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GRANTING ASSIMILATION TO PRISONERS DURING THE COVID-19 PANDEMIC (A CASE STUDY IN THE JURISDICTION OF BULELENG POLICE STATION AND SINGARAJA CLASS IIB CORRECTIONAL INSTITUTION)

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Abstract

The purpose of this study was to find out (1) how to regulate the assimilation of prisoners during the COVID-19 pandemic in the Buleleng Police Legal Area and Class IIB Singaraja Prison and (2) the application of assimilation to prisoners during the COVID-19 pandemic in the Police Legal Area. Buleleng and Class IIB Singaraja Prison This type of research is empirical legal research with descriptive research nature. The location of this research was in the Class II B prison in Singaraja. Data collection techniques used are document studies and interviews. The sampling technique used is the Non Random Sampling technique. Qualitative data processing and analysis techniques. The results of the study show that (1) Regarding the arrangements for granting assimilation, the Class IIB Singaraja Prison has adjusted to the applicable law based on the Regulation of the Minister of Law and Human Rights Number 32 of 2020 concerning the Terms and Procedures for Granting Assimilation, Conditional Release, Conditional Leave and Leave Before Free for Convicts and Children in the Context of Prevention and Overcoming the Spread of Covid-19, namely in Article 4 regarding the requirements to be able to obtain assimilation. (2) Regarding the application of assimilation to prisoners. The implementation of guidance and supervision of assimilation and integration client expenditures due to COVID-19 is carried out by Community Counselors (PK) and Community Counseling Assistants (APK) in accordance with Permenkumham No. 10 of 2020. In its application, the implementation of guidance and supervision for prisoners / correctional clients is in the stage of Assimilation there are still obstacles experienced such as people who are not ready and lack of legal awareness There is an opinion that prisoners are someone who commits disgrace and must be punished severely and there is a sense of distrust of the process of guidance and supervision of prisoners who get assimilated during the covid-19 pandemic.

Introduction

Humans will always interact with other humans since human birth and human death in the association of life. Humans as members of society, by a Greek philosopher since ancient times, namely Aristotle, are said to be zoon politicon, namely creatures who associate (Djamil, 1989: 2). Humans as

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social creatures are a nature of God in everyday life shown by social interactions with each other where these interactions will inevitably lead to interests for each human being (*person*). These interests are a human process in fulfilling their lives, sometimes these human interests sometimes often cause social tension because not all the interests of each member of society are the same, but there are also those who have different interests. Humans have reason, mind and conscience to distinguish what is right and what is wrong. With reason and conscience, humans have the freedom to decide on their own behavior or actions. In addition, to balance this freedom, humans have the ability to be responsible for all their actions.

The actions carried out by humans are caused by the rapid development of technology, which results in changes to social, cultural and economic life, so it is possible to have an influence on people's lives.

However, not all people can accept or follow these technological developments. So that from this it results in social inequality causing many people to justify all means to fulfill their survival, without thinking about whether their actions are unlawful. Unlawful acts can lead to criminal offenses and people who commit criminal offenses will become prisoners (Ali, 2009, 47).

The definition of a convict according to Law No. 12 of 1995 is a convict who loses freedom in a correctional institution. Meanwhile, the definition of a convict is someone who is convicted based on a court decision that has obtained permanent legal force.

The history of prisons dates back to the Dutch colonial era which can be found in the Prison Regulations of 1917. The provisions of the regulation contained in Article 28 paragraph (1) stated that "prison is a place of retribution that is appropriate or equal to an act or criminal offense that has been committed by the perpetrator of the crime and also as a place of guidance for prisoners or perpetrators of criminal acts". Today's punishment process is developing more humane and rational where it begins to leave the old pattern of retaliation and isolation towards efforts to improve prisoners to become better people, this can be said to be a community process (Eka, 2013: 20).

