

The Role of Correction Guardians In The Development of Private In Class I Surabaya Criminal Institutions

Agung Wibowo Darmawan^{1*}, Priambodo Adi Wibowo¹, Asep Heri¹

¹Faculty of Law, Merdeka University Surabaya, Indonesia

*Corresponding Author E-mail: agungwibowo@gmail.com

Article History: Received: March 20, 2024; Accepted: May 15, 2024

ABSTRACT

Sanctions for criminal acts committed. The role of correctional guardians is needed in the process of fostering Correctional Families who are the target of coaching carried out in Correctional Institutions. This research is a qualitative research with a descriptive approach that aims to describe the role of correctional guardians in fostering correctional inmates in Class I Lapas Surabaya. Data collection techniques are carried out by means of observation, interviews, and documentation. Data analysis techniques begin with data collection, data reduction, data triangulation, data presentation and drawing conclusions and verification. The results of this study indicate that the coaching process at Class I Lapas Surabaya is running effectively according to the goals of correctional through the role of correctional guardians as facilitators, communicators, and motivators. Efforts that need to be maximized in coaching require psychologists or special social workers as correctional guardians.

Keywords: The Role of Correctional Guardians, Development of Correctional Facilitators, Correctional Institutions

1. INTRODUCTION

As a country based on law, the entire social and state life order must be based on laws in accordance with applicable laws and regulations and provide punishment for those who break the law. In addition to providing punishment for those who break the law, the state also has an obligation to provide guidance to those who have violated the law or committed a crime.

The Unitary State of the Republic of Indonesia aims to form a just and prosperous society based on Pancasila. In its efforts, the state encounters many obstacles and obstacles that are caused, among others, by lawbreakers. By arresting, trying and deciding those lawbreakers as detainees and convicts in prisons or correctional institutions, the state's task has not been completed and has only just begun because prisoners or convicts who are serving sentences within a certain period of time will one day return to society as citizens. law-abiding (Firdaus, 2021).

Whether or not this state task is created depends on the success or failure of the role of Detention Centers and Correctional Institutions in providing guidance to prisoners and convicts, which is also the responsibility of the state. Basically, the penal system is an attempt to socially rehabilitate correctional convicts. Even though their current status is convicts, they are still human beings and human resources who must be treated properly and humanely. Convicts are members of

the general public who have rights and obligations like other citizens, due to their treatment in everyday life they have made mistakes, namely violating applicable laws, then they are temporarily placed in Correctional Institutions and will lose their independence within a certain time. Convicts are convicts who are serving prison terms for a certain time and for life or death row convicts who are awaiting the implementation of a decision, who are undergoing training in a correctional institution (Rahardjo & Muhammad, 2022).

Correctional Institutions are tasked with providing guidance to their inmates so that they can become better human beings, aware of the mistakes that have been made and will not repeat the crimes they have committed, so that they can play an active role in returning to society in the development of the nation and state and can be accepted by society. The role of the community is also very much needed in supporting the coaching process by accepting back inmates to mingle again even though they are in ex-convict status. Besides that, the role of officers as correctional guardians in Correctional Institutions greatly determines the success or failure of a coaching carried out (Indonesia, 1990).

Correctional Institutions, hereinafter referred to as Lapas, are institutions or places that carry out the function of fostering convicts. For the Indonesian people, thoughts regarding the function of punishment are not only in the aspect of making a deterrent, but also as a form of social rehabilitation and reintegration, which has created a system of guidance for lawbreakers known as the correctional system. The court sends convicts to prisons or correctional institutions to serve their sentences until the end of their sentence. Convicts are members of the general public who have rights and obligations like other citizens, because their behavior in their daily life has made a mistake that violates the applicable legal rules, then they are temporarily fostered in a Correctional Institution and temporarily will lose their independence within the time specified in accordance with the article (Kusumawardani, 2022).

