

Implementation of Disciplinary Penalties For Conditioners Who Violate The Rule of Order In Class I Penalty Institution In Surabaya

Lucky Dwikinanda Winduastiko^{1*}, Asep Heri¹

¹Faculty of Law, Merdeka University Surabaya, Indonesia

*Corresponding author E-mail: luckydwikinanda@gmail.com

Article History: Received: July 15, 2023; Accepted: September 16, 2023

ABSTRACT

The implementation of disciplinary punishment for convicts who violate the order is based on Minister of Law and Human Rights Regulation No. 6 of 2013 concerning Rules of Correctional Institutions and State Detention Houses in Relation to Convict Development (Studies in Class I Correctional Institutions in Surabaya). The approach method used in this research is a juridical-sociological approach. From the results of this thesis research it is concluded that Administrative Sanctions for Correctional Families violate Article 4 of the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 6 of 2013, namely violations in the form of minor violations, moderate violations and serious violations. Applied to all Correctional Inmates in Correctional Institutions, with the aim of disciplinary punishment as a form of administrative sanction to improve and educate Correctional Inmates who commit disciplinary violations. Law enforcement is needed in handling violations of disciplinary regulations for Correctional Families. In practice, the procedures for implementing administrative sanctions for inmates of corrective correctional centers are focused on correctional officers who must be obliged to re-examine inmates in accordance with the flow of the mechanism for disciplinary violations, with the aim of finding out the violations that have been committed. In this case, the sense of justice and security in the correctional cell takes precedence. If a prisoner has committed an offense before, then the officer will provide appropriate sanctions and of course the sanctions given will be heavier than the disciplinary punishment ever imposed on him, but only one sentence.

Keywords: Implementation, Disciplinary Punishment, Against Prisoners, Violating the Rules.

1. INTRODUCTION

Indonesia is a vast country and is a legal state of national development which covers all aspects of the life of society, nation and state with the aim of creating a just society. The law defines what must be done and what cannot be done. The legal targets to be aimed at are not only people who actually act against the law, but also actions that might occur, and to the state apparatus to act according to the law. Such a legal system is a form of law enforcement (Santoso, 2016).

Laws created by humans have the goal of creating an orderly, safe and orderly situation. Likewise criminal law which is one of the laws made by humans. The law exists because of circumstances where a person wants to feel legal protection and is entitled to a comfortable and peaceful living environment, because that is a form of human rights that exist in this country which is guaranteed

directly by the state because Indonesia is a legal country in accordance with the Constitution. Republic of Indonesia in 1945 (Gumilang & Wibowo, 2021).

Criminal law is imposed on someone who violates the norms that live in society regulated in Indonesian positive criminal law, because crime also functions as a social institution in which in this case punishment is part of social reactions in society, and the process of imposing a sentence This is done in accordance with the legal and valid criminal justice system in Indonesia.

enforced to all Correctional Inmates in Correctional Institutions, with the aim of disciplinary punishment as a form of administrative sanction to improve and educate Correctional Inmates who commit disciplinary violations. Law enforcement is needed in handling violations of disciplinary regulations for Correctional Families. In practice, the procedures for implementing administrative sanctions for inmates of corrective correctional centers are focused on correctional officers who must be obliged to re-examine inmates in accordance with the flow of the mechanism for disciplinary violations, with the aim of finding out the violations that have been committed. In this case, the sense of justice and security in the correctional cell takes precedence. If a prisoner has committed an offense before, then the officer will provide appropriate sanctions and of course the sanctions given will be heavier than the disciplinary punishment ever imposed on him, but only sentenced to only one sentence (Gumilang & Wibowo, 2021).

Compliance with the rules that apply in prisons and state prisons is one of the indicators in determining the criteria for good behavior towards convicts and detainees. When a sentence has been imposed in accordance with the existing criminal justice system in Indonesia, a person who has been deemed guilty through the criminal justice process and has been legally and convincingly proven to have committed a crime must carry out his sentence or sentence in a Correctional Institution or often referred to as Lapas, where in this case Correctional Institutions function as a place for someone who has been found guilty in criminal law which is commonly called a convict to serve his sentence in a Correctional Institution or often called a Correctional Institution, apart from being a place to serve punishment the function of a correctional institution is a place to provide guidance for inmates so that they become good human beings. better and no longer repeat their mistakes because after all the inmates are human beings who deserve to be respected and treated according to human dignity and even though they have made mistakes, it is precisely in this place that they are fostered to become better human beings for the betterment of this nation. In this case, prisons have a very important role, where prisons have a role to provide guidance for their assisted citizens (Nainggolan, 2019).



Penitentiary is a place to provide guidance to convicts in Indonesia. Correctional Institutions, known as prisons, are established in every capital city, regency or city, where the guidance is carried out on convicts. Penitentiary is one of the components in the criminal justice system in Indonesia which is tasked with carrying out coaching for inmates, as a form of crime prevention efforts and is the end of criminal justice (Purwanto et al., 2019).