The punishment system with the prison system was changed to a correctional system so that in the correctional system which basically aims to make prisoners who are undergoing a coaching process can make good and responsible citizens, realize mistakes and no longer commit or repeat unlawful acts without eliminating the purpose of the punishment itself (Supardi, 2017).

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At this time, the community's view of a prisoner is still negative because the community considers prisoners as *trouble* makers or rioters who always disturb the community so they need to be aware (Soekanto, 2007, 81).

Table 1.1
Data Recapitulation of Assimilation Clients of Bapas Denpasar Working Area
Singaraja Regency Domicile

No.	Number of Prisoners	Assimilation Recipient	Breaking
1	2323 people	72 people	8 people

Source: Buleleng Police Criminal Investigation Unit and Singaraja Class IIB Correctional Institution.

Based on the results of data obtained from the Buleleng Regency Police Unit and Singaraja Class IIB Correctional Institution, the number of prisoners in Singaraja Class IIB Correctional Institution is the third largest number of prisoners in Bali after Kerobokan Class IIA Correctional Institution which reaches 1,315 people. From the data above, there are a number of prisoners who have received assimilation but many still commit offenses again.

As well as the purpose of the correctional system set forth in Article 2 of Law Number 12 of 1995 concerning Corrections stated that: "The correctional system is organized in order to form correctional prisoners so that they become fully human, realize their mistakes, improve themselves, can actively participate in development, can live reasonably as good and responsible citizens." One of the realizations of integrating prisoners with society is through the provision of assimilation, which is part of the coaching program at the Penitentiary. Law No. 12/1995 on Corrections includes articles that regulate the rights of prisoners, namely Article 14 paragraph (1), Article 22 paragraph (1) and Article 29 paragraph (1). In these articles, the rights of prisoners and juvenile offenders are regulated and guaranteed, as recognition and evidence of human rights that require them to be treated as subjects with equal status with other humans. Prisoners (WBP) have the right to assimilation which is regulated in Government Regulation No. 32 of 1995 concerning the Terms and Procedures for

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Granting Remission, Assimilation, Leave to visit family, Conditional Release, Leave Ahead of Release and Conditional Leave (Ridwan, 2009: 50).

The occurrence of the COVID-19 Pandemic, which was first discovered in the city of Wuhan China some time ago, spread in Indonesia in early 2020, not only has an impact on physical health, but all aspects of social, political, economic life, including the legal aspects of society. COVID-19, which is very contagious and spread easily, requires the government to create a new order in life in society.

During the corona pandemic, prisons are places at high risk of COVID-19 transmission. The problem is that many prisons are unfit for habitation due to overcapacity. *Social distancing* policy regulations are impossible or cannot be applied. The United Nations (UN) has given orders and urged governments in various countries around the world to release low-risk prisoners.

In Indonesia, the government implemented the release of prisoners through an assimilation and integration program related to COVID-19 starting last March 31. This assimilation can be understood as an effort to integrate prisoners into society to restore the social function of prisoners to become part of society as a whole. This assimilation policy refers to Regulation of the Minister of Law and Human Rights of the Republic of Indonesia (Menkumham RI) Number 10 of 2020 concerning Conditions for Granting Assimilation and Integration Rights for Prisoners and Children in the Context of Preventing and Combating the Spread of COVID-19. The implementation of the release of prisoners is further regulated in the Decree of the Minister of Law and Human Rights of the Republic of Indonesia Number M.HH-19.PK.01.04.04 of 2020 concerning the Release and Release of Prisoners and Children through Assimilation and Integration in the Context of Preventing and Combating the Spread of COVID-19 (Mubyanto, 2000: 262).

In order to follow up on the Regulation and Decree of the Minister of Law and Human Rights of the Republic of Indonesia, Singaraja Class IIB Correctional Institution took steps to release prisoners in accordance with the provisions and conditions as stipulated by laws and regulations. The release of prisoners was carried out from April 1 to April 7, 2020 in stages.