A convict is an individual who has been proven guilty of committing a crime that violates the applicable rules so that he is sentenced or punished by a court and the court sends the convict to a Correctional Institution or Detention Center to serve his sentence until the completion of his sentence according to what has been determined. The environmental situation that is forced to be obtained is distinguished from the physical and social environment (Abdullah, 2015).

The physical environment is all the inanimate objects around the prisoners, for example the cell room, sports facilities, prison buildings and prison fences. While the social environment consists of cellmates, prison officers, and clergy. While in the Penitentiary, the space for convicts to move is limited and they are isolated from society.

Convicts are members of the general public who have the same rights as other citizens, but because their behavior in daily life has made mistakes, namely violating applicable laws, they are temporarily placed in Correctional Institutions and lose their freedom of movement within a certain time and have obligations. to comply with all the rules and regulations in the Penitentiary. Correctional Institutions are places where convicts undergo coaching for their own good (Wardhani et al., 2016).

Correctional Institutions are agencies that have functions and duties as a method of coaching for inmates and students. The development of inmates has an important role for someone who has the status of a convict so that he will be fostered to become a better person. According to Law Number 22 of 2022 Article 2 paragraph (b) which reads: "improve the quality of personality and independence of the Prisoners so that they are aware of mistakes, improve themselves, and do not repeat criminal acts, so that they can be accepted again by the community environment, can live a normal life as good citizens, law-abiding, responsible, and able to play an active role in development".

Detainees or convicts who are undergoing the process of punishment generally experience boredom and stress due to the limited space for movement and being separated from relatives, who before serving their sentence could travel anywhere and could meet family and friends anytime and anywhere. However, while serving a sentence, the space for movement becomes limited and the environment changes, the time to meet and communicate with relatives is also limited, so some of the detainees experience stress because they have to be far away and separated from friends or family who are outside. Therefore, in accordance with Law Number 22 of 2022 Article 9 which reads "Convicts have the right to:

- a. Performing worship in accordance with his religion or belief;
- b. Get treatment, both physical and spiritual;
- c. Get education, teaching, and recreational activities as well as opportunities to develop potential" and Article 11 paragraph 1 (b) which reads "Convicts must follow the training program in an orderly manner".

In accordance with Article 38 letter (a) which reads "forms of personality development include religious awareness, morals and morality, awareness of the nation and state, defending the country, increasing intellectual abilities, legal awareness, integrating oneself with society, and deradicalization", and letter (b) reads "forms of fostering independence include skills training to support independent businesses and industry, job training, and development of interests and talents".

2. RESEARCH METHODS

The research method used in this writing consists of various methods and activities carried out in order to collect data and materials - materials needed to complete the preparation of this thesis. The author uses normative research methods and conducts library research (Library Research), namely legal research conducted by researching and conducting legal literature searches and analyzing secondary data, the aim of which is to obtain accurate data or truth in accordance with applicable regulations in order to obtain legal certainty. still.

3. RESULTS AND DISCUSSION

The Role Of Correction Guardians In Class I Institutions In Surabaya.

In this research, what is the subject of discussion in this study is how the role of guardians of correctional inmates. Someone who previously had a bad life and behavior, thus making him a Prisoner. Inmates need coaching to change their way of life because one day they will return to society. Penitentiary as a correctional technical implementation unit not only accommodates and cares for assisted citizens but also fosters assisted citizens. The coaching is carried out by correctional officers called Correctional Guardians. The guardian as a servant of the community and a servant of the state lives and practices the duties of correctional development with full responsibility.

In addition to serving the prison term, these prisoners are also fostered to improve themselves and be able to master certain fields so that later after the sentence is over, they will have the skills to find work in the community. This is the responsibility carried by the Guardian in carrying out his role. Correctional guardians at work are obliged to carry out their role as guardians, namely correctional officers who provide assistance to inmates and correctional students while undergoing coaching in correctional institutions. In the process the role of the guardian is divided into 3, namely:

1. The Role of Correctional Guardians as Facilitators for Correctional Facilitators in the Development Process.
 - a. Correctional Guardians in providing facilitation to Correctional Assisted Residents to perform worship in accordance with religious beliefs spiritual and physical care.

