



IMPLEMENTATION OF INTEGRATED ASSESSMENT AS A MEASURE TO ANTICIPATE OVERCAPACITY IN CORRECTIONAL INSTITUTIONS

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Abstract: Narcotics Crime Continues to be a Major Issue in Law Enforcement in Indonesia, Now Facing a Significant Surge in the Trafficking of Illegal Narcotics. The development of handling narcotics cases now involves integrated assessments aimed at providing rehabilitation for users, rather than solely imposing criminal sanctions. Correctional Institutions are also facing overcapacity issues due to the surge in narcotics-related cases. The integration of results from both methods is expected to provide a comprehensive overview, identify challenges, and formulate strategic steps to improve the law enforcement and rehabilitation system. This study assesses the implementation of integrated assessments in addressing overcapacity in correctional institutions resulting from the surge in narcotics cases in Indonesia. Narcotic addiction, which is progressive and prone to relapse, requires medical and social rehabilitation. The integrated assessment, involving both medical and legal teams, aims to determine rehabilitation needs. The findings show that integrated assessments can reduce overcapacity by offering risk evaluations, alternative sentencing, and more effective rehabilitation programs. Furthermore, increasing correctional facility capacity, regular monitoring, and stakeholder engagement are necessary for long-term solutions.

Keywords: *Narcotic Offenses; Integrated Assessment; Rehabilitation*

I. INTRODUCTION

Narcotics crimes, from the past to the present, continue to be a subject of debate in terms of law enforcement. Although various other legal cases have also occurred, narcotics crimes remain one of the main issues in the country. Narcotics crimes fall under the category of transnational crimes because they are carried out with sophisticated methods, utilize modern technology, and are supported by an

extensive network of organizations. This crime has caused many victims, especially among the younger generation, which threatens the lives of the community, nation, and state.¹

Indonesia now ranks highest in illegal narcotics trafficking, comparable to countries such as Japan, Thailand, Malaysia, the Philippines, and Hong Kong. From previously as a transit country or a place to sell prohibited goods, Indonesia has now developed into one of the exporters or manufacturers of dangerous drugs. This can be seen from the discovery of some of the largest drug laboratories (*clandestine laboratories*) in Indonesia.²

The context of the increasing circulation of illegal narcotics in Indonesia, the Development Condition of handling narcotics crimes, especially for addicts or victims of narcotics, one of which is an assessment action. In its development, narcotics abusers and addicts no longer solely lead to prison sanctions, but in rehabilitation. So that through the integrated assessment team, narcotics abusers can find out the next rare process of the ongoing case In so that the judge can determine the appropriate criminal sanctions in narcotics cases.³

The implementation of integrated assessments is becoming increasingly crucial. Integrated assessment is a comprehensive approach designed to address the challenges faced by the correctional system, particularly in managing the impact of the surge in narcotics cases. However, the implementation of integrated assessment in Indonesia still faces various obstacles, including⁴:

- 1) There are differences of opinion among law enforcement officials in handling narcotics cases;
- 2) Lack of legal force in the provisions governing the integrated assessment;
- 3) Limited budget and sources of funds for the implementation of the integrated assessment.

Therefore, serious action and attention are needed from the government, especially BNN, to increase the understanding of law enforcement officials in eradicating

¹ Hatarto Pakpahan, 2015. *Restorative Justice Against Narcotics and Dangerous Drug Users*. Journal of Legal Horizons 6, no. 2, p. 129-140.

² Fitra Rahmat Fadhyuhazis, 2019. *Strategi Badan Narkotika Nasional Kota Banda Aceh Dalam Mencegah Peredaran Gelap Narkoba Pada Kalangan Remaja*, "Thesis" Aceh: UIN Ar-Raniry Banda Aceh, p. 29.

³ Siga Ali Tamher, Basuki, and Tofik Yanuar Chandra, 2023. *Penegakan Hukum Asesmen Terpadu Terhadap Pelaku Tindak Pidana Penyalahgunaan Narkotika*. PERFECTO: Jurnal Ilmu Hukum 1, no. 3, p. 3.

