

# Socio-Criminological Analysis of Children Behavior in Class Ia Tanjung Gusta Correctional Facility Medan

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**Abstract.** As the next generation, a child deserves to be looked after and protected. Criminality has implications for children at this time who deviate from the norms of society that cause them to face the law. Many children in child correctional institutions commit crimes, namely crimes against bodies, property, public order. Empirical normative research as well as interviews with several sources. In monitoring children's behavior, it is necessary to play an important role of those closest to them such as family, community, peers, and school is very important to monitor the behavior patterns of children. Children committing criminal acts can be influenced by several factors, based on economic factors, family environment, education, and peer association factors.

**Keywords:** Child, Child Penitentiary, Socio-criminologist

## 1 Introduction

The phenomenon of criminal description is difficult to understand in many ways. In everyday life, many thoughts about crime. The response of perpetrators and society in the scope of crime is the object of criminological research. Criminology specializes in the study of crime from multiple angles, but more specifically, crimes that are regulated by law. The motives and class (types of perpetrators) of the perpetrators of the crime will be analyzed. In addition to motives and crowd, people's views on crime will also be studied in criminology, then criminology will also study the community's response to crime to prevent and eradicate crime.

The problem of child crime is an important fact and case to be discussed in social criminology. This problem is caused by a lack of supervision by parents and the environment. This behavior is not a naturally occurring or inherited event, or is it a biological genetic characteristic of both parents. According to Kartono, criminality is a society that is ignorant and violates statutory regulations. For example, in the case of theft in Sunggal, RS (17) and his henchmen robbed motorbikes and sold them back to buy drugs. Every word, action, and behavior that violates current standards and regulations and endangers and endangers the family environment and the surrounding community is a social crime. Just like the situation described by a child with the initials AS (14) who lives in the Amplas area, the author's team interviewed the child. The child admitted that he and his female friend had committed unethical behavior because they liked each other and "agreed to each other", and then the victim's parents reported the child and sentenced the child to 2 years in prison and a fine.

In essence, this problem needs to be resolved immediately because it is not easy to get rid of it. Soekamto explained that the current social problems are difficult to eliminate, and this phenomenon cannot be distinguished from social life. Every human interest is the beginning of the formation of crime, including persecution. The government and all levels of society work together to share responsibility so that the crime problem can be controlled in society. According to Budianto, unemployment is one of the causes of many criminal problems. If the unemployment rate increases, crime will become more difficult to solve. Apart from supporting the crime-conscious unemployed, poverty continues to increase, and natural disasters can cause looting and damage to the environment.

Gender determines the person who commits the crime. According to research conducted at Tanjung Gusta Class IA Children's Prison, the main crimes were committed by males. Richard Quinney believes that the criminal ideology is shaped and propagated by the ruling class to maintain hegemony. According to Wirjono Prodjodikoro, law violations occur because of social inequality, so that they are not comparable to society. This imbalance will produce a sense of improvement to achieve social harmony. In committing a crime, family, environmental, and social factors have a big influence, such as poverty, parental slavery, lack of attention to children, family disharmony, arguments between children and parents, and debates between parents in front of parents. Children, school environment, and peers. Besides, social media today (such as Facebook, Twitter, Instagram) have a great influence on child crime to gain public recognition. There are many different forms of crime. According to Lambroso, various types of criminals can be classified as criminals whose intentions and intentions cannot be considered normal, criminals who drink alcohol, and criminals who are in urgent situations and sometimes commit crimes out of habit. The nature of criminals who commit crimes out of sexual desire does not consider the consequences of litigation; there is a mix of nature villain/villain genius and chance among criminals.

The best effort that can be done is to start with the younger generation who will continue to work in this country. Therefore, to increase criminal behavior in the future, it is necessary to know how to reduce and stabilize our society, especially the level of crime against children. For this reason, it is necessary to know the percentage of crimes committed by children. Therefore, researchers conducted special research in related institutions. In this case, the institution is Class Ia Tanjung Gusta Correctional Facility Medan.

The problems in this research are as follows:

1. What are the factors that cause a child to commit a crime in the Tanjung Gusta Class Ia Child Penitentiary in Medan in terms of the socio-criminological aspect?
2. What is the form of legal protection for child prisoners at the Class IA Tanjung Gusta Child Penitentiary in Medan?

How are the efforts made so those child prisoners at the Tanjung Gusta Class IA Child Penitentiary in Medan do not repeat the crime?.