The place where the author conducted the research was in Buleleng Regency. The reason the author conducted research in Buleleng Regency is because Buleleng Regency is one of the largest

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regencies with the largest population in Bali, where the presence of a population that triggers many criminal acts.

The problem above is very considering that there are still prisoners who commit offenses again after being given assimilation. Therefore, the role of the community and also the government is needed in teaching morals and positive character for prisoners so that they do not commit offenses again. In addition, in-depth exploration of the factors that cause re-offenses committed by prisoners is also very necessary as an evaluation material for the community and the government in providing guidance to prisoners before they take the wrong action again. The existence of cases of prisoners who re-offend after being given assimilation in Buleleng Regency is a concern for the community because it will have a greater impact on society. This can damage the social, economic and community order, if reviewed from the above case whether the assimilation of prisoners is still "Effective" given to prisoners during the COVID-19 pandemic (Soekanto, 2007: 37).

Therefore, based on the background described above, the author is interested in further research to write a proposal with the title **Provision of Assimilation to Prisoners during the COVID-19 Pandemic (Case Study in the Legal Area of Buleleng Police and Singaraja Class IIB Correctional Institution)**.

Research Methods

This research uses empirical legal research. Where this research departs from the existence of a gap between *das solen* and *das sein*, namely the gap between theoretical conditions and legal facts that occur in society. Based on the purpose of this research, the nature of the research used is descriptive. Descriptive research is research that describes systematically, factually, and accurately to a certain population or area, regarding certain properties, characteristics, or factors (Ali, 2009: 10).

This research is conducted based on the data used, namely data sourced from Primary Data and Secondary Data consisting of Primary, Secondary, and Tertiary Legal materials. data collection techniques used in this research method consist of Document Study Techniques, Interview Techniques, Observation Techniques, and Research Sampling Techniques. The analysis used in this research is Qualitative Data Analysis. This research is processed using qualitative analysis, where the data obtained is presented in a descriptive analysis.

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Results and Discussion

Assimilation Arrangements for Prisoners During the Covid-19 Pandemic in the Legal Area of Buleleng District Police and Singaraja Class IIB Correctional Facility

A situation of *overcrowded* or overcapacity of prisons and detention centers in Indonesia until this moment is a responsibility as well as homework for the Government which is not easy to overcome. Reporting from the website <https://www.prisonstudies.org>, accessed on October 1, 2020 Indonesia is the 9th (ninth) largest country out of 223 countries in the world today with the number of prisoners in prisons and detention centers spread throughout the regions.

Based on the recommendations of the United Nations (UN), the expulsion of prisoners is carried out by several countries to reduce the spread of Covid-19. Overcrowding in prisons and detention centers does not allow *physical distancing*, and in overcrowded conditions diseases that are categorized as *treatable diseases* can become *untreatable diseases*. Under normal conditions (before Covid-19) one of the diseases that is often found in prisons in addition to skin diseases is diseases related to the respiratory tract (ISPA and tuberculosis). During the Covid-19 pandemic, it is feared that a new cluster will emerge in prisons and detention centers. If later one person is indicated with Covid-19, then all residents of prisons and detention centers in the hundreds and even thousands will be very easy to contract, this will make the work of the State, especially medical personnel, heavier in handling Covid-19.

The provisions regarding the assimilation of prisoners during the Covid-19 pandemic are regulated by the Minister of Law and Human Rights as stipulated in the Decree of the Minister of Law and Human Rights Number M.HH19.PK.01.04.04 of 2020 concerning the Release and Release of Prisoners and Children through Assimilation and Integration in the context of Preventing and Combating the Spread of Covid-19 and Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 10 of 2020 concerning Conditions for Granting Assimilation and Integration Rights for Prisoners and Children in the context of Preventing and Combating the Spread of Covid-19.

