

Criminal Justice Policy as a Means of Combating Drug Trafficking in Correctional Facilities

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Abstract

Narcotics abuse among inmates in correctional institutions (Lembaga Pemasyarakatan [Lapas]) represents a critical challenge to the effectiveness of the correctional system. Despite strict prohibitions under Law No. 35 of 2009 concerning Narcotics and Regulation of the Minister of Law and Human Rights (Peraturan Menteri Hukum dan Hak Asasi Manusia [Permenkumham]) No. 6 of 2013, illicit narcotics trafficking persists through various *modi operandi* involving visitors, correctional officers, and inmates. The current enforcement mechanism, which requires the Head of a Correctional Institution to report suspected narcotics offenses to the competent law enforcement authorities, is considered procedurally complex and insufficiently responsive. This study aimed to analyze criminal law policy for combating narcotics trafficking in correctional institutions, identify obstacles to its implementation, and formulate strategic policy directions for a more effective correctional system. The study employed normative juridical research using statutory, conceptual, and case approaches. Legal materials were collected through library research and analyzed qualitatively using a prescriptive-analytical method. The findings indicated that criminal law policy for combating narcotics trafficking in correctional institutions primarily relied on interagency coordination in handling narcotics offenses. Correctional institutions reported suspected narcotics offenses to the National Narcotics Board (Badan Narkotika Nasional [BNN]) or other competent law enforcement authorities and subsequently monitored the progress of the cases through the criminal justice process. Major implementation obstacles included overcrowding in correctional institutions, bureaucratic complexity in procuring facilities and infrastructure, inadequate competencies among correctional officers, and weaknesses in internal supervision.

INTRODUCTION

Narcotics are substances that can reduce or alter consciousness, relieve pain, and cause dependence. On the one hand, they are beneficial for medical treatment and scientific purposes; on the other hand, their abuse and illicit trafficking pose serious risks to individuals and society (Nur Tsani & Ginting, 2021; Syafiudin & Satindra, 2023). Therefore, the government strictly regulates the distribution, importation, exportation, cultivation, and use of narcotics and imposes legal measures against their abuse and illicit trafficking (Syah Putra et al., 2024; Pramana Putra et al., 2024), in line with the mandate of Article 28H paragraph (1) of the 1945 Constitution concerning citizens' rights to welfare and health services (Harimusti, 2023; Wahyudi & Suryani, 2026).

Indonesia's commitment to combating narcotics-related offenses is reflected in its ratification of several international instruments, including the Single Convention on Narcotic

Drugs of 1961 and the 1972 Protocol (ratified through Law No. 8 of 1976), as well as the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 (ratified through Law No. 7 of 1997). These international instruments require States Parties to criminalize illicit narcotics trafficking and establish appropriate measures for the treatment, rehabilitation, and social reintegration of offenders (Buneci, 2025; Mehdi et al., 2026; Nabil & Ghania, 2025; Takahashi, 2015).

As a follow-up to these commitments, Indonesia enacted Law No. 35 of 2009 concerning Narcotics, replacing Law No. 22 of 1997, as the previous regulatory framework was considered insufficiently effective in addressing narcotics abuse and illicit trafficking (Sembiring et al., 2022). Article 4 of the Law establishes four principal objectives: ensuring the availability of narcotics for health services and scientific purposes, protecting the public from narcotics abuse, eradicating illicit narcotics trafficking, and ensuring medical and social rehabilitation for narcotics abusers and addicts (Sulubara, 2025; Muhammad Hairul & Anisah, 2024). The Law reflects a shift from a predominantly punitive approach toward an approach that also emphasizes treatment and recovery by recognizing that narcotics addicts may require rehabilitation rather than solely criminal punishment (Venerdi & Edrisy, 2025; Wijaya & Ruslie, 2024; Sulistyawati et al., 2020).

Several studies have examined narcotics-related issues within Indonesia's correctional system. Kasihana (2025) conducted a case study at the Class I Madiun Correctional Institution and found that rehabilitation and development programs for narcotics inmates consisted of two principal components: personality development and self-reliance development. In practice, however, rehabilitation programs were often replaced by disciplinary sanctions, such as placement in an isolation cell (strafcel), rather than the medical rehabilitation required under the applicable legal framework. Similarly, research conducted at a Class IIA Correctional Institution revealed that narcotics abuse within correctional facilities reflected weaknesses in internal control and insufficient integrity among correctional officers, while responses to such cases involved cross-sectoral coordination among correctional institutions (Lembaga Pemasyarakatan [Lapas]), the Indonesian National Police, the National Narcotics Board (Badan Narkotika Nasional [BNN]), and the Prosecutor's Office.

These provisions are reflected in Article 54, which requires narcotics addicts and victims of narcotics abuse to undergo medical and social rehabilitation, and Article 103, which authorizes judges to order addicts to undergo treatment and/or rehabilitation under the circumstances stipulated by law, with the rehabilitation period counted toward the period of serving the sentence where applicable. Meanwhile, Article 127 establishes criminal penalties for the personal abuse of Class I, II, and III narcotics while also requiring consideration of the rehabilitation provisions for qualifying addicts and victims of narcotics abuse. These provisions reflect the application of a double-track system that combines criminal sanctions with rehabilitative measures in addressing narcotics abuse. This approach is further supported by Supreme Court Circular Letter (Surat Edaran Mahkamah Agung [SEMA]) No. 7 of 2009, SEMA No. 4 of 2010, and SEMA No. 3 of 2011, which provide guidance concerning the placement and rehabilitation of narcotics abusers and addicts. Nevertheless, the effective fulfillment of rehabilitation rights remains vulnerable to inconsistent implementation and potential abuse of authority.

Despite these regulatory measures, illicit narcotics trafficking continues to occur within correctional institutions (Lapas), which are intended to facilitate inmate rehabilitation and prevent continued involvement in criminal activity. The narcotics case involving inmate Ammar Zoni at Salemba Correctional Institution in late 2024—which reportedly involved five other defendants and constituted his fourth narcotics-related case since 2017—illustrates the continuing challenges faced by correctional institutions in preventing narcotics trafficking and abuse. The prohibition against inmates possessing, carrying, or distributing narcotics is stipulated in Article 4 letter g of Regulation of the Minister of Law and Human Rights (Peraturan Menteri Hukum dan Hak Asasi Manusia [Permenkumham]) No. 6 of 2013 and constitutes a serious disciplinary violation. However, the enforcement mechanism, under which the Head of the Correctional Institution must forward suspected criminal offenses to the competent authorities pursuant to Article 17 of the Regulation, has been regarded as procedurally complex and insufficiently responsive.

These conditions indicate that controlling illicit narcotics trafficking within correctional institutions through penal measures, particularly criminal sanctions, alone may be insufficient, especially as the modus operandi of narcotics-related offenses continues to evolve alongside technological developments. Non-penal preventive measures are therefore also necessary to strengthen supervision, prevention, rehabilitation, and institutional integrity within correctional facilities and to support the broader objectives of the criminal justice system. Against this background, this study examines criminal justice policy as a means of combating narcotics trafficking in correctional institutions.

This study aims to analyze criminal justice policy for combating narcotics trafficking in correctional institutions, identify obstacles to its implementation, and formulate strategic policy directions for establishing a more effective and responsive correctional system. The expected contributions of this study encompass three main aspects: for policy development, providing a comprehensive analysis of normative issues and interinstitutional coordination; for legal and correctional practitioners, offering practical recommendations for addressing narcotics-related offenses within correctional facilities; and for academic development, contributing to the literature on criminal justice policy and correctional system reform in Indonesia.