## **2 Results and Discussion**

### **2.1. Factors of Children Committing Crime in terms of Socio-Criminology Aspects**

When analyzing the causes of children committing a crime, criminology theory is used, and the theories used are chaos theory and social control theory. This theory views that children who have committed petty crimes then, in this society's view, children will commit a bigger crime, which is called Chaos Theory. Meanwhile, the failure of social groups such as

family, school, and peers that leads to family crimes is called social control theory. All human beings tend to break the rule of law. The logical consequence of the failure of what is meant by social control theory, it is difficult to develop inward prohibitions against unlawful behavior. Everyone's social status has several factors. As long as there are things that are valuable in society, there will be levels in society during this time, and this level determines one's social status. In this regard, the factors that influence child crime include:

a. Economic Factors

From the results of this study, it can be seen that the economic reasons used by inmates to commit criminal acts. Poverty itself is a phenomenon that cannot be denied in every country. So far there is no solution to this phenomenon. The economic background of the family cannot meet all the needs of the child, so the child will seek satisfaction from the outside environment by engaging in prohibited or deviant behavior. Judging from the results of the interview, the family's economy is below the poverty line.

b. Family Factor

Family or family life plays an important role in influencing the behavior and thinking style of children. If in a donated family, fathers who are too strict with their children and mothers who do not pay attention to their children will harm children who are trapped in abnormal behavior. For children, the feeling of wanting to be respected and loved is of course their special need in the family environment.

c. Educational Factor

A child who is less educated will greatly influence his thinking and behavior. This education can be obtained through parents, teachers in schools, and the community. If the child is not educated, then when doing something, the child will not consider whether his behavior is right or prohibited, he will only do things that only benefit him, and will not consider the influence of his behavior.

d. Social Factors

Social factors are a common factor affecting children in society, in this case, the child who wants to be accepted into a relationship will do what his friend orders to use illegal drugs (OT) or what is commonly known as drugs. The ownership and abuse of OT by children is nothing new. Apart from being cool or being social, OT has certainly become a logo or brand in children's social life.

Other reasons for drug use in this case are:

- a. To relieve loneliness to gain emotional experiences;
- b. To fill in the emptiness and feel bored because of busyness;
- c. To get rid of feelings of disappointment, anxiety, and various difficulties that are difficult to overcome.

After taking OT, children will feel that they can do anything regardless of anything. The child becomes unconscious and expresses anger or joy and thoughts at that time. For those who consume OT, of course, there are no longer restrictions on actions taken in public places.

### **2.1.1 Forms of Legal Protection for Child Prisoners**

According to article 1 paragraph (2) of Law number 35 of 2014 concerning Amendments to Law number 23 of 2002 concerning Child Protection, child protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally following human dignity and protection from violence and discrimination.

There are several definitions of child protection law, according to some experts the following limitations: Arif Gosita in his book, child protection is an effort to create situations

and conditions that allow the implementation of children's rights and obligations in a positive human manner. This means that children are protected to obtain and defend their rights to live, have a survival, grow and develop and are protected in the exercise of their rights and obligations alone or with their protectors. Maidin Gultom explained that child protection is directly related to the regulation of laws and regulations. The policies, efforts, and activities that guarantee the realization of the protection of children's rights are firstly based on the consideration that children are a vulnerable group because there are groups of children who experience obstacles in their growth and development, both spiritually, physically, and socially.

Bismar Siregar stated: The legal aspect of child protection is more focused on the rights of children which are regulated by law and not obligations, considering that legally (juridically) children have not been burdened with obligations. In protecting children, it must pay attention to and be based on the principles and objectives of child protection. Article 2 of Law Number 35 of 2014 Amendment to Law Number 23 of 2002 states that the implementation of child protection is based on Pancasila and is based on the 1945 Constitution and is under the basic principles of the Convention on the Rights of the Child, including:

- a. Non-discrimination, which means that in treating children, one is not allowed to differentiate between one another, for any reason.
- b. In the best interests of the child, it means that in all actions involving children carried out by the government, society, legislative bodies, and the judiciary, the best interests of the child must be the main consideration.
- c. The right to life, survival, and development. Where these three elements are the most basic rights of children protected by the state/government, society, family, and parents.
- d. Respect for children's opinions, meaning: respect for children's rights to participate and express their opinions in decision-making when it comes to matters affecting their lives.

