

The Prospect of Implementing Assimilation as an Effort to Foster Prisoner in The Class II B Penitentiary Singaraja in Terms of Criminology and Human Rights Perspectives

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Abstract. This study aims to determine (1) the implementation of the assimilation of prisoners in the Class II B Penitentiary Singaraja; (2) the implementation of the development of prisoners in the assimilation stage at the Class II B Penitentiary in Singaraja; and (3) the prospect of implementing assimilation as an effort to develop prisoners in the Class II B Penitentiary Singaraja in terms of criminology and human rights perspectives. This type of research is field research with a descriptive qualitative approach. Sources of data in this study are primary, secondary, and tertiary data. Data collected with interviews, observations, and document studies. This study performs data processing through editing, classifying, verifying, analyzing, and concluding. The data analysis technique is descriptive qualitative. The study's results indicate that the repetition of criminal acts committed by assimilation prisoners illustrates that the guidance carried out by the Class II B Singaraja Penitentiary has not been effective.

Keywords: assimilation; Penitentiary Class II B Singaraja; prisoners

1. Introduction

The issuance of the Minister of Law and Human Rights Regulation No. 21 of 2016 which was amended by Regulation of the Minister of Law and Human Rights No. 3 of 2018[1], is intended as one of the efforts to further improve the coaching program in the form of Assimilation, Conditional Release (PB), Leave Before Free (CMB), Conditional Leave (CB), and Remission for inmates. Article 23 states: a) Assimilation can be given to prisoners after paying the fine and/or replacement money in accordance with the court's decision. b) In terms of the convicts as referred to in paragraph (1) are unable to pay the fine and/or replacement money in full, the convicts are obliged to serve confinement and/or substitute prisons in accordance with the provisions of the legislation. committing a criminal act of corruption may be given assimilation after paying the fine and/or replacement money in full.

The improvement of assimilation services is a strategic step in achieving the vision and mission of the correctional facility in the future. Based on the Instruction of the Minister of Law and Human Rights of the Republic of Indonesia Number: M. HH 01.OT.03.01 of 2014[2], concerning Improving Prisoners' Work Activities in the Context of Realizing Productive Corrections, it is stated that the essence of fostering prisoners should not only fill time, but as much as possible to provide provisions for prisoners. enough life for them when they return to public life. In fact, many inmates do not understand what they are in the Penitentiary for, whether to make amends or to improve themselves and what rights they receive while serving their prison term. The requirements and procedures for fulfilling the rights that are felt are very complicated so that prisoners feel reluctance to ask for their rights and in the end can cause feelings of being isolated and excluded from normal outside community life. [3]

The Singaraja Class II B Correctional Institution as one of the Correctional Technical Implementing Units (UPT) which carries out the task of carrying out guidance for correctional inmates is one of the Correctional Institutions (Lapas) which is currently experiencing excess capacity.

Tabel 1. Percentage of Overcapacity Singaraja Class II B Correctional Institution

No	Correctional Technical Implementing Units (UPT)	Capacity	Occupants	Percentage
	Class II A Padang Prison	100	241	2,41%

Source: Class II B prison registration data in Singaraja as of December 2021.

Based on the results of initial observations carried out at the Singaraja Class II B Correctional Institution, from the prison, Made Sukiadnyana, Head of the Registration and Guidance Sub-Section, stated that it was true that the Singaraja Class II B Correctional Institution experienced overcapacity. Related to the overcapacity in the Class II B Penitentiary Singaraja caused by the high cases of theft and narcotics cases that occurred in Singaraja City, narcotics cases that should need to be rehabilitated but are immediately sent to correctional institutions.

The impact of the occurrence of overcapacity in the Class II B Singaraja Correctional Institution is that coaching cannot run optimally because there is an imbalance between the number of prisoners and the number of correctional officers.

The tightening of these requirements is further regulated in the Regulation of the Minister of Law and Human Rights Number 21 of 2013 concerning Terms and Procedures for Granting Remission, Assimilation, Leave to Visit Family, Parole, Leave Before Release, and Conditional Leave (Permen No. 21 of 2013) [4]. In order to find out in depth about the above, the authors are interested in conducting research with the title "Providing Assimilation of Prisoners in Class II B Correctional Institutions Singaraja Viewed from the Perspective of Criminology and Human Rights".