RESEARCH METHODS

This study employed normative juridical research using statutory, conceptual, and case approaches (Soerjono Soekanto & Sri Mamudji). The statutory approach examined relevant legislation, including the 1945 Constitution, Law No. 8 of 1981 concerning Criminal Procedure, Law No. 35 of 2009 concerning Narcotics, Law No. 22 of 2022 concerning Corrections, Law No. 1 of 2023 concerning the Criminal Code, and relevant Supreme Court Circular Letters (SEMA No. 7 of 2009, No. 4 of 2010, and No. 3 of 2011). The conceptual approach examined relevant legal doctrines and scholarly perspectives, while the case approach analyzed the ratio decidendi of final and binding court decisions. Primary and secondary legal materials were collected through library research.

The collected legal materials were systematically analyzed using qualitative methods and presented through a prescriptive-analytical approach. The analysis focused on identifying normative issues, patterns of interinstitutional coordination, and policy gaps in combating narcotics trafficking within correctional institutions. The findings were subsequently used to

formulate recommendations for harmonizing relevant legal norms and strengthening institutional authority and coordination between the National Narcotics Board (Badan Narkotika Nasional [BNN]) and correctional institutions (Lembaga Pemasyarakatan [Lapas]).

RESULTS AND DISCUSSION

Policy to Counter Narcotics Trafficking in Correctional Institutions

Correctional institutions or so-called (LAPAS) are part of the criminal justice system in Indonesia and are organized by the government as an agency of the law enforcement process that occurs in Indonesia in Law Number 22 of 2022 concerning corrections which has been in effect since August 2022 as a replacement for Law 12 of 1995 concerning corrections, observing fundamental improvements and improvements in the implementation of its marketing functions.

The correctional system referred to in Law 22 of 2022 law enforcement aims to make correctional inmates realize their mistakes, improve themselves and not repeat criminal acts so that they can be accepted back by the community, can actively play a role in development, and live reasonably as good and responsible citizens (Law No. 22 of 2022 concerning Corrections).

A Correctional Institution is an institution that is responsible for coaching and supervising inmates or prisoners detained by law enforcement agencies. Correctional institutions function as a place for criminal execution, rehabilitation, and social reintegration for inmates so that they can return to become productive members of society after serving their sentences.

Correctional institutions have an important role to play in maintaining order and security within them, while providing inmates with opportunities to improve themselves and change their behavior. In addition, this institution is also tasked with providing education, training, and spiritual and moral guidance to inmates.

Correctional institutions are generally managed by Correctional Departments/Institutions or agencies appointed by the government, such as the Ministry of Law and Human Rights in Indonesia. The government establishes policies and regulations that govern this institution, including on living standards, human rights, and fair treatment of prisoners. The principles on which correctional institutions are based are the guidance, supervision, and protection of the rights of prisoners.

Correctional Institutions also work with a variety of parties, including inmate families, communities, educational institutions, and non-profit organizations to facilitate the social reintegration of inmates after their primary goal of release. Correctional institutions are social coaching and reintegration, it is important to note that each country has its own legal system and correctional institutions that may have differences in their practices and policies, depending on the laws in force in the country.

Cases of drug smuggling in Correctional Institutions (LAPAS) are again rampant, this is proven in several prisons including Class I Semarang Prison and Class I Cipinang Prison are some examples of drug smuggling cases to prisons. Drug smuggling in LAPAS is carried out through several channels, including:

- a. Through (tomorrow) visitors, family and friends;
- b. Officers;
- c. Inmates who participate in assimilation outside the prison;

- d. Correctional assisted residents (WBP) who carry out activities in and out of prisons and detention centers for the purposes of legal proceedings or trials;
- e. Permission to leave for essential reasons and go to the hospital; and
- f. Through foodstuffs for inmates and prisoners.

There are several causes of drug smuggling in prisons, namely due to overcapacity of prisons, damaged facilities and infrastructure in prisons, and lack of human resources (HR) in carrying out supervision.

The eradication of drug smuggling is one of President Prabowo's *Asta Cita*. For this reason, efforts to eradicate drug smuggling are a priority for the Prabowo administration. Regarding drug control efforts in prisons, several efforts have been made, including: separation between inmates or prisoners who stumble over drug cases. This has been implemented by the Ministry of Immigration and Corrections (Kemen Imipras). In addition, the transfer of 313 inmates to the Nusa Kambangan Prison. However, these efforts have not succeeded in minimizing drug smuggling in prisons. Another effort that can be made in drug control in prisons is preventive and repressive efforts. Preventive efforts are carried out through several things, namely:

1. Conducting intensive inspections of visitors without exception who will enter the PRISON.
2. Conducting periodic raids or sweeping of residential blocks (prisons) and LAPAS areas.
3. Conducting work collaboration between the Ministry of Migration and the National Police in conducting raids on drug practices in LAPAS.

For this reason, the Ministry of Migration has issued a circular regarding work collaboration between the Ministry of Migration and the National Police, which is a strategic step for the Ministry of Migration to tackle the circulation and also efforts to smuggle drugs into the LAPAS. Meanwhile, repressive efforts are carried out in countering drug trafficking, namely by enforcing the law against visitors, officers, and WBPs who are involved in drug smuggling to LAPAS. Visitors and officers involved in drug smuggling to the prison can be subject to criminal sanctions in accordance with the provisions of Law Number 35 of 2009 concerning Narcotics. Cases of PRISON officers who were involved in drug smuggling efforts in LAPAS have occurred several times. For this reason, intensive supervision of prison officers is needed and one of them is by conducting periodic urine tests.

Drug smuggling in LAPAS is already very unsettling. Drug smuggling is carried out by various parties ranging from visitors, officers, and WBP. In an effort to counter drug smuggling, preventive and repressive efforts need to be made. In addition, intensive supervision of prison officers is needed and one of them is by conducting periodic urine tests. For WBP, the implementation of criminalization of drug abuse inmates also needs to be evaluated and adjusted to the new Criminal Code (KUHP). For this reason, Commission XIII DPR RI in its supervisory function, supports the efforts of the Ministry of Migration and Migration in carrying out various transformations to improve the correctional system. In addition, Commission XIII DPR RI encourages strict law enforcement against drug smuggling into prisons. Commission XIII DPR RI also needs to ensure that drug eradication in prisons is carried out without selective felling.

Based on the policy as above, the criminal law policy as an effort to overcome drug trafficking in correctional institutions, correctional facilities and prison branches is basically an activity to realize an orderly, safe and peaceful life and livelihood. This effort is carried out with

a directed and systematic plan so that it can ensure the implementation of prisoner care activities and the development of correctional assisted residents in order to achieve the goals of correctional facilities.

The efforts made by Correctional Institutions in preventing narcotics trafficking smuggling are inseparable from the existing Standard Operating Procedures (SOP), such as Circular Letter number: PAS 182.PK.01.04.02 of 2016 dated April 29, 2016 concerning Improving the Prevention of Smuggling of Prohibited Goods in Correctional Institutions, Detention Centers and Detention Branches. The prohibited goods in question are cakes, shampoos, fried foods, spoons, coffee, cans, and durian which are dangerous for the elderly. The circular is used as a guideline in order to improve the prevention of smuggling of prohibited goods. To ensure the achievement of the goal of correctional facilities, a safe and orderly situation and conditions are needed. So it is necessary to take steps to handle security and order disturbances, in this case, namely countering narcotics trafficking.