Child prisoners who are in a correctional institution have rights and obligations during their sentence which are regulated in Government Regulation Number 99 of 2012 concerning Second Amendment to Government Regulation Number 32 of 1999 concerning Requirements and Procedures for Implementing the Rights of Correctional Assistants, including:

- a. Performing worship according to the beliefs held by each child, is regulated in article 2 to article 4.
- b. Receive spiritual care and physical care, regulated in chapters 5 to 8.
- c. Receive education and teaching, which is regulated in chapters 9 to 13.
- d. Obtaining health services and food, regulated in article 14 to article 25.
- e. Can file a complaint, provided for in article 26.
- f. Get reading material and mass media broadcasts, as regulated in article 27 to article 28.
- g. Receive wages and premiums, as regulated in article 29.
- h. Receiving visits, regulated in article 30 to article 33.
- i. Receiving remissions, provided for in articles 34 to 35.
- j. Obtaining assimilation and leave are regulated in articles 36 to 42.
- k. Obtaining the parole as provided for in articles 43 to 48.
- l. Obtaining leave before being released, which is regulated in articles 49 to 50.
- m. As well as other rights articles 51 to 53.

The results of the research conducted at the Class IA Tanjung Gusta Penitentiary in Medan for children who are currently serving sentences, they get the fulfillment of their rights in the form of:

- a. The right to undergo worship according to their respective beliefs. They have a right in terms of religion and in terms of deepening the teaching of their respective religions.

- b. The right to receive physical and spiritual care. Children who are in the Class IA Tanjung Gusta Children's Penitentiary in Medan have the right to be physically treated in terms of health so that they are under any circumstances. Then for spirituality, they still get treatment in the form of counseling to deal with children in prisons.
- c. The right to receive an education. In the Class IA Tanjung Gusta Children's Penitentiary, Medan, children still have the right to enjoy an education level. In prisons, children attend extra-curricular education, ranging from the United Nations to musical talents and handicrafts that can make them more independent when they leave prison later.
- d. Right to complain. Children have the right to make complaints through the head of the room or through the correctional students who are appointed as the trust of the existing wardens.
- e. The right to receive visits. Family visits can increase their self-confidence in facing the reality they are experiencing. There were some children whom their families met were no longer deactivated and some of them did not receive visits from their families at all. Therefore, the solidarity that is always maintained in prisons becomes another concentration for them as a substitute for the love they should get from their respective parents.

### **2.1.2 Efforts to prevent child prisoners from repeating the crime**

Correctional Institutions in guiding convicts and children of criminals based on the principles:

- a. Protection, is the treatment of prisoners to protect the community from the possibility of a crime being repeated by the prisoner, as well as providing life provisions for the prisoner to become a useful citizen in the community.
- b. Equality of treatment and service is the provision of equal treatment and service to prisoners without discriminating against people.
- c. Education, is the implementation of education and guidance that is carried out based on Pancasila, among others by cultivating a family spirit, skills, spirituality, and opportunities to perform worship.
- d. Guidance, is a way of providing understanding to inmates so that they can participate in the coaching activity program properly so that prisoners during their criminal period gain knowledge that can change behavior for the better.
- e. Respect, for human dignity is that as a person who is lost, the prisoner must
- f. Losing independence is the only suffering, is that prisoners must be in prison for a certain period so that they have the full opportunity to fix it. Prisoners still get other rights like humans, in other words, their civil rights are still protected.
- g. The guarantee of the right to remain in touch with certain families and people, is that prisoners are in prison but must be brought closer to and introduced to the community and must not be isolated from the community, among others, contact with the community in the form of visits, entertainment in prisons from community members free.

Provisions regarding the terms and procedures for the implementation of the rights of Criminal Children as regulated in Government Regulation Number 99 of 2012 concerning the Second Amendment to Government Regulation Number 32 of 1999 concerning Terms and Procedures for the Implementation of the Rights of Correctional Assisted Citizens in Article 23 states that must follow the guidance program and certain activities in an orderly manner. Provisions regarding the guidance program are regulated in a Government Regulation. In granting remissions to child prisoners are regulated in Government Regulation Number 99 of 2012 concerning the Second Amendment to Government Regulation Number 32 of 1999

concerning Terms and Procedures for the Implementation of the Rights of Correctional Assistants contained in article 34 paragraph 1 and paragraph 2 the requirements for children who receive remission, namely:

- a. Good behavior; and
- b. Has served a sentence of more than 6 (six) months.