This policy made by the Ministry of Law and Human Rights serves as an effort to prevent and control the spread of Covid-19 in prisons and detention centers by regulating the granting of

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assimilation and integration rights to prisoners and children who have met the requirements to be able to carry out Assimilation, Leave Ahead of Release, Conditional Leave and Parole, and the implementation of assimilation rights contained in this policy must be carried out in the homes of each prisoner and child. This policy was implemented starting April 1, 2020. The conditions have been stated in the Minister of Law and Human Rights Regulation Number 32 of 2020 concerning Conditions and Procedures for Granting Assimilation, Parole, Conditional Leave and Leave Ahead of Release for Prisoners and Children in the Context of Preventing and Combating the Spread of Covid-19, namely in Article 4.

This assimilation release policy does not apply to prisoners and children who are categorized as criminal offenders contained in Government Regulation Number 99 of 2012 concerning Terms and Procedures for Implementing the Rights of Prisoners of Correction, namely terrorism, criminal acts of narcotics and psychotropic narcotics precursors, criminal acts of corruption, criminal acts against state security, serious human rights crimes, transnational organized crime and foreign national prisoners (WNA). The implementation of guidance and supervision of the release of assimilation and integration clients due to covid-19 is carried out by Community Supervisors (PK) and Assistant Community Supervisors (APK) in accordance with Permenkumham No. 10 of 2020.

The implementation of assimilation this time has the momentum of the Covid-19 pandemic so there are some differences from the previous regulations. The implementation of assimilation and integration rights for prisoners in the midst of the Covid-19 pandemic is based on Permenkumham Number 10 of 2020, where overall in terms of general requirements has similarities with the requirements regulated by Permenkumham Number 03 of 2018. This policy is certainly a fairly strategic step to take considering the conditions of prisons which are very unlikely to be able to guarantee the health rights of prisoners in prisons due to the condition of prisons in Indonesia which are on average overcapacity. However, the difference is in the procedure for implementation which is carried out from home in the form of efforts to prevent the spread of Covid-19 and the pattern of guidance and supervision carried out to monitor and ensure that there are no violations committed by prisoners when carrying out the assimilation process from home. The implementation of this supervision and guidance is carried out virtually through online media.

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Furthermore, based on an interview with Mr. Gusti Kadek Agus Pebriyana as Plt. Head of Registration Section said that what is expected by the government regarding the expectations of assimilation is very appropriate. Regarding the reduction in the number of inmates so as not to be *overcrowded*, it has been relevantly used so that until now none of the inmates at Singaraja Class IIB Correctional Facility has indicated positive for Covid-19. This is one proof that the implementation of assimilation in the midst of a pandemic with the conditions that have been set is considered very appropriate. In addition, he also conveyed that of course in addition to the impact of preventing *overcrowding*, it also has an impact on reducing the state's financial burden. This is because per person is usually budgeted Rp.32,269 / day and if this is applied in the long term, of course these funds can be allocated to *urgent* or important fields in the midst of the Covid-19 pandemic.

However, from the assimilation arrangements applied by the Singaraja Class IIB Correctional Facility to prisoners, there are still prisoners who violate and re-commit criminal acts such as theft, domestic violence and others. Although the positive impact of assimilation is true, such as preventing new clusters of Covid-19 and saving the budget, if prisoners return to acting by committing criminal acts, of course this can harm others as well. From the data obtained from Singaraja IIB Correctional Facility, that out of 72 assimilation recipients, 8 people returned to commit criminal acts, which if percented, around 31% returned to criminal acts.

Based on an interview with Mr. Gusti Kadek Agus Pebriyana as Plt. The Head of the Registration Section, as for the causes of some re-criminalization, namely that the prisoners do not feel the deterrent effect. This is evident from the actions of the perpetrators who dare to repeat the crime. Furthermore, lack of preparation is another cause why the perpetrators return to criminal acts. Because the perpetrator must survive in the outside world. The perpetrators are considered mentally unprepared because they still feel ostracized or treated as strangers in the community. The last reason is because the perpetrator does not yet have savings and a job. So that in order to survive the perpetrators return to commit a criminal offense, namely theft.