1. Preventive Efforts Prevention efforts against the occurrence of problems. Preventive efforts can also be referred to as an activity that is carried out systematically, planned and directed to keep something from spreading or arising. Preventive efforts are carried out by holding regular sweeping or raids in residential blocks (prisons) and LAPAS areas, tightening supervision, guarding, and security at the entrance (portal) of LAPAS, and carefully inspecting every shipment that will be brought into LAPAS.
2. Repressive Efforts Repressive actions are all actions taken by law enforcement officials after a criminal act occurs (Soedjono, 1976). The repressive action emphasizes more duties and responsibilities to correctional officers who are appointed as the PP Team in providing sanctions against narcotics trafficking in correctional institutions.
3. One example of the efforts made by the Class II A Ambon Correctional Institution in preventing narcotics trafficking smuggling is inseparable from the existing Standard Operating Procedures (SOP), such as the Circular Letter number: PAS-182. PK.01.04.02 of 2016 dated April 29, 2016 concerning Improving the Prevention of Smuggling of Prohibited Goods in Correctional Institutions, Detention Centers and Detention Branches. The circular is used as a guideline in order to improve the prevention of smuggling of prohibited goods⁶¹ If there are inmates who violate the rules in the Correctional Institution and are proven guilty, the inmate is subject to sanctions as stipulated in Article 9 and Article 10 of Permenkumham No. 6 of 2013. The forms can be done by reporting to the authorities, solitary confinement, not being given the right to remission, not being allowed to visit for a certain time, and others. Repressive efforts are carried out by actively participating in reporting related to alleged narcotics crimes in the PRISON. Every perpetrator who is suspected of committing a criminal act in the prison will be reported to the authorities, to be processed legally.
4. Rehabilitation Efforts as the main goal of the type of sanction have a special feature in terms of the process of resocializing the perpetrator, so that it is expected to restore a person's social and moral quality so that they can integrate again in society (Wirmyati, 2018). Rehabilitation as the main goal of the type of action sanction has a special feature in terms of the process of resocializing the perpetrator, so it is expected to restore a person's social and moral quality so that they can integrate again in society. For narcotics control in LAPAS, officers use manual checks and also use an X Ray detection machine. Examination of bodies and belongings from PRISON officers if entering the office. There is a special team formed by

LAPAS for employees. The special team in question is SATOPS PATNAL (Internal Compliance Operational Unit). As mentioned in the Decree of the Director General of Corrections Number PAS 1052.PK.02.10.02 of 2020 which contains the duties of SATOPS PATNAL. The duties of SATTOP PETNAL itself include planning, implementing, controlling, reporting, and following up on prevention activities as well as taking action, supervision, monitoring, and evaluating violations of procedures, abuse of authority and disturbances of security and order in the fields of maintenance and coaching, guidance and personnel coaching. The special team is also selected from each officer who has expertise and insight in the field. Inspection of luggage, for example, on food, the food is opened in its entirety if it is in the food box/food container, then the soup is also checked using a spoon, as well as the luggage in the package must also be checked and opened and then handed over to the prisoner if the item is safe after being inspected by the officer.

If studied from the direction of the current criminal law policy related to the illicit circulation of narcotics by inmates in Correctional Institutions (LAPAS), it is certainly unfortunate. Not infrequently, the distribution even involves officers who are supposed to be the front line of guards in correctional institutions. With the existence of narcotics in the prison, BNN then went to the prison where the inmate who was indicated to be involved in narcotics was serving his sentence to exercise his authority in conducting investigations and investigations of the inmates as stipulated in Article 75 of Law Number 35 of 2009 concerning Narcotics.

In the implementation of the provisions of Article 75 of Law No. 35 of 2009 on Narcotics against inmates in prisons, it is indeed not the same as the implementation in other places. Because in this case, PRISON officers coordinate or do not coordinate with BNN to conduct investigations and investigations into the circulation of narcotics that occur in the PRISON. Thus, through coordination or not, BNN can take legal action. Thus, BNN who entered the PRISON suddenly without coordinating with the PRISON with the aim of immediately checking, searching, confiscating, and arresting or detaining inmates who were indicated to have committed narcotics crimes received resistance from all inmates. For example, what happened in the Kerobokan Denpasar Prison where the plan of the National Narcotics Agency (BNN) to pick up an inmate named Ariadi, who was suspected of still being a narcotics dealer during his prison term ended in riots, where dozens of inmates (napi) tried to block the BNN's efforts so that a brawl occurred. As a result of the inmates' resistance, BNN officers were beaten back. Meanwhile, two people were injured in this incident, namely a BNN public relations officer and the Head of PRISONS. In addition, at least 18 rooms were damaged by stones thrown by inmates. "The prison room was broken windows, the hall, the security post room was destroyed," Not only destroyed the room, the inmates also had time to burn a number of files, including inmate registration ("Napi Rampage, 18 Prison Rooms Destroyed," 2011).

The impact of the implementation of BNN's authority in handling narcotics in the PRISON is that there is security instability in the PRISON which is the main factor in coaching inmates and the damage to facilities in the PRISON, besides that of course it will also have an impact on the assessment of the performance of the PRISON ranks. Based on the description above, what BNN has done in enforcing legal norms in PRISONS, on the one hand, has actually violated the legal norms that also apply in PRISONS, as we know that LAPAS implements the provisions of Law No. 22 of 2022 concerning Corrections which regulates the duties and

authority of PRISONS, besides that life in LAPAS also has a different culture from life outside LAPAS which must also be a concern. The legal norms are contrary in the implementation of Article 75 of Law Number 35 of 2009 concerning Narcotics implemented by BNN with Law Number 22 of 2022 concerning Corrections implemented by LAPAS.

If you look at what happened in the functional implementation of BNN and LAPAS in handling narcotics in LAPAS, as described above, there has been a conflict or disharmonization of norms and authority between BNN and LAPAS in enforcing legal norms that are the basis for the implementation of the functions of both. Therefore, a way is needed to harmonize the implementation of the two laws. The solution in question is to apply legal principles, while the most appropriate legal principle is used to resolve norm conflicts or disharmonization between BNN and LAPAS is the Legal Principle of *Lex Specialis Derogat Legi Generalis*, which is a law and regulation that specifically overrides general laws and regulations.

To determine which specific laws and regulations between Law Number 35 of 2009 concerning Narcotics and Law Number 22 of 2022 concerning Corrections are used, interpretation is used. Because of the object or place of the enactment of Law Number 35 of 2009 in prisons, according to the author, Law Number 35 of 2009 concerning Narcotics must of course be able to apply sociologically and philosophically, meaning that it can be accepted and provide benefits and a sense of justice for all parties. Because if it is forced, it will actually harm one of the parties even though the goal is for the good, because in enforcing the law it is not allowed to violate other legal norms (*Due Process of Law*).

Thus, Law Number 22 of 2022 concerning Corrections is certainly a *Lex Specialis* in the implementation of the functional relationship between BNN and LAPAS in handling narcotics in prisons, especially the implementation of Article 75 of Law Number 35 of 2009 concerning Narcotics. However, the handling of narcotics in LAPAS does not mean that it cannot be carried out by BNN, because the handling of narcotics in LAPAS will not be effective if the LAPAS is still involved and interested in it. Therefore, a pattern of functional relationship between BNN and LAPAS is needed in handling narcotics in LAPAS in the future.

In general, the policy to control narcotics trafficking in correctional institutions that is currently in effect is the pattern of institutional relations is a form of interaction between two or more institutions in regulating and handling an object of problem, so that with an orderly pattern of relationship between the two will be able to carry out the duties and functions of each institution. The relationship between the functions of BNN and LAPAS in order to tackle narcotics trafficking in LAPAS can be seen in the following relationship pattern:

Hierarchical Relationship Patterns

Hierarchical relationships are the existence of an unbroken line of authority that stretches from the top level of the organization to the lowest level and explains the relationship between the reporter and the recipient of the report. Meanwhile, Stoner stated that in the hierarchy there is delegation in doing tasks. Delegation can be defined as the granting of formal authority or power and responsibility to carry out certain activities or in other words is the relationship between superiors and subordinates.