Not only the granting of remission to reduce the term of imprisonment but in article 43 paragraph 1 it is stated that child prisoners and pupils of imprisonment are entitled to Parole Exemption. In this release, conditions are also given, among others:

- a. Has served the shortest criminal period of two -thirds of the provisions of the criminal period of at least 9 (nine) months;
- b. Good conduct during the shortest sentence of the last 9 months counted before 2/3 (two - thirds) of the sentence;
- c. Has followed the construction program well, diligently, and enthusiastically;
- d. The community can receive a program of inmate training activities.

In granting leniency, not only remission and parole but every child prisoner and correctional student are also entitled to assimilation. In article 36 it is explained that the assimilation gave if it meets the requirements, namely:

- a. good behavior;
- b. actively participate in coaching programs well;
- c. has served 1/2 (one-half) of the criminal period.

The first step in this complex endeavor can be taken by giving young children a broad and detailed explanation of several juridical aspects that are relevant to the naughty acts they often commit. Efforts to increase legal awareness among adolescents are carried out in several ways, but the simplest and closest to the lives of adolescents is legal guidance which is visualized in various forms and types.

To find out qualitatively, the level of legal awareness of adolescents, then a rather adequate effort is to make careful observations so that there are clues from legal awareness, namely:

- a. Knowledge of law
- b. Understanding of legal principles
- c. Attitudes towards legal norms
- d. Law-related behavior

In this case, it means that adolescents have conceptual knowledge that there are several actions in society that are regulated by law, either in the form of the written law (laws, regional regulations, circulars, and instructions from the authorities). or in the form of unwritten law, namely customary law, traditions, and customs.

Their legal knowledge includes:

- a. Acts that are prohibited by law such as murder, persecution, fraud, embezzlement, theft, extortion, and homelessness.
- b. Actions that are permitted by law such as buying and selling, grants, wills, gifts, favors, mutual cooperation, and others.

Apart from legal awareness, other aspects can serve as guidelines for the younger generation to become members of society who behave positively. Internalization of religious norms to educate young people to have a sense of social responsibility and to have an understanding and behavior that is in line with the religious order, which is prohibited for their religious beliefs. This viewpoint can make a positive contribution to the realization of a healthy social life and a healthy environment physically and spiritually. Prevention (preventive) is very useful in eliminating social problems, at least reducing social problems

that often occur in society in terms of quality and quantity. Likewise, the existence of religious norms is related to the existence of positive steps to promote and rationalize the psychological development of adolescents. Efforts must also be made to create a young generation who are physically and mentally healthy.

This positive step requires the participation of many parties to realize the maximum benefits. Preventive efforts and other related efforts require community participation so that transmission can reach most members of the community, especially young people. In the family environment, the task of caring for and forming conditions that have a positive impact on the psychological development of children is largely the responsibility of both parents. Negative or discordant family conditions will interfere with the intellectual development of the younger generation, especially dilapidated and pretentious houses in various forms and types, thus hindering the psychological growth of the younger generation. This situation can never guarantee the healthy development and intellectual growth of young people. Therefore, the formation of good conditions in family life must be realized.

### **3 Conclusion**

A child committing a crime is influenced by many factors, namely economic factors, family environment, education, and peer relationships. Where these factors can affect the mindset and behavior. Child Protection is a development that not only protects the child's soul and body but includes the protection of all rights that can ensure growth and development both physically and psychologically in socializing. Child prisoners in the Class IA Tanjung Gusta Penitentiary in Medan are a person whose character has not yet been formed so that it is very easy to be influenced to commit a crime. Prevention action is useful in reducing qualitatively and quantitatively social problems in society. Likewise, the existence of religious norms has a relevant correlation with the existence of positive steps in fostering and straightening the mental development of adolescents.

#### **Suggestion**

Suggestions from the authors are that the Government is expected to be able to more effectively provide character education not only for those who attend school but for those who do not have the opportunity to receive an education like children of their age. Then eradicating slum areas and also improving people's welfare is of course very important so as not to form an unsupervised generation.

Especially for parents, the main love should be given to children even though they are entangled in certain cases, they are still the generation that deserves to be protected and cherished as children of their age. As a preventive measure, the family should be the first place for children to express their opinions, so family leaders or parents need to provide examples and role models for their children. This can prevent the growth of the child crime rate which is increasingly spreading in the surrounding social environment.

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