Related to M. Friedman's Legal System Theory, whether or not the Assimilation Arrangement carried out by Singaraja IIB Correctional Institution in the midst of the Covid-19 pandemic is effective will be examined from 3 perspectives, namely from the Legal Substance, Legal Structure, and Legal Culture.

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Judging from the legal structure, regarding the regulation of assimilation to guarantee and protect the rights of prisoners has been clearly regulated in the Minister of Law and Human Rights Regulation Number 32 of 2020. The regulation clearly states the conditions for obtaining assimilation, criminals who are not entitled to assimilation and so on. This can be observed in Regulation of the Minister of Law and Human Rights Number 32 of 2020 concerning Terms and Procedures for Granting Assimilation, Conditional Release, Conditional Leave and Leave Ahead of Release for Prisoners and Children in the Context of Preventing and Combating the Spread of Covid-19, especially in Article 4 such as doing good, having served $\frac{1}{2}$ of the sentence period, and so on. so that when looking at the Legal Structure, there are no problems with assimilation arrangements because there are no empty rules, rules overlapping with other rules, or rules that are misleading, double meaning or ambiguous.

Furthermore, seen from the Legal Substance. IIB Correctional Facility officers have carried out their duties and authorities in accordance with Regulation of the Minister of Law and Human Rights Number 32 of 2020 concerning Terms and Procedures for Granting Assimilation, Conditional Release, Conditional Leave and Leave Ahead of Release for Prisoners and Children in the Context of Preventing and Combating the Spread of Covid-19. Furthermore, the officers have also made efforts to prevent and overcome if there are prisoners who have obtained assimilation again acting by committing criminal acts again. Prevention efforts are carried out by conducting supervision, coordinating with community institutions such as the Village and Banjar to help foster and supervise inmates who have received assimilation. In addition to coordination with community institutions, the prison also monitors through virtual one of them via Whatsapp. Of course this is in line with Permenkumham Number 10 of 2020. Furthermore, the countermeasures taken by officers if there are perpetrators who have received assimilation and return to criminal behavior, namely by continuing to follow the procedures of the applicable laws and regulations. If the assimilation recipient commits a crime again, he will be sentenced to sanctions and penalties based on his actions which are in line with the relevant and applicable regulations.

Finally seen from the Legal Culture, namely legal awareness of the community. Based on the results of interviews with Mr. Gusti Kadek Agus Pebriyana as Plt. Head of the Registration Section that the Singaraja IIB Correctional Facility has provided guidance to prepare prisoners when they

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return to the outside world. However, seeing the existence of prisoners who have received assimilation again committing criminal acts, of course there are several contributing factors including the lack of deterrent effect received by the perpetrator during the punishment at Lapan IIB Singaraja and there is also the factor of unpreparedness of the prisoners considering that they do not have jobs and savings when they have finished receiving sentences and in the end to survive they are forced to commit criminal acts such as theft.

From the statements and facts obtained from the field, by interviewing Mr. Gusti Kadek Agus Pebriyana as Plt. Head of Registration Section, as for what can be known about the Assimilation Arrangement for Prisoners during the Covid-19 pandemic in the Legal Area of Buleleng District Police and Singaraja Class IIB Correctional Facility, namely that this is in accordance with the Regulation of the Minister of Law and Human Rights Number 32 of 2020 concerning Terms and Procedures for Granting Assimilation, Conditional Release, Conditional Leave and Leave Ahead of Release for Prisoners and Children in the Context of Preventing and Combating the Spread of Covid-19. However, in its implementation, assimilation is still not fully effective because it is seen from the legal culture of the community that is still lacking. This is reflected in the return of prisoners who have received assimilation back to criminal behavior so that they must be processed again.