In the coaching process, resocialization regarding religious values is very necessary. The process of personality development aims to look at the elements of belief or belief and how to present the values of religious teachings in everyday life. Correctional institutions in this case

categorize religious development into personality development, which becomes vital development for Correctional Inmates. This development also has an influence on Prison Inmates in faith, psychologically and also administratively, especially when Prison Inmates are going to apply for parole.

Physical treatment in Correctional Institutions has various forms of activities and media in delivery. Physical care or people in charge of physical care are carried out by carrying out physical activities such as football, table tennis, volleyball, futsal, group gymnastics, marching, fulfillment of cleaning equipment in the room, availability of bathrooms and toiletries. In this point is the adequacy of facilities and infrastructure for WBP. Thus, the researcher associates it with role theory as a facilitator, namely the recognition and regulation of feelings. Based on this theory, prisoners are recognized as having a religion so that the correctional guardian facilitates places of worship for Muslims and Christians.

b. Correctional Guardians in providing facilitation to correctional inmates to receive education and teaching

Class I Lapas Surabaya has personality development, one of which is getting education and teaching which is important to do so that while in correctional prison prisoners do not know the word dropout. Education carried out by the Surabaya Class I Correctional Institution is currently fairly well accommodated. The function of the Correctional Guardian in this case is to facilitate when there are prisoners who want to continue their education in package A, package B, and package C at Class I Penitentiary in Surabaya. The function of Correctional Guardians is to provide facilitation related to education and teaching and emphasize administrative management and also provide motivation to attend education.

With the theory of the role of correctional guardians in providing knowledge gap facilities. The link between this theory and the role of correctional guardians in providing education and teaching is the facilitation of knowledge. The research argues that the role of correctional guardians in this case is sufficient because of the interview data obtained by the researcher that there are packages A, B, and C where this program is very helpful for prisoners to be able to gain knowledge or continue their studies for those who drop out of school.

c. Correctional Guardians in providing facilitation to correctional inmates to receive visits from family or certain other people

Operational visits to families and certain people are carried out based on Law Number 12 of 1995 concerning Corrections. Paragraph 7 regarding Visits, and as a form of public service in Law Number 25 of 2009 concerning Public Services. Visits by families or certain people have the

aim that WBP does not feel alienated and deprived of their independence. The procedure refers to the Decree of the Director General of Corrections Number PAS-17 OT 02.01 of 2013 concerning Correctional Service Standards. The flow is the registration of visits, the Main Door, entering the body and goods search room (Setyobudi, 2013).

The function of Correctional Guardians in receiving family visits, Correctional Guardians in Surabaya Class I Correctional Institutions in facilitating this is indirect. This is in accordance with the duties, principals, and functions of the Correctional Guardian as a facilitator. It was also explained that Correctional Guardians must also meet with families to conduct hearings in order to submit progress reports, and the values that must be carried out by families when receiving Correctional Assisted Residents (WBP). This needs to be socialized so that the guidance that has been carried out in Correctional Institutions can continue to be adopted at home. Correctional Guardians delegate themselves to provide facilitation to the families of Correctional Families to provide socialization regarding the values and culture that have been built in Correctional Institutions, so that in the family at least they have the settings as what has been done in Correctional Institutions. However, during the Covid-19 pandemic, correctional guardians facilitated prisoners to be able to communicate with their families, even though only through a telephone kiosk and video calls one day a week (Titania, 2023).