⁴ Dindin Supratman, Purwoko Nugroho, Retno Dewi Wijayanti, 2020. *Asesmen Terpadu dalam Rangka Mendukung Kebijakan Rehabilitasi Penyalah Guna Narkoba*. Jurnal Litbang Sukowati 3, no. 2, p. 2.

narcotics crimes, ensuring the use of appropriate legal instruments, and providing an adequate budget. This is important considering the increase in cases of narcotics abuse which can threaten people from various walks of life and ages.

Correctional Institutions (Lapas) are vital institutions in the criminal justice system, responsible for the detention and rehabilitation of individuals who have been involved in criminal acts. As a key element in law enforcement and rehabilitation, prisons not only function to maintain security and order, but also to facilitate the process of fostering and social reintegration for inmates. In its efforts to achieve this goal, the prison faces various challenges, including the problem of overcapacity, which threatens the operational effectiveness and quality of services provided to the inmates. This problem has become more complex with the surge in narcotics crime cases, which has contributed significantly to the increase in the number of inmates and increased the burden on facilities and the correctional system.

To face the increasingly urgent *challenge of overcapacity* in correctional institutions, the implementation of integrated assessment is an indispensable solution. Integrated assessment not only serves to assess the individual conditions and needs of each inmate, but also to formulate appropriate strategies in the management of institutional capacity. Through this approach, it is hoped that effective measures can be identified to reduce the negative impact of the surge in narcotics cases and improve the quality of rehabilitation and social reintegration. In this study, the main objective is to identify how effective the implementation of integrated assessments is in overcoming the problem of *overcapacity* in correctional institutions due to the surge in narcotics crime cases in Indonesia, as well as formulating the necessary strategic steps to improve the understanding of law enforcement officials, the use of appropriate legal instruments, and the provision of adequate budgets in handling narcotics cases and rehabilitation.

II. RESEARCH METHODS

In analyzing the effectiveness of the implementation of integrated assessment in overcoming the problem of overcapacity in correctional institutions due to the surge in narcotics crime cases in Indonesia, this study will use a mixed method. The qualitative method will be applied through in-depth interviews with law enforcement officials, correctional officers, and rehabilitation staff, as well as focus group discussions to explore challenges and solutions related to integrated assessment. In addition, case studies will be analyzed to understand practical application and its impact. On the other hand, a quantitative approach will involve a survey to collect statistical data on perceptions of integrated assessments and

overcapacity conditions. Statistical data from correctional institutions will also be used for further analysis. By integrating the results of these two approaches, it is hoped that the research can provide a comprehensive picture of the effectiveness of integrated assessments, identify key challenges, and formulate strategic measures to improve the narcotics-related law enforcement and rehabilitation system in Indonesia.

III. DISCUSSION

a. Implementation of Integrated Assessment

Narcotics abuse at increasing levels can cause an abuser to experience addiction. In the world of medicine, dependence, addiction or addiction is known as a disease. Addiction has symptoms that are typical as a disease, which can *relapse* repeatedly and are progressive, meaning that it gets worse, if you don't get help and good treatment. At this stage, the perpetrator is referred to as a narcotics addict.⁵

The development of handling narcotics cases, especially for addicts, involves the implementation of assessments. Assessment is the process of collecting data or information from learning activities that aims to monitor the progress of the process and provide feedback. The integrated assessment team consists of doctors and legal professionals appointed by the head of the local work unit based on the decision of the head of the National Narcotics Agency, both at the provincial and district/city levels.⁶

The implementation of the integrated assessment mechanism is based on several regulations, including the Joint Regulation between BNN and Mahkumjakpol, the Ministry of Health and the Ministry of Social Affairs concerning the Handling of Narcotics Addicts and Victims of Narcotics Abuse into Rehabilitation Institutions, Supreme Court Circular Letter Number 04 of 2010 concerning the Placement of Abuse Victims, Victims of Abuse and Narcotics Addicts into Medical Rehabilitation and Social Rehabilitation Institutions.⁷

⁵ Abintoro Prakoso, 2017. *Kriminologi dan Hukum Pidana: Pengertian, Aliran, Teori dan Perkembangannya*. Yogyakarta: Laksbang Pressindo, p. 178.

