. Based on this, the development of prisoners at Class IIB Polewali Mandar

Penitentiary consists of personality development and independence development. As for personality development includes fostering religious awareness, fostering national and state awareness, fostering intellectual abilities, fostering legal awareness, and physical development. While fostering self-sufficiency includes bread making, carpentry, electric welding, hydroponics, barbershops, paving blocks.

The factors that influence the implementation of prisoner coaching at Class IIB Penitentiary Polewali Mandar are legal factors, law enforcement factors, facilities or facilities, community factors, and cultural factors.

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