Article 1 of Presidential Regulation Number 23 of 2010 states "The National Narcotics Agency, hereinafter referred to as BNN, in the Presidential Regulation of the Republic of Indonesia, is a non-ministerial government institution that is located under and responsible to

the President through the coordination of the Chief of the National Police of the Republic of Indonesia". BNN is one of the formal institutions or organizations that has an organizational structure as stipulated in Article 5 of Presidential Regulation No. 23 of 2010 concerning BNN.

Correctional Institutions are the technical implementation units of the Ministry of Law and Human Rights of the Republic of Indonesia under the Directorate General of Corrections which is responsible to the Head of the Regional Office of the Ministry of Law and Human Rights of the Republic of Indonesia. Regarding the Directorate General of Corrections and the Correctional Technical Implementation Unit, the pattern of relationships and work mechanisms is regulated in the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number M-01. PR.07.10 of 2005 concerning the Organization and Work Procedures of the Regional Office of the Ministry of Law and Human Rights of the Republic of Indonesia, Decree of the Minister of Justice of the Republic of Indonesia Number M.01.PR.07.03 of 1985 concerning the Organization and Work Procedures of Correctional Institutions.

Based on the definition of the organizational hierarchy relationship mentioned above and the basis of the organizational structure of the two institutions, in the context of narcotics control carried out by BNN in LAPAS, it is basically not a hierarchical relationship pattern. Because it is based on Presidential Regulation Number 23 of 2010 concerning BNN which is the basis for regulating the position and organizational structure of BNN and Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number M-01. PR.07.10 of 2005 concerning the Organization and Work Procedures of the Regional Office of the Ministry of Law and Human Rights of the Republic of Indonesia, to the decision of the Minister of Justice of the Republic of Indonesia Number M.01. PR.07.03 of 1985 concerning the Organization and Work Procedures of Correctional Institutions, from the two bases of the regulation, it can be described that there is no line of authority or delegation of authority duties or formal power and responsibility to carry out certain activities of each institution either from BNN to LAPAS or vice versa to carry out narcotics control in LAPAS, because these two institutions each have a line of responsibility in the structure of the LAPAS. clear and distinct organization. Thus, it can be said that in the implementation of the duties and functions of BNN and LAPAS are carried out in accordance with their respective authorities.

Pattern of Coordination Relationship

Coordination is the process of bringing together the activities of separate departments to effectively achieve organizational goals. Coordination is the process of integrating goals and activities in separate units (departments or functional areas) of an organization to achieve organizational goals efficiently. According to Hasibuan, with the illicit circulation of narcotics in prisons, based on the provisions that regulate the respective duties and functions between the Correctional Institution and the National Narcotics Agency (BNN), it can be seen that the relationship between these two institutions is only a coordination relationship, a coordination relationship can occur between two or more institutions if there is in each function and the duties of the two institutions are the same object. In this case, the National Narcotics Agency and the Correctional Institution both carry out their duties and functions in handling illicit narcotics trafficking that occurs in prisons. In the pattern of coordination relations between BNN and LAPAS in handling narcotics trafficking in Correctional Institutions, there must be integral and comprehensive coordination because in reality the coordination relationship between these two institutions actually experiences problems, besides that the handling of

narcotics in PRISONS carried out by these two institutions, especially BNN, is still only an enforcement nature.

Regarding the implementation of the pattern of coordination relations between the Correctional Institution and BNN in tackling narcotics in PRISONS, in the future it must be carried out with preventive handling and repressive handling, thus the pattern of coordination between these two institutions will be more effective. The pattern of functional relations that are coordinated between BNN and LAPAS in handling narcotics in LAPAS in the future are:

Handling of Narcotics in PRISONS in a Preventive manner

Prevention is better than eradication. In relation to the pattern of coordination relationships, between BNN and LAPAS there are many preventive efforts that can be made by BNN and LAPAS for handling narcotics in LAPAS, including:

- 1) Conduct counseling to inmates about the dangers of narcotics abuse by involving all activists and NGOs who care about narcotics problems.
- 2) Increase spiritual development for inmates by inviting religious leaders.
- 3) Equipping anti-narcotics facilities and equipment in each LAPAS, so that it can detect the entry of narcotics into LAPAS.

Forms of preventive handling in tackling narcotics trafficking as mentioned above are very possible to be carried out by BNN and LAPAS, considering that there is similarity in the functions of these two institutions both in structure and substance.

In terms of organizational structure, BNN has a Deputy for Prevention where in Presidential Regulation Number 23 of 2010 Article 12 states "The Deputy for Prevention has the task of implementing P4GN in the field of prevention". Then Article 13 "In carrying out the duties as intended in Article 12, the Deputy for Prevention and Prevention carries out functions, including: Preparation and implementation of national policies and P4GN technical policies in the field of prevention; Implementation of rice coordination, integration, and synchronization with relevant government agencies and community components in the implementation of P4GN in the field of prevention.

Then in substance, the relationship between BNN and LAPAS is indeed not regulated in the laws and regulations of these two institutions regarding tackling narcotics in LAPAS. However, if you look at the duties and functions of the two, there are several provisions that can be functionally used as a basis to form a pattern of functional relationship between BNN and LAPAS in tackling narcotics in LAPAS and it has been used and implemented by LAPAS in coordination. Looking at the structure and substance of the two laws and regulations that are the basis for the implementation of the duties and functions of BNN and LAPAS, it can be used as a basis to carry out preventive narcotics control in LAPAS. Thus, in the future, the functional relationship between BNN and LAPAS in handling narcotics in LAPAS will be more effective.

Repressive Handling of Narcotics in Prisons

Related to repressive efforts in tackling narcotics trafficking in prisons can be realized with the following actions:

Efforts in the field of law

Efforts in the legal field which are repressive actions carried out by BNN in tackling narcotics in prisons by cracking down and processing inmates suspected of being involved in narcotics trafficking in accordance with the applicable legal mechanism. The form of legal remedies carried out by BNN in tackling narcotics in LAPAS is by conducting investigations

and investigations into the involvement of inmates related to narcotics trafficking in LAPAS as stipulated in Article 71 and Article 75 of Law Number 35 of 2009 concerning Narcotics.

Rehabilitation Efforts

In Law Number 35 of 2009 concerning Narcotics Article 54 states that "Narcotics addicts and victims of narcotics abuse are required to undergo medical rehabilitation and social rehabilitation". Prisoners who commit narcotics crimes consist of addicts, victims and drug dealers, in the prison they do not receive medical rehabilitation and social rehabilitation as stipulated in Article 54. However, LAPAS provides guidance and guidance to inmates based on Law Number 22 of 2022 concerning Corrections. The coaching carried out in the prison is only limited to preparing inmates to be able to return to the community (*Social Reintegration*).

Furthermore, it is regulated in Law Number 22 of 2022 concerning Corrections, prisoners' rights include carrying out worship, physical/spiritual care, education, proper health and nutrition services, legal information & counseling, submitting complaints, reading materials/mass media, humane treatment without violence, safety guarantees and wages, social services, and receiving visits. The law also eliminates discrimination in rights based on the type of crime (corruption, drugs) and emphasizes social reintegration, with requirements such as behaving well, participating in coaching programs, and demonstrating a reduced risk of obtaining conditional rights such as remission. This is in line with the provisions of Article 60 of Law Number 35 of 2009 concerning Narcotics where paragraph (1) states: The government conducts guidance on all activities related to narcotics. Paragraph (2) "Coaching as intended in paragraph 1 includes efforts: letter e "improve the capacity of medical and social rehabilitation institutions for narcotics addicts, both organized by the government and the community". The guidance carried out by the government in this case is BNN. To realize the above-mentioned efforts in handling the abuse and circulation of narcotics in prisons both preventively and repressively, BNN and LAPAS can make a joint agreement in the form of a *Memorandum of Understanding (MoU)*, the contents of which regulate the following:

1. Prevention and eradication of narcotics abuse and circulation programs in prisons.
2. Establishment of a task force for the prevention and eradication of narcotics abuse and illicit circulation involving elements of BNN and LAPAS.
3. Procedures and methods of operation to prevent and eradicate the abuse and illicit circulation of narcotics in prisons.