⁶ Wahyu Hariyadi and Teguh Anindito, 2021. *Pelaksanaan Asesmen Terhadap Pelaku Penyalahgunaan Narkotika Ditinjau dari Undang-Undang No. 35 Tahun 2009 Tentang Narkotika*. Jurnal Pendidikan Kewarganegaraan UNDIKSHA 9, no. 2, p. 4.

⁷ Dahlan. 2017. *Problems of Justice in Criminal Application for Drug Abusers*. Yogyakarta: Deepublish

Medical rehabilitation according to RI Law No. 35 of 2009 is an integrated process of treatment activities to free addicts from drug dependence. M. Min provides the definition of medical rehabilitation that medical rehabilitation is a new field of specialization in medical science, related to the comprehensive treatment of patients who experience impairment, loss of function/disability), which originates from the musculoskeletal (*celetal musculos*), the arrangement of nerve muscles (*neuromuscular*), as well as the mental, social and occupational disorders that accompany the caca.⁸

Social rehabilitation, according to Law Number 35 of 2009 concerning Narcotics, is an integrated recovery process, including physical, mental, and social aspects, so that former narcotics addicts can return to carrying out social functions in society. At this stage, addicts are given activities that suit their interests and talents to fill their daily time. The goal of this stage is to equip addicts with knowledge and skills that are useful and applicable in their lives after reintegration into society.

Officials who handle cases of narcotics abuse for themselves must always consider and be oriented to the health perspective of the narcotics abusers. Law enforcement officers who handle cases of narcotics abusers tend to be reluctant to implement integrated assessments to determine a person arrested as an abuser or dealer. So that there is no data obtained on the level of addiction and the rehabilitation therapy plan that can be implemented, causing the Judge to find it difficult to be able to give a verdict in the form of rehabilitation measures for narcotics abusers.⁹

The law enforcement in dealing with narcotics abuse and addicts should be inclined to sanctions in the form of rehabilitation to save their future. To be able to function the role of judges in deciding or determining rehabilitation, support from other law enforcement officials is needed. Of course, this must be based on a mutual understanding and agreement that narcotics abuse is a serious problem that can threaten national resilience and security.¹⁰

⁸ AR. Sujono, 2011. *Komentar dan Pembahasan: Undang-Undang Nomor 35 Tahun 2009 Tentang Narkotika*. Jakarta: Sinar Grafika, p. 211.

⁹ Riki Afrizal & Upita Anggunsuri, 2019. *Optimizing the Assessment Process for Narcotics Abusers in the Context of the Effectiveness of Medical and Social Rehabilitation for Narcotics Addicts*. DE JURE Legal Research Journal 19, no. 3, p. 259-268.

¹⁰ The author's interview with Mr. Bripka Abimanyu Sewakottama, S.H. as an investigator of BNNP Lampung, on August 2, 2024.

Criminal Law Policy through a humanist approach, namely in the form of rehabilitation actions through an integrated assessment mechanism, must be prioritized both in terms of formulation, regulation, application and execution of the assessment against narcotics abusers. As stated by Barda Nawawi Arif, that: "Especially for Indonesia, which is based on Pancasila and its national policy line aims to form a whole Indonesian people. If crime is to be used as a means to this end, a humanistic approach must also be considered."¹¹

Any individual who is arrested or caught related to the use of narcotics and submits an application for a medical rehabilitation assessment process as long as he does not meet the criteria as a dealer or the amount of narcotics evidence does not exceed the limit set in SEMA No. 4 of 2010 will be processed according to his request. In this case, the investigator will submit and take care of the assessment process. After the assessment request is received, the Integrated Assessment Team, consisting of the Legal Team and the Doctor Team, will conduct an analysis of the individual related to the circulation and abuse of narcotics.¹²

b. Integrated Assessment to Overcome *Overcapacity* in Correctional Institutions

The high number of inmates involved in drug cases has caused correctional institutions (prisons) to experience overcapacity. The Head of the National Narcotics Agency, Petrus Golose, in a press statement at the Presidential Palace, September 11, 2023, said that the prevalence rate in Indonesia is 1.95% for narcotics users or in the population in Indonesia of around 3.6 million people, especially in North Sumatra, the number of prisoners is very high in correctional institutions, in this case rehabilitation is important to overcome the overcapacity of prisons.¹³