The role of correctional guardian as a facilitator in terms of family visits with the theory of the role of correctional guardian as a facilitator is to encourage personal strengths. Researchers use this theory because researchers believe that the encouragement of personal strengths from families who make visits is a source of motivation for inmates to leave the penitentiary immediately so that inmates will try to get remissions and apply for parole. Then he will be encouraged to behave well so that he can get a reduced sentence.

d. Correctional Guardians provide facilitation to correctional inmates to receive wages or premiums for the work performed

Wages/premiums, and access to work, Correctional Institutions work together with stakeholders to carry out work activities. Work Guidance Activities are carried out based on the Decree of the Minister of Justice of the Republic of Indonesia Number M.01-PR.07.03 of 1985 concerning the Organization and Work Procedure of Correctional Institutions Part Two Article 14 reads that the Work Activity Field has the task of providing work guidance, preparing work facilities and managing work results.

The theory of the role of correctional guardians as facilitators is that of maintaining a focus on goals and ways of achieving them. the researcher argues that this theory is closely related to the



role of the Correctional Guardian as a facilitator in the premium or wage awarding section. The goal is to achieve a skill that will later get a reward. Researchers argue that giving premiums is very motivating for Correctional Assisted Residents where he will feel that something he is trying to achieve will achieve results which are of course like awards from Correctional Guardians and of course will make himself and his family proud (Tamba et al., 2022). According to Nugroho Dimas as a staff at the Community Guidance Section, he explained that correctional guardians act as facilitators, namely providing facilities in accordance with applicable regulations, for example visiting services according to procedures, video calling services for visitors who cannot meet friends or family, providing facilities and infrastructure to competitions between inmates to entertain fellow inmates and also to reduce the boredom of inmates (Dirkareshza et al., 2021).

2. The Role of Correctional Guardians as Communicators to Correctional Families in the Development Process.

a. Correctional Guardian as a communicator to Correctional Assisted Residents in submitting complaints

The role of the Correctional Guardian is as a communicator whose function is how to build the character/personality of the prisoner so that he does not repeat bad deeds in the future. To build closeness between the WBP and the professional Correctional Guardian, the function of the Correctional Guardian is to carry out counseling within the Correctional Institution, this is considering the many obstacles experienced by Correctional Families (WBP) while carrying out their sentence. Examples of these obstacles are problems with family, being away from family, discomfort with the environment of Correctional Institutions or other Correctional Families (WBP), receiving long prison terms/sentences and so on. Here the function of Correctional Guardians as communicators is not solely to receive complaints/information submitted by Correctional Families (WBP), but Correctional Guardians also manage complaints received and various information to be used as a reference for action solutions and recommendations for solving these problems.

In providing treatment based on how to humanize Prison Convicts (WBP) which is in line with Law No. 5 of 1998 concerning the Law (UU) concerning Ratification of the Convention Against Torture And Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment). Other Cruel, Inhuman or Degrading Treatment or Punishment). Based on the law, the guardian's function as a communicator in receiving complaints, highly respects the dignity of the WBP even though the WBP violates human rights (human rights). This method aims to enable correctional guardians to



see patterns of Correctional Assisted Residents (WBP) which can be used as coaching methods. Correctional Guardians try to create confidentiality for Correctional Families (WBP) as an effort to protect and fulfill their rights, especially in submitting complaints.

Correctional guardians in receiving information in terms of submitting complaints from inmates, need to see whether complaints submitted are confidential or not, the communication process will work well when Correctional Guardians and Correctional Assisted Residents (WBP) keep each other confidential, Correctional guardians have provided a special room for If there are assisted residents who want to submit their complaints, with a special room for assisted residents there is no need to be embarrassed if they want to convey personal complaints. Correctional guardians in managing information on several inmates submit problems related to the family.

b. Correctional Guardians act as communicators to Correctional Families in receiving visits from family, legal advisers, or certain other persons.