The existence of an MOU between BNN and Correctional Institutions will form a pattern of a good coordinating functional relationship between the two institutions, thus to carry out narcotics handling in Correctional Institutions can be realized without any conflict and flow is carried out by paying attention to integrative, co-ordinative, professionalism and proportionality and prioritizing preventive and repressive handling in accordance with the limits of their respective roles and authorities and uphold Human Rights so that the goals of the organization can be achieved.

Based on the explanation above, it should be emphasized again that the two institutions above have the same goal in tackling narcotics trafficking in LAPAS. Therefore, to achieve this goal, the criminal justice system consists of investigation, investigation, prosecution, trial, and implementation of decisions.

Each stage as mentioned above there is a controversy in carrying out law enforcement against the handling of narcotics trafficking crimes that occur in PRISONS where each

institution has a special task to carry out its own functions, but if studied from a more competent authority is the police institution, but in practice the PRISON contacts BNN to carry out law enforcement, In fact, in reality, a re-process is carried out for the criminal act intended to be carried out, namely an investigation by the police, investigation is also a police duty, prosecution is carried out by the prosecutor and so on. In the police investigation, it does involve civil servants, but the position of the civil servant is only as an assistant investigator. This division of tasks is so that there is no overlap in its implementation. The overlap referred to here is that there is no process that is the authority of two officers so that no officer feels the most entitled to perform a task from the other officer (authority struggle).

This will result in overlap between law enforcement officials, if there is no good coordination and/or clear and firm provisions regarding the exception. The purpose of the creation of a criminal justice system consisting of several stages and each officer with different authority in each stage such as the police in charge of conducting investigations and the public prosecutor in charge of prosecuting are as follows:

- a. Understand the scope of duties and their authorities;
- b. So that there is no overlap in its implementation (to avoid the uncertainty of who handles when an incident occurs because there are two components that have the same task);
- c. There are no cases that are not handled by law enforcement officers;
- d. There is a supervisory function or horizontal control from one component to another so that there is no abuse of authority from law enforcement officials.

If this overlap of authority occurs, a criminal act will not be processed quickly because the officer on duty is more focused on determining who is entitled, not focusing on solving a criminal act. In the investigation of narcotics cases, the police and BNN both have the authority to conduct investigations. This has the potential to create a situation where there will be overlap. It is not impossible if in the case of narcotics trafficking between the police and BNN each other feel entitled to conduct investigations against each other or on the contrary both feel that they do not have the right to conduct investigations for certain reasons.

Although there is overlap as explained above, in its implementation BNN always has a part in terms of conducting investigations and investigations into narcotics trafficking in LAPAS as part of the coordination relationship between institutions. This is due to the policy of countering the circulation of narcotics crimes in prisons which until now has been used as a basis for the implementation of criminal law policies.

When viewed from the policy of countering narcotics trafficking in prisons, which is currently being carried out, it seems to be repeating the criminal justice process, both from the investigation, investigation, prosecution to the process in court in the same case and perpetrator. In this process, of course, it will cause such a large swelling related to the state budget issued by the state in following up on narcotics cases that occur in LAPAS, even though LAPAS is the last subsystem in the criminal justice system so it is also necessary to regulate the independence of LAPAS in determining additional crimes against inmates who deliberately distribute or abuse narcotics in LAPAS.

This is intended to prevent the misuse of state finances in the law enforcement process in narcotics trafficking cases in prisons, because it needs to be distinguished that the circulation of narcotics crimes that occur in prisons is incompatible with the circulation of narcotics that occur outside the prison which requires a criminal justice process from the beginning to the

execution process in the prison carried out by the public prosecutor after obtaining a final court decision.

Although this cannot be done, the government should immediately ratify the revision of the Narcotics Law Number 35 of 2009 to give authority to prisons to determine crimes that are in accordance with the needs of prisoners and no longer hand over or report these crimes to other institutions, in this case BNN. The purpose of this is to reduce the number *of overcrowded* in Correctional Institutions in Indonesia. The same treatment between narcotics addicts, narcotics abusers, and victims of narcotics abuse with drug dealers or dealers causes injustice in their handling. If this cannot be done, then the court will have to determine another to determine the appropriate punishment for the trafficker.

The approach that must be taken for traffickers is to prioritize criminal law as a last resort. The focus of his handling is on additional penal efforts through a comprehensive determination mechanism that can be accounted for by the LAPAS itself in determining the appropriate punishment for him.

The policy to further prioritize penal efforts is in line with efforts to reduce state budget expenditure because LAPAS can itself determine punishments for perpetrators of trafficking in LAPAS. This opinion is expressed because in principle, narcotics dealers in LAPAS do not have conversion or do not have the desire to repent so they are desperate to carry out narcotics trafficking in PRISONS.

Furthermore, the independence of the prison can determine the direction of "*punishment*" and "*treatment*", not only to inmates who distribute narcotics in the prison but also to narcotics addicts, narcotics abusers, victims of narcotics abuse and dealers. Regarding the purpose of the development of the prisoner, the purpose is indirectly related to the purpose of punishment. However, it is recognized that in Indonesian criminal law, the inclusion of the Criminal Code has not been adhered to the purpose of punishment and the formulation of penal guidelines which is the direction of coaching in Indonesia.

In carrying out the penal period while in prison or prison, both inmates and prisoners are given their rights by law, namely the right to worship in accordance with their religion or belief; receive care, both spiritual and physical; obtaining education and teaching; get proper health services and food; submit complaints; obtain reading materials and participate in other mass media broadcasts that are not prohibited; earn wages or premiums for the work performed; receive visits from family, legal counsel, or certain other persons; obtaining a reduction in the sentence of imprisonment (Remission); get the opportunity to assimilate, including CMK; get PB; get CMB; and obtain other rights in accordance with applicable laws and regulations.

All the rights granted by law to prisoners and prisoners are not charged by correctional officers because it is mandated by law that the rights granted are free of charge considering that in general inmates/prisoners who are detained and serving sentences are in distress, hardship and infirmity.

The success of the Correctional System in carrying out the duties of service and coaching of Correctional Assisted Citizens (WBP) is determined by the moral integrity, exemplary attitude, and behavior of correctional officers. In order to maintain the behavior of correctional officers, a code of ethics is needed for officers as stipulated in the Regulation of the Minister of Law and Human Rights (Permenkumham) of the Republic of Indonesia No. M.HH-16. KP.05.02 of 2011 concerning the Code of Ethics for Correctional Employees. As

explained in Article 7, the ethics of correctional officers in providing services, guidance, and guidance to WBP are carried out in the following ways:

- a. Respecting the dignity of WBP includes: respecting the rights of WBP; abstain from all forms of violence and harassment; respect and maintain the confidentiality of WBP; and always be friendly and polite in interacting with WBP;
- b. Protecting WBP includes: providing a sense of security and peace to WBP; follow up on any suggestions, complaints, or complaints submitted by WBP quickly and appropriately; not discriminate against WBP on the basis of ethnicity, religion, race or other factors that may cause an uncondusive situation; and fulfill the rights of the WBP without expecting anything in return.