Implementation of the Granting of Assimilation to Prisoners during the Covid-19 Pandemic in the Legal Area of Buleleng District Police and Singaraja Class IIB Correctional Facility

The implementation of assimilation and integration rights for prisoners in the midst of the Covid-19 pandemic is based on Permenkumham Number 10 of 2020, where overall in terms of general requirements is similar to the requirements regulated by Permenkumham Number 03 of 2018. This policy is of course a strategic effort to be made considering the conditions of prisons which are very unlikely to guarantee the health rights of prisoners in prisons due to the condition of prisons in Indonesia which are on average overcapacity. However, what is different is the procedure for implementation which is carried out from home in the form of efforts to prevent the spread of Covid-19 and the pattern of guidance and supervision carried out to monitor and ensure that there are no violations committed by prisoners when carrying out the assimilation process from home. The implementation of this supervision and guidance is carried out virtually through online media.

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In addition to slightly affecting the decrease in the percentage of overcapacity / overcrowded prisons and detention centers in Indonesia, the implementation of this policy also has an impact on the quality of psychosociological pressure from prisoners, where there is a decrease in fear / stress levels of prisoners and detention centers, thus affecting the equilibrium of anxiety pressure that occurs in prisoners in each prison and detention center. This can prevent security and order disturbances in prisons and detention centers if there is a spread event between prisoners and a new cluster is formed in prisons and detention centers which can cause panic for residents which results in potential riots because residents are afraid of contracting covid-19, so there are attempts to escape.

Another benefit of implementing this policy is in terms of state savings, especially for the cost of eating prisoners. When viewed from the criteria of prisoners who are entitled to be released and released from this policy to tackle covid in accordance with the provisions contained by the minister in Permenkumham No. 10 of 2020, which when calculated from April 2020 gets a number of approximately 270 days, then if it is totaled with the number of prisoners who are free and released, the following figures are obtained state budget savings of $39,193 \text{ people} \times 270 \text{ days} \times \text{Rp.}32,269 / \text{day} = \text{Rp.}341,474,107,590$. From this statement, it is known that in addition to reducing the impact of *overcrowded*, another positive benefit obtained from the issuance of this policy is that the state can save the state budget of IDR 341 billion, where the budget with this amount, which was originally carried out for the cost of fostering prisoners in prisons, can be allocated by the government to other fields, especially in the prevention and prevention of Covid-19, which in fact requires a lot of money to equip all kinds of health facilities and infrastructure as well as medical needs to reduce the impact of the spread of Covid-19. The need for complex and numerous medical equipment, be it in the form of a Rapid Test tool to determine the symptoms of the Corona virus in a person, the need for accommodation needed for the distribution of medical equipment to various regions, which is felt to require a lot of money or use an extra budget. Because looking at the current situation, the COVID-19 pandemic that has hit Indonesia is one of the things that needs to be handled seriously and a strong commitment from the government with various supporting aspects, which are currently working hand in hand in handling situations and conditions such as for the sake of creating conducive conditions as before, where the economy must be stabilized immediately, the high needs of the community for food and shelter.

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Furthermore, children who can be granted assimilation must meet the requirements such as good behavior as evidenced by not serving disciplinary punishment within the last 3 (three) months, actively participating in the coaching program well; and having served a minimum criminal period of 3 (three) months. In the event that the requirements as referred to in paragraph (1) letter a cannot be fulfilled because the remaining period of punishment is less than 6 (six) months, then assimilation can be given to Prisoners who have served $\frac{1}{2}$ (one-half) of the criminal period and are of good behavior. In the event that the conditions as referred to in paragraph (2) letter a cannot be fulfilled because the remaining period of punishment is less than 3 (three) months, then assimilation can be given to Children who have served $\frac{1}{2}$ (one-half) of the criminal period and are of good behavior.

This assimilation expenditure policy does not apply to prisoners and children who are categorized as criminal offenses listed in Government Regulation No. 99/2012 concerning Terms and Procedures for the Implementation of the Rights of Prisoners, namely terrorism, narcotics and psychotropic drug precursors, corruption, crimes against state security, serious human rights crimes, transnational organized crimes and foreign national prisoners.

