

# Reconstruction of the Correctional System as an Effort to Prevent Narcotics Circulation Crimes from Correctional Institutions

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**Abstract.** The paper discusses the correctional system in the framework of preventing criminal acts of narcotics trafficking from correctional institutions. By using normative juridical research, it will examine legal perspectives in the system of correctional institutions. The results found that by carrying out the reconstruction of the penitentiary system, it is hoped that the image of the Indonesian penal system can improve and be better in the eyes of the public.

**Keywords:** Drugs; Law; Correctional Institutions; Criminal.

## 1. Introduction

The crime of drug trafficking is one of the problems that often occurs in Indonesia. Although the government has made various efforts to overcome this problem, the number of cases of drug abuse in Indonesia is still very high.[1] In addition, prisons are also vulnerable places for narcotics trafficking to occur, which makes prevention efforts even more complex.

Therefore, an integrated and holistic effort is needed to overcome this problem, one of which is by reconstructing the penitentiary system. Reconstruction of the correctional system can help prevent the circulation of narcotics in prisons and better prepare prisoners to return to society.[1]

In this article, we will discuss the reconstruction of the penitentiary system as an effort to prevent criminal acts of drug trafficking from correctional institutions. We will outline steps that can be taken to reconstruct the penitentiary system, such as improving the quality of prisons, establishing an effective rehabilitation program, strict supervision, skills development programs for prison and correctional officers, and collaboration with relevant authorities.

Indonesia is a country prone to drug problems. According to data from the National Narcotics Agency (BNN), the number of drug abuse cases in Indonesia is increasing every year. Even in 2020, there were around 98,711 reported narcotics cases, with a total of 121,797 suspects.

In addition, prisons in Indonesia are also places that are prone to narcotics trafficking. Prisoners jailed for drug-related offenses are often still involved in the drug business even when they are behind bars. This is caused by various factors, such as limited facilities, less stringent supervision, and low-quality rehabilitation for prisoners involved in drug abuse.[2]

Therefore, a comprehensive effort is needed to prevent the circulation of narcotics in prisons. One of these efforts is to reconstruct the penitentiary system. Reconstructing an

effective penitentiary system can help prevent drug trafficking in prisons and improve the quality of rehabilitation for prisoners involved in drug abuse. It can also help them to return to society better and avoid re-engagement in unlawful activities upon release from prison.

In this context, the reconstruction of the correctional system is very important to implement. In the long term, this effort is expected to help reduce the level of drug abuse and drug-related crimes in society and help create a safer and more prosperous society.

## **2. Method**

Juridical normative legal research is a type of research that focuses on the study and analysis of legal materials or legal norms that apply in a country.[3] The mechanism of juridical normative legal research can be carried out through several steps, namely: Identification of Legal Issues, Collection of Legal Materials, Selection and Classification of Legal Materials, and Analysis of Legal Materials.[4] Juridical normative legal research requires accuracy and thoroughness in the collection and analysis of legal material that is carried out. The approach used in this study is a statutory approach and a conceptual approach.

## **3. Discussion**

Prevention of criminal acts of drug trafficking from correctional institutions is based on several laws and regulations that apply in Indonesia, including:

Law Number 35 of 2009 concerning Narcotics. This law is the legal basis for regulating narcotics, including in terms of prevention and handling. Article 80 and Article 81 of Law No. 35 of 2009 describe the prevention and control of narcotics in prisons.

Government Regulation Number 99 of 2012 concerning Security and Control of Narcotics in Correctional Institutions. This Government Regulation regulates the security and control of narcotics in correctional institutions as an effort to prevent criminal acts of narcotics distribution. The regulation describes the actions of prevention, supervision, handling, and control of narcotics within the penitentiary. Regulation of the Minister of Law and Human Rights Number 5 of 2014 concerning Implementation of Security and Control of Narcotics in Correctional Institutions.[5]

This Regulation of the Minister of Law and Human Rights describes the implementation of security and control of narcotics in correctional institutions. The regulation covers the prevention, supervision, and prosecution of criminal acts of narcotics distribution that occur in correctional institutions.

Instruction of the Minister of Law and Human Rights Number M.HH-01.PK.01.04 of 2016 concerning Security and Control of Narcotics in Correctional Institutions.

This instruction contains technical instructions for officers and officials within correctional institutions in carrying out narcotics security and control, including efforts to prevent the criminal act of narcotics trafficking.

In its implementation, efforts to prevent criminal acts of drug trafficking in correctional institutions involve various parties, such as security officers, correctional officers, and other related institutions, such as the Police, Prosecutor's Office, and the National Narcotics Agency. This is done to ensure effectiveness in the implementation of prevention and control of narcotics within the prison environment.[6]

The implementation of preventing the criminal act of narcotics trafficking from correctional institutions involves various parties and consists of several aspects, including Prevention efforts are carried out in several ways, including[7]:

- a. Checking visitors, luggage, and vehicles entering the correctional institution.
- b. Provide education and counseling about the dangers of narcotics and their impact on health and social life for convicts and officers in correctional institutions.
- c. Improving security and supervision in prisons, by conducting regular searches and monitoring the behavior of prisoners.