2. Method

This type of research is field research. Field research is studying intensively about the background of the current situation, and the interaction of a social, individual, group, institution, and community [5]. Field research is also considered a broad approach in qualitative research. The important idea of this type of research is that the researcher goes to the field to make direct observations about a phenomenon that is happening. The location of the research that researchers will conduct observations in the Class II B Penitentiary Singaraja. In connection with that, the researcher will explain how the situation and condition of the location will be. As for this empirical type of approach, the researcher uses a qualitative approach with a descriptive character. Bogdan and Biklen argue that one of the characteristics of qualitative research is descriptive data.

If traced, qualitative research is a form of research that requires a reduction process derived from the results of interviews, observations, or a number of documents. The data will be summarized and selected so that it can be included in the appropriate category. In the end, the estuary of all qualitative data analysis activities lies in the description or narrative related to the problem being studied [6]. This painting or narrative is called descriptive. A study that aims to describe a variable, group, or social phenomenon that occurs in society [7].

Descriptive research according to Hadari Nawawi [8], can be interpreted as a problem-solving procedure investigated by describing / describing the state of the subject / object of research (a person, institution, community, and others) at the present time based on the facts that appear or as existence. Researchers choose this type of approach based on several reasons. First, this qualitative approach is used because the data needed is in the form of information about a phenomenon that occurs in a Penitentiary or at the residence of the Correctional Institution.

Researchers can get accurate data because researchers meet or deal directly with informants. Second, the researcher describes the object under study systematically by noting all things related to the object under study. Third, the researcher also suggests about social phenomena that occur by developing concepts and collecting existing social facts [9] [10].

Analysis is a process that takes into account how data is organized, organizing what exists in a pattern, category, and basic unit of description. Bogdan and Biklen [11], say that qualitative data analysis is an effort made by working with data, organizing data, sorting it into manageable units, synthesizing it, looking for and finding patterns, finding what is important, and what is learned, and decide what can be told to others [12]. On the other hand, analyzing data obtained from various sources has become an obligation in a study.

Thus, the first thing the researcher will do after obtaining the required data is to edit the data. Editing is the process of re-examining records, files, or information collected by researchers [13]. In this case, the researcher conducted a re-examination of the data obtained from the field, both primary and secondary data, which aims to determine the completeness of the data and the clarity of meaning and its suitability with the required data [14]. So that in this process it is hoped that data deficiencies or errors will be found. After editing, the researcher will arrange the data to be used as the main basis for analyzing, so that in the end the data will be in harmony with the given analysis. After the data is arranged systematically, the researcher then analyzes the data [15]. This study uses a technique that researchers use is descriptive analysis. Descriptive analysis is a method for analyzing data by describing or describing the data that has been collected, so that researchers will not perceive that something is indeed the way it is [16].

With this technique, the researcher will describe how the understanding in the views of informants and prisoners regarding the provision of assimilation of prisoners in the Class

II B Penitentiary Singarajain terms of criminology and human rights perspectives.

3. Results and Discussion

3.1 Coaching System in the Assimilation Stage in Institutions Penitentiary Class II B Singaraja

The stages of the correctional process are regulated in a Government Regulation Republic of Indonesia No. 31 of 1999 concerning Guidance and Guidance Prisoners in Article 7 stipulates that:

1. Convict development is carried out through several stages of development;
2. The coaching stage as referred to in paragraph 1 (one) consists of:
 - 3 (three) stages, namely;
 - a. Early stage;
 - b. Advanced stage, and
 - c. Final stage.
2. The transfer of coaching from one stage to another, is determined through correctional observer team trial based on the coach's data correctional, correctional security, mentor community and prison guards.
3. The data as referred to in paragraph 3 (three), is the result of observations, assessments, and reports on the implementation of coaching. Convicts in a coaching at the Correctional Institution in in principle should not lose contact with the community and should be given to socialize with the community. Assimilation is one examples of assimilation of prisoners in the midst of society.

The implementation of assimilation is carried out by the Correctional Institution which under the auspices of the Ministry of Law and Human Rights in the Directorate General of Correctional. A person who is fostered in a Correctional Institution is called with Correctional Inmates, there are correctional inmates who have permanent legal force (convicts) and some do not yet have permanent legal force that is declared guilty by the court (detainee). For prisoners, assimilation cannot be proposed because they donot have time criminal.