Minister of Law and Human Rights, Yasonna H. Laoly said that the most inmates in prisons are drug inmates, reaching 50% of the prison capacity, in this case causing an excess capacity of 89% where the prison occupancy capacity amounts to 140,000 but the total inmates amount to 265,000 people. ¹⁴

¹¹ Barda Nawawi Arief & Muladi, 1992. *Criminal Theories and Policies*. Bandung: Alumni, p. 14

¹² Interview with Mr. Budi Rizki Husin, S.H., M.H. as an Academician of the Faculty of Law, University of Lampung, on July 17, 2024

¹³ Surya Daily, PRISON OVER CAPACITY Due to Drugs, Press Statement by Head of BNN Petrus Golose, https://www.youtube.com/watch?v=H_h4PuivUY

¹⁴ Ministry of Communication and Information Tv, Minister of Law and Human Rights: Revision of the Narcotics Law as a Solution to Overcome Prison Overcapacity, <https://www.youtube.com/watch?v=YFxisBwXqBE>.

The problem of overcapacity in correctional institutions (prisons) is a major challenge faced by many criminal justice systems in Indonesia. One approach that can help address this problem is to implement integrated assessments. Here are some solutions and steps that can be taken in this context:

1) Risk and Needs Assessment

Integrated assessments can be used to thoroughly evaluate the risks and needs of individual inmates. By understanding the risk of *recidivism* (the possibility of repetition of a crime) and their rehabilitation needs, the justice system can make better decisions regarding placement, rehabilitation programs, and supervision.

2) Alternative Punishments

Based on the results of the assessment, individuals who are considered to have a low risk of repeating criminal acts can be directed to undergo alternative punishments, such as monitoring programs outside prisons, community services, or community-based rehabilitation programs. This can reduce the number of inmates who need to be placed in prisons.

3) Rehabilitation and Education Programs

Integrated assessments can help design more effective rehabilitation and education programs according to individual needs. This not only helps in reducing recidivism rates but also prepares inmates for better reintegration into society.

4) Penalty Policy

With data from the unified assessment, policymakers can make better decisions about sentencing. For example, adopting a more flexible sentencing policy for minor or non-violent offenses could reduce pressure on prison capacity.

5) Capacity Building and Infrastructure

While integrated assessments can help manage prison populations, capacity building and prison infrastructure also need to be considered as a long-term solution. This could include the construction of new prisons or the renovation of existing prisons.

6) Periodic Monitoring and Evaluation

The implementation of integrated assessments should be followed by periodic monitoring and evaluation to ensure effectiveness and make

necessary adjustments. The data collected can help in the continuous improvement of the prison population assessment and management system.

7) Stakeholder Engagement

The involvement of various parties, such as government agencies, civil society organizations, and academics, is crucial in designing and implementing an integrated assessment system. This collaboration can help in creating more holistic and sustainable solutions. With an integrated and data-based approach such as integrated assessment, it is hoped that it can reduce the problem of prison overcapacity and increase the effectiveness of the correctional system.

IV. CONCLUSION

The implementation of integrated assessments is an important strategy in handling narcotics abuse, especially to overcome the problem of overcapacity in correctional institutions (prisons). Increased narcotics abuse can lead to progressive and relapsing dependence, requiring an integrated rehabilitation approach. The integrated assessment, which involves a team of doctors and legal professionals, aims to collect data thoroughly to determine appropriate rehabilitation needs and monitor the progress of the recovery process. In the context of overcoming prison overcapacity, integrated assessments can help in several ways, such as risk and needs assessment, development of alternative punishments, and more effective rehabilitation programs. This can reduce the number of inmates who have to languish in prisons and allow for better treatment for individuals based on their level of risk and needs. Long-term solutions also include increasing prison capacity and infrastructure as well as periodic monitoring and evaluation of the implementation of assessments. The involvement of various parties, including the government and civil society, is also crucial to create a holistic and sustainable assessment and rehabilitation system. With this approach, it is hoped that it can reduce prison overcapacity and increase the effectiveness of the correctional system as a whole.

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