Supervision is carried out strictly on all activities within the penitentiary. Every activity carried out by convicts will be supervised and monitored by security officers and correctional officers. In addition, supervision is also carried out on the release of convicts from correctional institutions and while on conditional leave.

If there is a criminal act of narcotics distribution in a correctional institution, handling is carried out decisively and quickly. Each case will be handled by the police and prosecutors in collaboration with security officers and correctional officers. Prisoners who are proven to have committed the crime of drug trafficking will be subject to sanctions in the form of additional punishment and isolation from the environment of other prisoners. After receiving additional punishment sanctions, convicts who are involved in the criminal act of narcotics trafficking will undergo a recovery program that aims to restore their physical and mental condition. This program is carried out using a medical, psychological, and spiritual approach, and is carried out by health workers and correctional officers.

Implementation of prevention of criminal acts of drug trafficking from prisons requires good coordination between correctional institutions, the police, prosecutors, and the national narcotics agency. Apart from that, the participation of the community and families of convicts is also very important in supporting efforts to prevent and control narcotics within the prison environment.

Reconstruction of the penitentiary system as an effort to prevent the criminal act of narcotics trafficking from penitentiaries is necessary because the circulation of narcotics from within penitentiaries is a serious problem in Indonesia. Many cases of narcotics distribution are carried out by convicts who are in correctional institutions, which threatens public security and health.

This can occur due to weaknesses in the penitentiary system in Indonesia, such as a lack of strict supervision, low capacity and quality of security and correctional officers, and inadequate facilities to support the rehabilitation of prisoners.[8]

Therefore, an integrated and comprehensive reconstruction of the correctional system needs to be carried out to prevent the circulation of narcotics from prisons. This reconstruction can be carried out in several ways, such as increasing the capacity and quality of security and correctional officers, tightening supervision of visitors and goods going in and out of correctional institutions, upholding discipline in correctional institutions, improving the quality of facilities and services, and providing quality rehabilitation programs.

By carrying out the reconstruction of a good and integrated penitentiary system, it is hoped that the circulation of narcotics from correctional institutions can be overcome and the public can feel more secure and comfortable. In addition, a quality rehabilitation program can also assist prisoners in recovering their physical and mental conditions so that they can return to society properly.

Reconstruction of the correctional system as an effort to prevent criminal acts of drug trafficking from correctional institutions needs to be carried out in a comprehensive and

integrated manner. Several steps that can be taken in the reconstruction of the correctional system are as follows:

Increased supervision and security in correctional institutions. Improved oversight and security within the Penitentiary institution needs to be done to prevent the entry of narcotics into correctional institutions. Steps that can be taken include increasing the number of security officers, using more sophisticated narcotics detection technology, and increasing the quality of training for security officers.

Improving the quality and quantity of human resources in correctional institutions needs to be done to improve the quality of service and supervision in correctional institutions. Steps that can be taken include providing better training and increasing the number of correctional officers.

Increasing the capacity and quality of security and correctional officers is carried out through better training and education. Training can be carried out in collaboration with related institutions, such as the police, prosecutors, and the national narcotics agency. The training covers surveillance techniques, narcotics detection technology, and handling narcotics.

It is necessary to provide adequate facilities for rehabilitation to assist drug-affected convicts in recovering their physical and mental condition. Facilities needed include health, psychological, and educational facilities. Increased cooperation between correctional institutions and related parties such as the police, prosecutors, and the national narcotics agency needs to be carried out to strengthen supervision and prevent the entry of narcotics into prisons.

Improving the quality of facilities and services in correctional institutions is carried out to improve the quality of life of convicts and prevent them from being tempted to use narcotics. These facilities include health, psychological, educational, and entertainment facilities by applicable rules and regulations.

It is necessary to establish a social recovery and reintegration program to assist drug-affected convicts in recovering and returning to society after serving their sentence. The program includes rehabilitation programs, job training, and social and spiritual support.

Providing a quality rehabilitation program is carried out by giving special attention to convicts who are exposed to narcotics. The program includes rehabilitation programs, job training, and social and spiritual support. It aims to help convicts recover their physical and mental condition so they can return to society properly.

By carrying out a comprehensive and integrated reconstruction of the penitentiary system, it is hoped that it will be able to prevent the criminal act of narcotics trafficking from correctional institutions and assist convicts affected by narcotics in recovering and returning to society properly. Through the reconstruction of a correctional system that is comprehensive and integrated, it is hoped that it can prevent the criminal act of narcotics trafficking from prisons and assist prisoners affected by narcotics in recovering well and returning to society properly.

#### **4. Conclusion**

Reconstruction of the correctional system as an effort to prevent criminal acts of narcotics trafficking can improve public safety and health: With good prevention efforts and an integrated correctional system, it can reduce or even prevent the circulation of narcotics from within prisons. It can improve public safety and health. On the other hand, it enhances the image of the correctional system. By carrying out the reconstruction of the penitentiary system, it is hoped that the image of the Indonesian penal system can improve and be better in the eyes of the public. It can increase public trust in the correctional system and government.

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