Furthermore, Mr. Gusti Kadek Agus Pebriyana as Plt. The Head of Registration Section also conveyed that in the application of assimilation by the Singaraja Class IIB Correctional Facility in the supervision process, the implementation of guidance and supervision of the release of assimilation and integration clients due to Covid-19 was carried out by Community Supervisors (PK) and Assistant Community Supervisors (APK) in accordance with Permenkumham No. 10 of 2020.

The implementation of guidance and supervision for prisoners/correctional clients in the assimilation stage still has obstacles experienced both by community supervisors/assistant community supervisors, as well as by the prisoners themselves. The community in general does not care about the factors that cause them to commit criminal offenses, and considers them as someone who is worrying and does not want to accept the presence of former prisoners back into their environment.

Based on the results of interviews with Mr. Gusti Kadek Agus Pebriyana as Plt. Head of the Registration Section, there are factors that cause the community not to accept this assimilation prisoner which is also a problem for the Correctional Institution, namely as follows:

- a. Community unpreparedness and lack of legal awareness

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- b. There is an opinion that a prisoner is someone who has committed a disgrace and must be punished as severely as possible.
- c. There is a sense of distrust of the guidance and supervision process for prisoners who received assimilation during the Covid-19 pandemic.

From this statement, it can be seen that in the application of assimilation, the granting of assimilation to prisoners during the Covid-19 pandemic in the legal area of Buleleng District Police and Singaraja Class IIB Correctional Facility has been carried out in accordance with Regulation of the Minister of Law and Human Rights Number 32 of 2020 concerning Terms and Procedures for Granting Assimilation, Conditional Release, Conditional Leave and Leave Ahead of Release for Prisoners and Children in the Context of Preventing and Overcoming the Spread of Covid-19, namely in Article 4 regarding conditions. Although it has been regulated in a rule of norms, in fact the Singaraja Class IIB Correctional Facility still finds several obstacles from the community itself to accept the offender who obtained the assimilation.

Conclusion

Based on the results and discussion that have been presented, the following conclusions can be formulated.

Regarding the regulation on the granting of assimilation, the Class IIB Singaraja Correctional Institution has adjusted to the applicable law based on the Regulation of the Minister of Law and Human Rights Number 32 of 2020 concerning Terms and Procedures for Granting Assimilation, Conditional Release, Conditional Leave and Leave Ahead of Release for Prisoners and Children in the Context of Preventing and Combating the Spread of Covid-19, namely in Article 4 regarding the conditions for being able to obtain Assimilation.

Regarding the implementation of providing assimilation to prisoners. as for the implementation of guidance and supervision of the release of assimilation and integration clients due to covid-19 is carried out by Community Supervisors (PK) and Assistant Community Supervisors (APK) in accordance with Permenkumham No. 10 of 2020. In its application, the implementation of guidance and supervision for prisoners / correctional clients in the assimilation stage still has obstacles such as an unprepared society and lack of legal awareness. There is an opinion that a prisoner is someone who commits

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disgrace and must be punished as severely as possible and there is a sense of distrust of the process of guidance and supervision of prisoners who get assimilation during the covid-19 pandemic. Furthermore, there are suggestions that can be given, namely for the government to strive for innovative education so that what prisoners get in prison can they make provisions for plunging into society, so that cases such as assimilation recipients who re-criminalize can be avoided. For assimilation recipients to utilize what has been obtained in prison properly and correctly when they have entered the community. This aims to restore the good name and negative stigma that society has given to perpetrators who have committed previous crimes. Finally, for the community to be more open-minded and accept perpetrators who have received assimilation so that the assimilated perpetrators do not feel isolated. This can certainly trigger the perpetrator's intention to commit a crime again because they feel disrespected in society.

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