

Guidance in Corrective Institutions in an Effort to Prevent Recidive Drug Injury in Class II B Prison, Langsa City (Case Study of Class II B Corrective Institution, Langsa)

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Abstract

Correctional institutions used to be underestimated as institutions that facilitate the provision of punishments and the suspension of freedom of crime suspects. Of course, this should not happen again because it will decline the Correctional Institution as an institution that plays a role in fostering inmates and making them reborn into good and trustworthy human beings. The objectives of this research include. To find out and analyze the implementation of coaching activities for narcotics recidivist offenders in the Langsa Class IIB Correctional Institution and the obstacles of the Langsa City Class II B Correctional Institution in providing guidance to narcotics inmates who are committed recidivists. The research method used in this study is empirical normative, then the research is descriptive analytical, and uses a legislative and conceptual approach in solving problems. The data sources in this study consist of secondary data and primary data. The results of the study stated that the implementation of coaching activities for recidivist offenders in the Langsa Class IIB Correctional Institution has not been carried out optimally, this is because no special efforts have been made to narcotics inmates and the constraints of the Langsa City Class II B Correctional Institution in providing guidance to recidivist inmates lie in the facilities and infrastructure that are insufficient to carry out optimal coaching.

Keywords: *Prison, Inmate, Narcotic*

INTRODUCTION

After the enactment of Law Number 22 of 2022 concerning the Correctional System, which has replaced Law Number 12 of 1995, there are several differences in the development of prisoners, this is contained in Article 38 of Law Number 22 of 2022 which states:

1. Personality development;
2. Independence development.

There are differences in the guidance system after the enactment of Law Number 22 of 2022, as there are efforts to foster the independence and personality of prisoners. When viewed from the perspective of criminal law politics, the initiators of the law want prisoners who have finished serving their sentences to be able to return to being like everyone else and even better, so the hope is that by forming this legal basis, prisoners will be more skilled when they return to society. In this discussion, we will see how the guidance carried out by the Class II B Prison in Langsa City is carried out after the enactment of Law Number 22 of 2023.

The condition of Class II B Langsa Prison based on the results of the interviews conducted is also included in the category of prisons whose number of inmates exceeds capacity or is overloaded. Where the total number of prisoners and detainees is 387, among which 33 are male adult prisoners, 5 are female adult prisoners and 354 are male adult prisoners. While the capacity is only 145 and over capacity is 291.7%. Most of the inmates of Class II B Langsa City Prison are narcotics prisoners and narcotics recidivists. This can be seen from the table below:

Table 1.1 Types of Recidivist Crimes 2021-2023

NO	TYPES OF CRIME	2020	2021	2022	2023	2024	AMOUNT
1	Narcotics	190	210	146	146	60	752
2	Theft	2	1	4	7		14
3	Blackmail/Threaten	2	-	1	-		3
4	Embezzlement	1	-	1	-		2
5	Law	1	-	1	-		2
6	Persecution	1	-	-	1		2
7	Customs	1	-	-	1		2

On recidivism data from 2021-2025 has shown that the most cases are narcotics cases.

Table 1.2 Number of Narcotics Prisoners in 2021-2025

No	Year	Recidivist	Prisoners & Detainees	Capacity	Overcapacity
1	2020	32	190	145	30%
2	2021	75	210	145	33%
3	2022	49	146	145	0.1%
4	2023	48	146	145	0.1%
5	2024	12	60	145	-

Based on the recidivism data above that occurred in the last 3 years, it has shown that there is always an increase in narcotics recidivism every year in Langsa City, which shows that there is no deterrent effect for perpetrators of crimes, so it is important to examine it in depth to see whether the guidance and role of Class II B Correctional Institutions in Langsa City after the enactment of Law Number 22 of 2022 concerning Corrections.

Based on the results of the interview with Mr. Guntur, as the Head of the Binagiatja Section, in the implementation of the program for fostering prisoners who have recidivist status with prisoners who do not have recidivist status, there is no difference at all, because all those included in the Community Inmates have the same rights, namely to be fostered into better individuals. Fostering prisoners is a very important factor and cannot be separated in running a community system that is based on protection from each prison or correctional institution.

Correctional Institutions were previously looked down upon as Institutions that facilitate the imposition of punishment and suspension of freedom of criminal suspects. Of course, this should not happen again because it will reduce Correctional Institutions as institutions that play a role in fostering prisoners and making them regenerate into good and trustworthy human beings.