For the assimilation program at the Singaraja Class II B Correctional Institution, If the substantive and administrative requirements have been met, the prisoner who concerned has the right to apply for assimilation to the Guidance section Correctional Center (Bimaswat), which will later be held by the Tim Correctional Observer, then Head of Correctional Institution forward the assimilation proposal to the Headof the Legal and Human Rights Regional Office Bali. The Head of the Regional Office who determines the proposed assimilation of prisoners who concerned is accepted or rejected. If accepted, it will be forwarded to Minister of Law and Human Rights [17]. in order to obtain the convict's consent to carry outassimilation. At the Singaraja Class II B Correctional Institution for 2018 from January to April as many as 20% of inmates meet substantive requirements, but until the end of April nothing has been propose assimilation, namely in 2016, it can be concluded that Regarding assimilation in the Class II B Penitentiary, Singaraja is less attractive by inmates. The main problem that prisoners face is the difficulty file management and thelength of the process of obtaining assimilation permits.

3.2 Obstacles in Implementing Assimilation in Institutions Penitentiary Class II B Singaraja

Obstacles faced by Class II Penitentiary B Singaraja in the implementation of Assimilation, namely:

1. Society

Society plays a very important role in implementation of assimilation, because assimilation is assimilation prisoners into the community, but in reality, people are still afraid and worried about the presence of prisoners within the community [18]. Negative stigma about prisoners still has not been lost in society, they are afraid if the inmates do crime again and create chaos in the community. This matter clearly has a very significant impact in terms of the psychology of prisoners who feel ostracized and ashamed to carry out assimilation activities in the middle community environment.

2. The duration of obtaining assimilation permits

Obtaining assimilation permits takes quite a long time, they prefer to wait for 2/3 of their criminal period to take care of Conditional Leave and parole.

3. There is no cooperation with third parties in terms of implementation work assimilation.

Feelings of fear and negative stigma of prisoners are the main thing the reason for the reluctance of third parties to cooperate with Class II B Correctional Institution Singaraja. They will not be troubled in terms of managing work agreements for prisoners and do not want to take the risk to employ inmates in his company.

4. There are no open prisons in the territory of the Ministry of Law and Human Rights Bali.

Assimilation is not only done in third parties but can also be The Open Prison [19], for the Open Prison itself does not yet exist for the territory of the Ministry of Law and Human Rights of the Province of Bali, so that assimilation is still very difficult.

3.3 Efforts in Overcoming Obstacles in the Implementation of Assimilation in Penitentiary Class II B Singaraja

Which is the effort of the Singaraja Class II B Penitentiary in things to overcome the obstacles faced in the implementation of assimilation, namely:

1. Cooperating with third parties

Singaraja Class II B Correctional Institution until now still working on cooperation with third parties who want to cooperate with the employment of prisoners in his company. The approach is carried out by ensuring that prisoners who are given assimilation are selected prisoners and skilled because at the Singaraja Class II B Correctional Institution already given skills and also have good character and obey the law while serving his sentence.

2. Finding solutions for more effective assimilation management and efficient

The Singaraja Class II B Correctional Center has made various efforts to help make it easier for prisoners in terms of applying for permits assimilation such as providing examples of requirements documents in obtain an assimilation permit, notify the inmate of the application period its assimilation. It is hoped that this will increase interest prisoners to apply for their assimilation permits.

3. Conducting socialization, social, physical and spiritual activities for remove the negative stigma of society.

By holding outreach in the midst of society about prisoners and also involve prisoners in various social activities related to the community to slowly remove the negative stigma against prisoners. It is hoped that the public will begin to be aware of the existence of prisoners who now very different from before.

4. Conclusion

The innovation in this research, the study focused on providing assimilation to prisoners in the Class II B Penitentiary in Singaraja. From the perspective of criminology and human rights. The basis for scientific thinking that needs to be built is that referring to Government Regulation Number 9 of 2012 concerning Terms and Procedures for the Implementation of the Rights of Correctional Inmates requires prisoners of special criminal cases to be willing to become justice collaborators or cooperate with law enforcers to uncover their crimes if they want to get opportunities for their rights. certain conditions, one of which is remission and parole.

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