Correctional Guardians in this case are growing, moving and making Correctional Assisted Residents (WBP) more dynamic. Therefore, the role of the correctional guardian as a communicator is to receive/provide information and provide direction in receiving family visits, legal advisors, certain other people or related to the Surabaya Class I Penitentiary program. The function of the correctional guardian as a communicator The Correctional Guardian must also be proficient in coordinating the wishes of the WBP as stated above, even though they have to close access to family visits, the Correctional Institution continues to provide facilities in the form of video calls and carrots so that the inmates continue to communicate with their families. (Purwanto et al., 2019). Next is related to the delivery of information to Correctional Guardians when there are Inmates who want to communicate with their families, Correctional Institutions have provided kiosk facilities and video calls. According to Puji Haryanto as a staff at Community Guidance, he believes that correctional guardians act as communicators, namely establishing good communication with inmates, listening to complaints of inmates and providing solutions, acting as intermediaries when there are differences of opinion or disputes among inmates, providing assistance during family visits. inmates with special needs (for example, being sick).

3.The Role of Correctional Guardians as a Motivator for Correctional Families in the Development Process.

a. Correctional Guardians in providing motivation to Correctional Families to obtain a reduced sentence (Remission).

One thing that is special for convicts is getting remission or reducing the period of serving their sentence. Of course, this is not far from the legal system adopted from the Netherlands which

places freedom and independence as the highest rights (Gumilang & Wibowo, 2021). This condition is inversely proportional to what is felt by convicts, namely being confined in one location, namely the Penitentiary. According to article (2) Remissions are given as follows: General Remissions are given on the anniversary of the Proclamation of Independence, 17 August; Special remissions are given on religious holidays that are adhered to by WBP, Humanitarian Remissions; Remission. Addition; Follow-up Remission (Sadi, 2017).

Regarding this matter, Article 1 is certainly not far from the requirements for Correctional Families (WBP) who are serving temporary imprisonment and imprisonment can be given remission if the person concerned has behaved well while serving his sentence. The next stakeholder involved in this is the Correctional Guardian, who has the task of observing and providing treatment so that Correctional Families (WBP) act in accordance with the values and norms in Class I Correctional Institutions in Surabaya.

The role of correctional guardians as a motivator in reducing prison terms is to provide stimulation to prisoners to generate motivation that will be useful as an implementation of something, a driving force and a driving force. The task of providing motivation so that WBP gets remission is not far from the daily behavior and habits of obeying and complying with the rules in Correctional Institutions. Correctional Guardians try to always provide encouragement, inform remissions and remind Prisoners (WBP) not to get caught up in violations. Researchers analyzed that emotional closeness or a kind of counseling between Correctional Families (WBP) and Correctional Guardians depends on how close each individual is. Then regarding remissions for Correctional Inmates (WBP) researchers consider that this program is very helpful in fostering the independence and personality of Correctional Inmates (WBP). Where is meant by this remission is a reduction in prison time. If the inmates behave well and always obey the rules, the prison term will be reduced.

b. Correctional Guardians in providing motivation to Correctional Inmates in obtaining parole Parole is the release of a prisoner after serving at least two-thirds of his sentence provided that two-thirds is less than 9 (nine) months. This is stated in the Elucidation of Article 14 paragraph (1) letter k of Law Number 12 of 1995 concerning Corrections. One of the conditions for parole is good behavior while serving the criminal period for at least the last 9 (nine) months counted before 2/3 (two thirds) of the criminal period.

Providing motivation to Correctional Families (WBP) to behave well and in accordance with what has become the provisions of Class I Correctional Institutions in Surabaya. Motivation for correctional inmates must be able to fulfill one of the conditions, namely good behavior with

indicators of good behavior, participating in coaching, not violating the rules and no other matters. The Correctional Guardian as a motivator has carried out his function in providing this motivation in the form of moral encouragement so that he continues to be strong and resilient in dealing with situations in Correctional Institutions, so that this does not trigger the emergence of a conflict that can harm Correctional Families, namely that they cannot be asked for parole. The role of correctional guardians as a motivator in parole income, the researcher relates to the theory of the role in monitoring the various achievement indicators of the guidance program. The researcher argues based on reading the results of the interviews that the parole program greatly influences the development of independence and personality of Correctional Inmates (WBP). According to Junaidi Abdilah as Deputy Head of Security Team I explained that correctional guardians act as motivators, namely to provide enthusiasm and motivation to Correctional Assisted Residents who are less active in participating in coaching activities so that they are more enthusiastic about participating in coaching activities and also to reduce boredom while in Correctional Institutions. Correctional Guardian in Surabaya Class I Penitentiary.