The absence of a special program for drug convicts and drug recidivists will be seen whether this is in line with the principles stipulated in Law Number 22 of 2022. Because in reality, prisons as a place to provide guidance to prisoners must make guidance efforts that can improve prisoners from the problems they experience, as mentioned at the beginning that Sahardjo explained that in essence, prisons are a place to provide guidance to prisoners.

Based on the description above, the author is interested in conducting research entitled "Guidance in Correctional Institutions in an Effort to Prevent Recidivist Inmates in Class IIB Langsa Prison (Case Study in Class IIB Langsa Prison)."

Research methods which is used in this research is empirical normative, then The research is descriptive analytical, and uses a legislative and conceptual approach in solving problems. The data sources in this study consist of secondary data and primary data. The data collection techniques and tools used in this study were literature studies and interviews, and data analysis used in this study was carried out qualitatively.

To find out and analyze the implementation of coaching activities for narcotics recidivists at Class IIB Langsa Penitentiary and the obstacles of Class IIB Langsa City Penitentiary in providing coaching for narcotics convicts who are recidivists.

FORMULATION OF THE PROBLEM

Based on the background above and to provide research limitations, several problems are formulated, as follows:

1. How is the implementation of guidance for recidivist narcotics offenders in Class II B Langsa Penitentiary?

2. What are the obstacles for Class II B correctional institutions in Langsa City in providing guidance to narcotics convicts who are recidivists?

RESEARCH METHODS

The research method implemented in this work uses a type of normative legal research, which is descriptive, with a statute approach, meaning understanding and comprehensively analyzing the hierarchy of laws and regulations and the principles of laws and regulations. The statute approach is carried out by examining all laws and regulations related to the legal problem being handled by using the case study method. This study also uses a case approach in normative research which aims to study the application of legal norms or rules carried out in legal practice, especially regarding cases that have been decided as can be seen in the jurisprudence regarding the matters that are the focus of the research.

RESULTS AND DISCUSSION

Implementation of Guidance Activities for Recidivist Narcotics Offenders at Class II B Langsa Penitentiary

The inhumane actions experienced by prisoners have become the focus of various countries in the world, and attempts have been made to reform prison sentences as an effort to improve attitudes towards prisoners serving their sentences. This reform was initially carried out by countries in Europe and the United States based on the thoughts of Beccaria and John Howard about humanity and principles that are appropriate to prisoners.

According to Beccaria, the application of cruel punishment, which is not in accordance with the true purpose of their legal institutions, namely to prevent crime. Has consequences including:

1. The first is that it is very difficult to apply the right and proper proportion between crime and punishment; because although the varying degrees of cruelty have multiplied the methods of torture as a form of punishment, the human body can still only endure suffering to a certain extent and will never be able to exceed natural and human endurance, no matter how high the level of crime committed. The possible consequences that
2. The second is that the cruelty of punishment can actually give rise to impunity (neglect of punishment), namely that the natural human capacity to do good or evil is always limited by certain bonds; the capacity for bad things is lower than the capacity for good things. Cruel barbarian actions tend to be undesirable and can never be expected to last forever because their durability is certainly only temporary, it is impossible for such actions to be supported by a permanent legislative system; because if the law applies rules that are too cruel, then the law will certainly be changed, or if not, then what will succeed in defeating it is anarchy (neglect of the law) and impunity of punishment.

The coaching activities for narcotics recidivists carried out at the Class II B Penitentiary in Langsa City do not have special activities for narcotics prisoners or narcotics recidivists, the coaching activities are the same as the coaching activities for other narcotics prisoners, but in this case the Class II B Penitentiary in Langsa City carries out a form of cooperation with other agencies to carry out coaching or rehabilitation for narcotics prisoners and narcotics recidivists. Therefore, the Class II B Penitentiary in Langsa City does not internally carry out special coaching for narcotics prisoners or narcotics recidivists, but instead involves external parties to carry out rehabilitation.

It was further explained that although there is no special coaching carried out by Class II B Prison in Langsa City, the routine and special coaching carried out by Class II B Prison in Langsa City for all prisoners can also have an impact on the condition of prisoners or narcotics recidivists.