In addition to mandatory obligations for inmates or detainees, such as the obligation to follow all programmed activities and obey, obey, and respect the officers, there are prohibitions for inmates and detainees that are not allowed, such as committing immoral acts and/or sexual deviances; attempting to escape or assisting escapes; resisting or obstructing correctional officers in carrying out their duties; keeping, making, carrying, distributing, and/or consuming narcotics or alcohol; possess, carry and/or use electronic devices; installing electrical installations in residential rooms; make or store firearms, sharp weapons, and the like; committing acts of violence; issuing provocative words that may cause disturbances of security and order; destroying prison or prison facilities; commit theft, extortion, gambling, or fraud. (*Vide*: Article 4 of the Minister of Law and Human Rights of the Republic of Indonesia No. 6 of 2013 concerning PRISON Rules).

The ban for prisoners or prisoners has legal consequences if violated and subject to disciplinary punishment. In Article 8 of the Indonesian Law and Human Rights Regulation concerning Prison Discipline, prisoners or prisoners who violate the rules of conduct can be subject to three types of disciplinary punishments, namely light-level disciplinary punishments, medium-level disciplinary punishments, or severe disciplinary punishments.

- a. Minor disciplinary punishments include verbal warnings and written warnings;
- b. Medium-level disciplinary punishment includes confinement for a maximum of six days and postponement or waiver of certain rights within a certain period of time based on the results of the Correctional Observer Team Hearing;
- c. Severe disciplinary punishment includes admission to an isolation cell for six days and can be extended for two to six days and not getting the right to remission, CMK, CB, Assimilation, CMB, and PB in the current year and recorded in Register F.

The type of imposition of disciplinary sanctions/punishments against WBP is imposed on anyone, impartial or subjective because of a certain relationship with the officer, non-discriminatory on the basis of ethnicity, religion, and race. Therefore, if it is related, the provision of prisoners' rights proportionately, in addition to the application of fair sanctions and good behavior of correctional officers in caring for them, will be used as a guideline for attitudes for prisoners after serving their sentences in LAPAS or Rutan. Not only that, later the inmates will be able to realize their mistakes and realize the purpose of their punishment and finally be able to blend in with society and create a society and culture that is responsible, obedient, and obedient to the law.

All of the above tendencies or tendencies have a causal relationship (cause-effect) with the creation of a prison legal culture. So, it is not wrong and why if a hypothesis is drawn that

the projection of prisoner corrections in the future can form a society and culture that is obedient and obedient to the laws of the Indonesian state.

Based on an analysis of Law No. 22 of 2022 concerning Corrections, the dynamics of narcotics trafficking in LAPAS, as well as conflicts of authority between institutions (BNN, Polri, and LAPAS), the following is a strategic and comprehensive formulation of the Future Policy Direction that can be carried out to tackle narcotics trafficking in LAPAS, including:

Harmonization of Regulations and Adoption of Legal Principles

To address the disharmonization of norms between the Narcotics Law and the Correctional Law, policy directions should focus on:

- 1) Implementation of *Proportional Lex Specialis*: Recognizing LAPAS as *Lex Specialis* in terms of internal security management, but recognizing the Narcotics Law as *Lex Specialis* in terms of investigation techniques.
- 2) Preparation of Joint Regulations: Encourage the birth of regulations at the level of Government Regulations or Joint Regulations (Kemen Imipnas, Polri, and BNN) that regulate the procedures for the entry of investigators into prisons so as not to cause security instability (riots).

Functional Relationship Transformation (Strategic MoU)

Changing the pattern of relationships that have been incidental to a coordinated-integrative relationship pattern through a *Memorandum of Understanding (MoU)* which includes:

- 1) Integrated Satops Patnal: Involving elements of BNN/Polri in the Internal Compliance Operational Unit (SATOPS PATNAL) team to conduct security audits and surprise urine tests on officers.
- 2) "Low Profile, High Impact" *Enforcement Protocol*: Regulates the procedure for picking up inmates or searches by the BNN to be carried out with careful intelligence coordination to prevent mass resistance of inmates, while maintaining the confidentiality of operations.

Strengthening Preventive Functions Based on Technology and Human Resources

In accordance with the President's *Asta Cita*, prevention must be a top priority:

- 1) Modernization of Main Doors (Porters): Shifting manual inspections to the use of *X-Ray Scan* and *Body Scanner* technology throughout Class I and II PRISONS in phases to close the loopholes for smuggling through luggage and food.
- 2) Correctional HR Specialization: *Re-profiling* officers. Officers in sensitive areas must pass the P4GN (Prevention of Eradication of Abuse and Illicit Trafficking of Narcotics) certification and be separated from ordinary administrative functions.

Optimizing Rehabilitation Efforts in the Correctional System

Shifting the paradigm from just incarceration to rehabilitation in accordance with Law No. 22 of 2022:

- 1) Post-Rehabilitation Implementation: BNN and LAPAS must collaborate to provide medical and social rehabilitation services within LAPAS. Narcotics users must be separated from the bookmaker physically and their coaching programs.
- 2) Community-Based Social Reintegration: Strengthening cooperation with NGOs and religious leaders in moral development programs to reduce *the demand* for narcotics from within the cell.

Repressive Law Enforcement That "Chooses Not To Cut Down"

Carrying out the mandate of Commission XIII of the House of Representatives to clean up the internal institutions:

- 1) Maximum Criminal Sanctions for Individuals: "Zero Tolerance" policy for the officers involved. The legal process does not only stop at disciplinary sanctions (Permenkumham No. 6/2013), but must be forwarded to the general criminal realm with aggravation.
- 2) Evaluation of High Risk *Prisoner Placement*: Continue the policy of transferring large cities to Super Security Prisons (such as Nusa Kambangan) with the *One Man One Cell system* to cut off communication networks.

Obstacles in Dealing with Narcotics Trafficking in Correctional Institutions

Narcotics trafficking in correctional institutions remains rampant even though the death penalty has been applied to several death row inmates of narcotics traffickers. The occurrence of narcotics trafficking in LAPAS requires the need for real action to eradicate narcotics trafficking in PRISONS as intended. Criminal law through law number 25 of 2009 concerning narcotics to prevent and eradicate the circulation of narcotics that are very dangerous to the life of the community, nation and state through the threat of criminal sanctions, namely in the form of imprisonment, life imprisonment and the death penalty. Therefore, to overcome these crimes, the criminal law as one of the guardians of order and the role of the police to deal with crime by taking action against the perpetrators of the rules of order in the community and the inmates in the correctional institution so that the violators of the rules are applied to the criminal objectives in accordance with their actions.

The function of prison punishment itself is to prevent the commission of criminal acts by enforcing legal norms for the protection of the community. Meanwhile, the purpose of the criminal law itself is to fulfill the sense of justice in society by implementing and enforcing the rules of criminal law for the sake of creating justice, usefulness and legal certainty (Abidin & Kurniawan, 2013).

Narcotics trafficking in correctional institutions should not occur, because one of the goals of correctional institutions is to break the chain of narcotics trafficking. Correctional institutions are also the gateway for the implementation of the development of narcotics inmates play a very important role in re-socializing or actually being a place of coaching for inmates to be prepared to return to society after being released from detention. Because the goal of this institution is a change in nature, way of thinking and behavior, the process of educational interaction must be built.

Correctional institutions that have been considered as a place to provide guidance to criminals can be abused in their functions. Correctional institutions, which are one of the implementing units in protecting and socializing inmates, are expected to participate in the success of government programs, but they are actually brought problems from year to year, one of which is the abuse and circulation of narcotics carried out by inmates in correctional institutions.