4.CONCLUSION

Guidance carried out by correctional guardians for convicts aims to make convicts know everything about him including the reasons for committing a crime, where the convict lives, his economic situation, educational background and so on. Correctional Guardians have the task of supervising the attitudes and behavior of convicts and observing the development of convicts and assessing their progress as stipulated in Permenkumham RI No. M.01 PK.04.10 of 2007 concerning Correctional Guardians

REFERENCES

- Abdullah, R. H. (2015). The urgency of classifying convicts in correctional institutions. *Fiat Justisia: Journal of Legal Studies*, 9(1).
- Dirkareshza, R., Ardiantor, A., & Pradana, R. (2021). Legal Interpretations of Law Number 25 of 2009 concerning Public Services for a Prosperous, Just and Prosperous Society (welfare State)(Standpoint of Proposed Changes to the Public Service Law). *Legal Reform*, 25(2), 127–146.
- Firdaus, I. (2021). Correctional Guardians at the Narcotics Iia Cipinang Penitentiary [Lapas] Viewed from the Perspective of Correctional Social Work. *EMPATI: Journal of Social Welfare*, 9(2), 164–172.

- Gumilang, L.C., & Wibowo, P. (2021). Implementation of Skills Development in Reducing the Risk of Disciplinary Punishment for Prisoners in Class I Detention Centers in Surakarta. *Public Scientific Journal*, 9(2), 140–148.
- Indonesia, D. K. R. (1990). *Pattern of Development of Prisoners/Detainees*. Printing I, year.
- Kusumawardani, A. (2022). The Role of Correctional Guardians in Guiding Correctional Families in Class IIA Penitentiary, Wirogunan, Yogyakarta. *PROGRESSIVE SOCIO: Thought Media for Social Development Studies*, 2(1), 29–42.
- Purwanto, K. M. A. T., Yuliantini, N. P. R., & Mangku, D. G. S. (2019). Implementation of Legal Protection for Convicts as Witnesses and Victims in Class Correctional Institutions II-B Singaraja. *Journal of the Yustisia Community*, 2(2), 113–123.
- Rahardjo, M. M., & Muhammad, A. (2022). OPTIMIZATION OF COMMUNITY RESEARCH BY INVOLVING CORRECTION TEACHERS IN CLASS II BAPAS MAGELANG. *NUSANTARA: Journal of Social Sciences*, 9(1), 303–307.
- Sadi, T. (2017). Legal Study Concerning Application of Public Service Principles Based on Law Number 25 of 2009 concerning Public Services. *Law and Society*, 5(6).
- Setyobudi, Y. F. (2013). The Role of the Community in Public Services In Accordance with Law no. 25 of 2009 concerning Public Services. *Dimension Journal*, 2(1).
- Tamba, P.D.J., Thessaloniki, H. S., & Sinaga, M. I. (2022). Development of Child Convicts at the Tanjung Gusta Class I Children's Penitentiary. *JURNAL RECTUM: Juridical Review of Crime Handling*, 4(1), 82–94.
- Titania, M. Y. (2023). The Quality and Compliance of Public Services by the Government in Indonesia Based on Law Number 25 of 2009 concerning Public Services. *JISIP (Journal of Social Sciences and Education)*, 7(1).
- Wardhani, N. S., Hartati, S., & Rahmasari, H. (2016). An out-of-institutional development system for convicts that is equitable and just has a perspective on correctional goals. *Journal of Law & Development*, 45(1), 1–32.