Activities Before and after Law Number 22 of 2022 do not have significant differences, only that Article 38 of Law Number 22 of 2022 explains that prisoners are given personality development and independence development. While in Law Number 12 of 1995, personality activities and independence development are not emphasized.

Based on the explanation of Article 38 letter a of Law Number 22 of 2022, personality development includes, among others, religious awareness, morals and ethics, national and state awareness, national defense, increasing intellectual abilities, legal awareness, integrating with society, and deradicalization. Then, independence development based on the explanation of Article 38 letter b of Law Number 22 of 2022 includes, skills training to support independent businesses and industry, job training, and development of interests and talents.

Before Law Number 22 of 2022 came into effect, Prison II B, Langsa City had implemented personality development and independence development, although this was carried out in accordance with existing abilities and limitations, the following activities were carried out at Prison II B, Langsa City.

Guidance activities at Class II B Prison in Langsa City are divided into 2 forms, namely: routine activities and special activities consisting of:

1. Religious activities
2. Sports activities:
3. Art activities
4. Intellectual activities
5. Personality activities in the field of national and state awareness

These five coaching activities are carried out periodically and adjusted to the financial capabilities and facilities and infrastructure owned by the Class II B Correctional Institution of Langsa City.

Seeing this fact when linked to Sahardjo's explaining theory of coaching that not only is society protected from repeated criminal acts by convicts, but also people who have gone astray are protected by providing them with provisions for life as useful citizens in society. From this protection, it is clear that imposing criminal penalties is not an act of revenge by the State.

According to Sahardjo's view, in reality, imposing a criminal sentence on someone is not a form of revenge by the State, therefore, the community that is sentenced to a criminal sentence must be protected and provided with life provisions so that later when they leave the Correctional Institution.

Class II B Penitentiary in Langsa City has conducted various development programs for prisoners, starting from religious activities, arts, sports, intellectuals, national and state education carried out as an effort to develop prisoners to become more useful people later when they have finished serving their sentences. However, there is no special development for drug prisoners so that what is received by drug prisoners is the same as other prisoners. In fact, what is needed by drug prisoners is a special program to eliminate their drug addiction. This is what drug prisoners do not receive.

Sahardjo further explained that criminals need to be protected and given guidance as provisions for their future life after leaving prison so that they are useful to society. Exploring Sahardjo's intentions, it is only right that prisoners are given guidance so that when they leave prison they become useful people and return to their original state. This is what has not been achieved in Class II B Prison in Langsa City. It can be seen that the absence of a special program given to drug prisoners means that the guidance program received by drug prisoners will not run. Because what they should actually receive is rehabilitation. So in this case it can be concluded that the guidance provided by Class II B Prison in Langsa City for drug prisoners is not appropriate.

Obstacles of Class II B Correctional Institution of Langsa City in Providing Guidance to Narcotics Convicts Who Commit Recidivism

Class IIB Langsa Penitentiary was established in 1912 and is domiciled in Langsa City, Aceh Province, as one of the Technical Implementation Units (UPT) in the field of Corrections which is under and directly responsible to the Head of the Regional Office of the Ministry of Law and Human Rights of Aceh Province.

Based on the results of research conducted at the Class II B Penitentiary in Langsa City, the obstacles experienced in providing guidance to narcotics recidivists experienced by prisoners, officers and others are as follows:

1. The obstacles experienced by prisoners are those who initially lived in freedom and when entering the prison experienced mental problems because they were not ready to live in prison, usually this obstacle occurs at the beginning of the prisoner entering the prison, then when they have undergone counseling, prisoners tend not to be serious and are not interested in undergoing the counseling activities provided. Even when one of the recidivist narcotics prisoners was asked for information about what made him repeat the same mistake, there was no special program given to him so that he could not escape the influence of drugs.
2. Another obstacle faced by prisoners is that the crowded and overcrowded prison conditions disrupt their health and mental health because, let alone trying to change for the better, being able to consume food and drink is already very good.
3. Obstacles faced by prison officers include a shortage of personnel to guard prisoners and a shortage of health workers to treat and create rehabilitation programs for drug recidivists.