The case of abuse and circulation of narcotics by inmates that occurred in correctional institutions was carried out in a mode by a visitor to the prison who brought food to the inmates. To launch the action, the LAPAS visitors also involved LAPAS cleaners. Then there was also abuse and trafficking of narcotics in the form of psychotropics by inmates, this happened

because of the mode carried out by a visitor to the prison by bringing food that had been mixed with psychotropic pills.

As the implementing regulations of the Correctional Law were issued by the Regulation of the Minister of Law and Human Rights number 6 of 2016 concerning the Rules of Correctional Institutions and State Prisons, article 4 letter g of the Minister of Law and Human Rights Number 6 of 2013 concerning the prohibition for every inmate or prisoner to store, make, carry, distribute and/or consume narcotics and/or narcotics percussers and other dangerous drugs. Violations of this prohibition are included in the category of severe disciplinary punishments regulated in article 10 paragraph (3) of the Minister of Law and Human Rights Regulation number 6 of 2013. As for the case of violations committed by inmates suspected of criminal acts, the head of the prison will forward it to the authorized agencies as stipulated in article 12 of the Ministerial Regulation No. 6 of 2013.

According to Lawrence Meir Friedman, legal culture is one of the three components of the success or failure of law enforcement. First, the substance of the law. That is, the substance (content) of a law and regulation, in other words a legal product. Second, the legal structure. This means that law enforcement institutions, such as the Correctional Institution (LAPAS) as a criminal enforcement agency other than the police, prosecutor's office, and courts. Third, legal culture. This means that the way of view and attitude of the community towards the law so that it is said that the culture of law is the awareness of a society towards the law.

If a restrictive (limited) perspective is used, "society" is only understood as a group or number of people who are bound by a common culture. From the perspective of the Correctional System, the inmates serving their sentences in the Prison can be said to be "miniature society" who are reprepared through the Correctional System in order to integrate with society in the true sense.

The theory initiated by Lawrence Meir Friedman about the components of law enforcement success is very equivalent and in line with Soerjono Soekanto's view that the effectiveness or not of law enforcement is determined by five factors, namely the law, law enforcement, facilities and facilities, society, and culture. Soerjono Soekanto's view is interesting to elaborate because he separates society and culture, unlike Lawrence Meir Friedman who unites society and culture or in other words the culture of community representation.

Usually the community has a tendency or tendency to obey the law, seeing from the compliance of Law Enforcement Officers, especially LAPAS as the last Subsystem in the criminal justice system in providing the rights of the community as a subject of law and the behavior of Law Enforcement Officers towards the community so that the community can make it a *role model* in behaving. In addition, the tendency of the community to obey the law is seen from the application of real and impartial sanctions, so this tendency allows the community to establish a good perspective on the law so that a culture of obedience and obedience to the law is created because they realize that the purpose of the law provides benefits for themselves and the people around them.

If implemented in the world of Corrections, it can be re-elaborated on the tendency points of inmates to obey the law in relation to the creation of a culture of correctional law that is responsible, obedient, and obedient to the law. Therefore, in an effort to overcome the circulation of narcotics crimes in prisons, there are several obstacles, including:

The condition of the Correctional Institution that is experiencing overcapacity.

Correctional Institutions are a place to carry out coaching for inmates. Therefore, the main purpose of correctional institutions is to carry out coaching for correctional inmates based on the system, institutions and methods of coaching as the final part of the coaching system in the criminal justice system. The problem of overcapacity is indeed a major problem in all Correctional Institutions throughout Indonesia. This resulted in the process of coaching inmates to be not optimal.

Over capacity tends to trigger new problems that are no less important. Both from riots, crimes in the Correctional Institution to other serious problems. It is undeniable that the problem of narcotics circulation and smuggling can still be found. Seeing this situation, extra work is needed from various parties so that this capacity problem can be overcome or at least circumvented.

For example, in the Class II A Ambon Prison, the problem of overcapacity is an obstacle. According to Surwanto Hendra Budiman as the Kelapa of the Class II A Correctional Institution Ambon, many things are the cause. From how the inmates, the prisons, the officers and the facilities to the community. Not to mention the overcapacity of the occupants inside. So that with all the limitations of both human resources of officers, detection tools do not exist, inevitably they have to work as much as possible. Meanwhile, narcotics themselves are very difficult to detect if they are not thorough. It's very small in size, so it's easy to hide.

The complexity of bureaucracy for the procurement of facilities and infrastructure.

In general, facilities and infrastructure are tools to support the success of a process of efforts carried out in public services, because if these two things are available, all activities will be able to achieve the expected results as planned. Likewise with facilities and infrastructure in Correctional Institutions. It is needed to support everything that the Correctional Institution itself wants to achieve. The lack of facilities and infrastructure, both in quality and quantity, greatly affects the occurrence of narcotics trafficking in Correctional Institutions.

Based on the observation that, the lack of facilities and infrastructure such as the unavailability of narcotics detection equipment makes the security system in the Correctional Institution less than optimal. As it is known that the circulation of narcotics in this Correctional Institution is carried out secretly, then "certain parties" take the opportunity. The main door of the Correctional Institution is suspected to be an opportunity or opportunity for the entry of narcotics. However, with the lack of facilities and infrastructure such as this detection tool, narcotics will easily enter the Correctional Institution. Therefore, one of the obstacles for Correctional Institutions is the absence of facilities and infrastructure to detect narcotics in Correctional Institutions.

According to KALAPAS Ambon, every year the Ambon Class II A Correctional Institution always proposes the procurement of narcotics detection devices, metal detectors and other security facilities, but until now it has not been realized from the center. "Every year it is always proposed to procure narcotics detection devices, metal detectors and other security facilities. But until now only the existing CCTV has to wait for a long time, but other security tools are still not available. If you want, you will buy it yourself by the PRISON, of course, it is constrained by costs, because the price of these tools is quite expensive".

So far, the metal detection equipment owned by the Class II A Correctional Institution in Ambon is still not good enough in terms of quantity and quality, so that not all of them can be used in the search process. The assistance of CCTV equipment that already exists in the Correctional Institution is considered less effective in preventing the circulation of narcotics in the Correctional Institution. This is due to the limited number of cameras and there are still many places that cannot be monitored by CCTV cameras such as outside the walls of the Correctional Institution.

Lack of Quality of Human Resources of Correctional Institution Officers

The quality of human resources of Correctional Institution officers is related to the facilities and infrastructure in the Correctional Institution. Due to the lack of facilities and infrastructure available in Correctional Institutions, the quality of human resources of Correctional Institution officers is also one of the inhibiting factors in overcoming the problem of narcotics trafficking. This happens because, not all officers can recognize the type and form of narcotics themselves.

As stated by Kaso Baham Andi Baso, as the Head of the Administrative Sub-Division of the Class II A Correctional Institution Ambon, the officers of the Correctional Institution are mostly high school graduates who do not have special skills. Currently, there are 97 employees and none of them are graduates of the Academy of Correctional Sciences (AKIP). All employees come from general CPNS receipts. So it can be said that not all of them master or have special expertise in PRISON issues. At most, they participate in trainings to gain additional knowledge that not all employees follow."

Of the 97 correctional officers, 65 people still have high school education. So many of the officers do not have skills and expertise, especially regarding corrections and narcotics.

Weak Supervision of Correctional Institution Officers

Regarding the supervision of Correctional Institution officers who carry out their duties so far, it has only been carried out by the Internal Supervisor (Wasinternal) which consists of the Correctional Institution officers themselves. This of course causes the assessment to be less objective. As explained by the Head of the Administration Sub-Division that he met with. Internal was, his task is to supervise from LAPAS officers. It was recorded that it recorded the entry and exit and activities of officers while in the office. If anyone comes late or returns home early, it will be recorded in the report book. So that it becomes a reference from the superior to take sanctions. The problem of supervision from other agencies has not existed until now, so it will be an obstacle. Then then the examination of fellow PRISON officers is like an ordinary examination. Of course, it is not good, especially with fellow colleagues so that this is not optimally done.