4. Another obstacle faced by prison officers is the lack of willingness from recidivist drug convicts, making it very difficult to return them to their original condition, because returning to their original condition all depends on the recidivist drug convict.
5. The constraints in terms of facilities and infrastructure experienced at the Class II B Penitentiary in Langsa City are the lack of facilities to support the intellectual capacity of recidivist narcotics prisoners, books or other literature are very limited in number and not always updated.
6. Lack of medical equipment owned by Class II B Penitentiary of Langsa City, so that when there is a sick inmate, he is immediately taken out of the prison to be taken to the nearest hospital, then the ambulance is also limited to 1 unit so that if there is a recidivist inmate who is sick more than one will hinder the process of medical treatment for the recidivist.
7. The condition of the blocks/rooms is increasingly full and crowded, so that recidivist narcotics prisoners cannot rest optimally and this affects their health condition.
8. The last obstacle is the limited funds to support coaching activities, so that various routine and special activities are carried out only casually without further study. Because the funds provided are limited.

Based on the description, in the practice of coaching for narcotics recidivists, there are obstacles that result in coaching not running optimally because it is not supported by adequate facilities and infrastructure, in addition to the internal conditions of recidivist prisoners who are not serious being another reason for the obstacles that occur in coaching at the Class II B Penitentiary in Langsa City in overcoming obstacles in carrying out coaching for narcotics recidivists.

When viewed from Lawrence Friedman's perspective, this obstacle lies in its legal structure. As explained, the legal structure consists of the elements of the number and size of courts, their jurisdiction and the procedure for appeal from one court to another. The structure also means that the legislative body is organized, what the president may and may not do, procedures are followed by the Police and so on. Therefore, the legal structure consists of existing legal institutions intended to implement existing legal instruments. According to the legal system in Indonesia, the legal structure based on the Criminal Procedure Code consists of the Police, the Prosecutor's Office, the Courts and Prisons.

In this case, Class II B Prison in Langsa City as part of the legal structure is unable to carry out its duties optimally because it is constrained by facilities, funding, and resources in providing guidance to recidivist drug convicts. So that the suboptimal guidance of recidivist drug convicts comes from its legal structure, namely Class II B Prison in Langsa City because it does not have adequate infrastructure and funding.

Efforts made to overcome these obstacles, Langsa City Class II B Penitentiary made several efforts, including:

1. Efforts to overcome the obstacles of prisoners are by providing personality and independence training for prisoners by fostering and guiding them to be better, not committing violations again and being able to return to community life that is useful for the nation, state and country. Although this returns to the prisoner whether he is able to control himself in living his life.
2. Efforts to overcome the constraints of officers are by improving the Human Resources of officers, sending officers for training and education so that they can become professional officers, submitting additional doctors and nurses for the benefit of inmate health care. However, this also depends on whether this submission is accepted or followed up.
3. Efforts to overcome the lack of facilities in the field of intellectual development are by asking for help from the government to complete library equipment, especially at the Regional Library Service and asking for help from the community, including prison officers, by donating reading books that are useful for prisoners. Regardless of whether this is fulfilled, there are at least efforts made to overcome this problem.
4. Efforts to overcome the problem of very full blocks/rooms by moving some of the prison inmates to other prisons with a capacity below that of Class II B Prison in Langsa City.
5. Efforts to overcome the limited funds available to support prisoner development include asking for assistance from the government and the community and increasing cooperation with related parties or parties who are willing to voluntarily provide assistance.

CONCLUSION

1. The implementation of coaching activities for recidivists in Class IIB Langsa Penitentiary has not been carried out optimally, this is because no special efforts have been made for drug convicts, as the Penitentiary should be as an agency that functions to improve the condition of convicts so that in this case

the implementation of coaching activities at Class IIB Langsa City Penitentiary has not been in accordance with the coaching theory conveyed by Sahardjo that in reality people who are convicted must be treated with coaching so that when they come out they can become useful people. In this case, if drug recidivists are not given special coaching according to what they have experienced, how can the results be optimal and they will be useful again when they return to society.

2. The obstacles of Class II B Penitentiary in Langsa City in providing guidance to recidivists inmates lie in the inadequate facilities and infrastructure to provide optimal guidance. Without the availability or support of adequate facilities, it is not easy for law enforcement to take place properly, which include highly educated and skilled human resources, good organization, adequate equipment, sufficient finances, and so on. If these things are not met, it is difficult for law enforcement to achieve its goals. Such as the lack of rooms or blocks for inmates to rest, the lack of medical personnel for inmates and the lack of optimal cooperation with related agencies to overcome existing obstacles.

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