The traffic of officers when entering and exiting the Correctional Institution has also been ignored. There are no special officers on duty to check the bodies and luggage carried by the officers. This will certainly be a loophole for the entry of prohibited goods into the Correctional Institution. More intensive and continuous supervision of officers is needed so that the implementation of their duties becomes more optimal and professional.

In accordance with the review above, there are several countermeasures in overcoming obstacles to narcotics circulation in LAPAS as follows:

- a. The Correctional Institution could not process the perpetrators in accordance with the criminal law, so the LAPAS immediately reported to the national narcotics agency and the

police, regarding the arrest of inmates who circulated narcotics in LAPAS. LAPAS fully handed over to law enforcement the case and fully supports the eradication of narcotics trafficking that occurs within the correctional institution. LAPAS only monitors developments passively, meaning that it will only move to hand over related data needed for investigation and investigation as long as needed by the BNN and the police.

- b. *Sweeping* (search) is carried out once a week to prevent the circulation of mobile phones, narcotics and sharp weapons. Mobile phones are one of the communication tools for dealers or users in the PRISON to control narcotics entering the PRISON and circulating it involving various parties or individuals. This sweeping policy is included in Preventive prevention through a situational approach, which is prevention carried out in order to reduce the opportunity or possibility of committing a crime by a person. The more often sweeping is done, the less chance a person will have to commit a crime, because he will be afraid if he is caught. This effort is very rational because correctional institutions have the ability, energy and time to realize this program.
- c. Human Resource Training, LAPAS has a human resource training program on narcotics to increase the knowledge of LAPAS officers. The HR training involved officers from BNN as well as resource persons. The purpose of the training is to increase officers' knowledge of the types of narcotics and their modes of smuggling. This Human Resource Training is included in the pre-emptive criminal policy, because human resources are the root of the problem rather than narcotics trafficking cases carried out by officers. This Human Resources Training is a rational effort because the government certainly has experts who can use its services to help the development of officers.
- d. The joint search with the Ministry of Law and Human Rights is an anticipatory step for the circulation of narcotics in the prison. This search policy also includes the prevention of preventive crimes through a situational approach, where there will be one day used by PRISON officers and the Ministry of Law and Human Rights to comb PRISONS in an effort to minimize the circulation of prohibited goods entering the PRISON, especially Expected with Narcotics. The more discipline the regulations are enforced, the more the conditions of the prison will be conducive. This effort is very rational because in terms of energy, ability and time it is very possible to realize.
- e. The discourse for the future of the uniforms of PRISON officers will be designed not to use pockets so that pockets. minimizing the possibility of the officer bringing narcotics items to be given to inmates in the prison. This policy on uniforms is a preventive crime prevention with security measures. This step is carried out by strengthening the target of crime with environmental design and physical planning. It is hoped that with the new uniform design, the opportunity to carry prohibited items from the officer's side can be reduced or even completely lost. This policy is only limited to the discourse of the central Ministry of Law and Human Rights, it has not been directly realized. This is very irrational, because every officer certainly needs items such as wallets and cellphones to be carried in and out of the PRISON, so if this is realized, it is likely that the officers will have great difficulty concentrating on carrying out their daily duties.
- f. The purchase of narcotics detection equipment, this policy includes preventive crime prevention with security measures. Holding narcotics detection tools is very important, because this tool is not in prisons yet, because this tool is quite expensive. In fact, in

countering narcotics, all loopholes must be closed as little as possible so that the opportunity for dealers to control narcotics entering the prison can be minimized. If the Government does not support efforts to purchase narcotics detection equipment, it will be more difficult for the Indonesian State to be free from narcotics will be realized. According to the author, this is rational because it is a must-have tool in every prison in Indonesia.

Based on the analysis above, future policies in the eradication of narcotics in prisons must include strengthening three main aspects: Substance, Structure, and Legal Culture so that it is systematically prepared to overcome these obstacles:

Structural Reform and Technology Security

The limitations of detection tools and the complexity of procurement bureaucracy are physical gaps that must be closed immediately, including:

- 1) Digitization of Examinations (*E-Gate System*): Requires every prison to have an X-ray-based narcotics detection device or body *scanner* for visitors and officers. This procurement must be prioritized as a national vital budget, not a regional option.
- 2) Communication Device Free Integrity Zone: Tighten the search of *mobile phones* as a means of controlling circulation by installing *Signal Jammers* (signal randomizers) in certain residential blocks, in order to cut off the city's communication with the outside world.
- 3) AI-Based CCTV Optimization: Increasing the number of CCTVs in "blind spots" (such as the outside of the wall) that is integrated with the central data center (Kemenkumham), so that supervision is not only carried out internally and subjectively.

1. Strengthening Human Resources (HR) and Officer Integrity

Considering that the majority of officers have a general education background, competency specialization is required.

- 1) Special Certification for Correctional Officers: Requires officers to take part in technical training on narcotics introduction and the latest *modus operandi* in collaboration with BNN on a regular basis.
- 2) Cross-Examination System: Eliminate the feeling of "hesitation" between colleagues by forming a special inspection unit from the regional office that conducts random *checks* on officers who will enter residential blocks.
- 3) Evaluation of the Uniform Without Pockets: Replace the less rational discourse of "shirtless pocketless" with a "Zero Personal Items" policy in sterile areas, where officers are required to store personal items (wallets, mobile phones) in an outside locker before entering the guard area.

2. Overcapacity Handling and Decriminalization of Users

Overcapacity is the root of weak supervision.

- 1) *Restorative Justice* for Users: Pushing for policies to have small-scale drug addicts and abusers directed to medical and social rehabilitation, not incarceration. This will significantly reduce the burden on prison capacity (decongesty).
- 2) Revitalization of the Coaching Function: Divert the detention budget to the independence training budget so that inmates have a positive busyness that changes their way of thinking (educational interaction).

3. Transformation of Legal Culture (*Role Model*)

According to Lawrence Friedman's theory, the law will only be upheld if there is an example.

- 1) Transparency of Impartial Sanctions: Every officer involved must be subject to maximum criminal sanctions and dishonorably dismissed openly to provide a *deterrent effect* and build public trust.
- 2) Providing Rewards for Whistleblowers: Providing incentives or promotions for officers or assisted residents who dare to accurately report narcotics smuggling attempts.

CONCLUSION

Criminal law policy for combating narcotics trafficking in correctional institutions continues to rely primarily on interinstitutional coordination, whereby correctional institutions (Lembaga Pemasyarakatan [Lapas]) report suspected narcotics offenses to the National Narcotics Board (Badan Narkotika Nasional [BNN]) or other competent law enforcement authorities and subsequently monitor the progress of the cases without exercising independent criminal investigative authority. This arrangement may result in inmates who are already undergoing correctional programs becoming subject to additional criminal justice proceedings when they commit new narcotics-related offenses. Furthermore, efforts to combat narcotics trafficking face several institutional and operational obstacles, including overcrowding in correctional facilities, complex bureaucratic procedures for procuring facilities and infrastructure, inadequate competencies among correctional officers, and weaknesses in internal supervision. Addressing these challenges requires strengthening the legally defined enforcement capacity of correctional institutions while maintaining appropriate coordination with competent law enforcement authorities and safeguards under the criminal justice system. Such measures should be accompanied by improvements in inmate classification and placement, including the appropriate separation of narcotics dealers and users; streamlined procurement of narcotics detection equipment; enhanced officer competencies through specialized training; integrated and systematic searches; and strengthened, transparent, technology-based supervision systems to prevent and detect illicit narcotics trafficking within correctional facilities.

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