According to P.A.F Lamintang imprisonment is a crime in the form of limiting the freedom of movement of a convict, which is carried out by closing the person in a correctional institution, by requiring that person to comply with all the disciplinary regulations in force in the correctional institution which are associated with an disciplinary action. for those who have broken the rules. Barda Nawawi Arief also explained that the effect of the prison sentence was not only the loss of independence but also had negative consequences for things related to the deprivation of independence itself. among convicts, not only that but also gives a stigma to society and results in degradation / lowering of dignity and self-esteem.

The correctional system is organized according to the mandate of Article 3 of Law Number 22 of 2022, namely that the Correctional System is implemented based on the principles of:

- a. protection;
- b. non discrimination;
- c. humanity;
- d. mutual cooperation;
- e. independence;
- f. proportionality;
- g. loss of independence as the only suffering; And
- h. professional.

In essence, as mentioned above, Correctional Institutions are places where convicts are placed so that they can be accepted back into society in a good and conscious way, so that they can be of use to themselves, their families, society, home and nation. However, in reality there are still many convicts who remain inside and outside the Penitentiary, and it is not uncommon for inmates to commit violations or fraud in Correctional Institutions, both against wardens and inmates. Such as fighting, hunting, killing, buying and selling drugs (Yunus & Sanjaya, 2023).

"Thinking about the function of punishment is not just an aspect of prison, but is a rehabilitation and social reintegration of Correctional Families (WBP) which is called the correctional system. The function of punishment itself is to prevent the commission of criminal acts by enforcing legal norms for the protection of society, socializing convicts by providing



guidance to become good and useful people, resolving conflicts caused by criminal acts, improving the quality of Correctional Assisted Residents (WBP) to realize mistakes, correct themselves and not repeating criminal acts so that they are accepted again by the community, play an active role in development and live normally as good and responsible citizens.

Law enforcement is needed in handling violations of disciplinary regulations for Correctional Families. "The purpose of disciplinary punishment as a form of administrative sanction is to improve and educate Correctional Inmates who commit disciplinary violations. Therefore, every Correctional Officer who has the authority to punish must first thoroughly examine Correctional Inmates who commit disciplinary violations. Penitentiary inmates must also obey the rules and regulations that must be maintained while living in the Penitentiary (Prakosa, 2022).

Disciplinary punishment is a punishment imposed on convicts or detainees as a result of committing an act that is considered to violate the rules of a Correctional Institution or Detention Center. Violations committed by Correctional Families are in the category of serious disciplinary violations, which are punishable by exile (isolation) for a period of 6 (six) days and can be extended for a maximum period of 2 x 6 days. As well as being revoked rights such as not getting remissions, leave before release, visitation rights, assimilation and parole.

The imposition of disciplinary punishment is given to prisoners who are proven to have violated the rules of the LAPAS order, in this case the prisoners who are suspected of violating the order must be subjected to an initial examination by the Head of Security before being sentenced to disciplinary punishment. However, prior to being sentenced to disciplinary punishment, convicts may be subject to disciplinary action, the disciplinary action itself is in the form of temporary placement in an exile cell for a maximum period of 6 (six) days in accordance with the provisions of Article 15 of Regulation of the Minister of Law and Human Rights Number 6 of 2013 (Ma'ruf & Zulharman, 2023).

When a Correctional Familie who under his guidance violates LAPAS rules, which is already in the process of being examined by the head of security, it has been proven that the inmate has indeed violated the rules, the Head of LAPAS has the authority to impose disciplinary punishment on Correctional Assisted Citizens who violate LAPAS security and order regulations which he leads.

It is very easy to say about the development of strong and evenly distributed laws throughout society, but it cannot be denied that in the process of developing strong laws there are still many obstacles. The community is frustrated with this situation, the existing Human Rights



(HAM) seem unable to help them. Situations like this make people have no other way out, so they commit crimes that have an impact on the inclusion of these people in Correctional Institutions. In principle, all convicts who are serving a sentence lose their independence after being decided by a court decision, which has permanent legal force and then the convict is placed in a Correctional Institution as a convict and there he is processed again according to applicable law so that later he can return to living in society. This is in accordance with the purpose of criminal law itself, namely to fulfill a sense of justice in society by implementing and enforcing the rules of criminal law for the sake of creating justice, benefit and legal certainty.

The imposition of a sentence on a person by placing him in a Correctional Institution basically sees that punishment is a tool to uphold order in society. Criminal is a tool to prevent the occurrence of a crime with the aim that the social order is maintained, so that by being put in a correctional institution. In fact, there are many obstacles in this institution, such as the deplorable conditions of the Penitentiary, and also the constraints of the inmates themselves who do not comply with the applicable rules even though the coaching is carried out for the benefit of the inmates themselves so that the mandate of Article 2 of Law Number 22 The year 2022 regarding Corrections can be implemented, namely: providing guarantees for the protection of the rights of Prisoners and Children; improve the quality of personality and self-reliance of inmates so that they are aware of mistakes, improve themselves, and not repeat criminal acts, so that they can be accepted again by the community, can live normally as good citizens, obey the law, are responsible, and can play an active role in development; and provide protection to the public from repetition of criminal acts (Abdullah, 2015).

In general, crime can be interpreted as a form of suffering that is intentionally imposed/caused by the state against a person or people under the law (punishment) because his actions violate the prohibition of criminal law. Specifically, this prohibition in criminal law is considered a crime (*strafbaar feit*). The application of discipline to convicts who are in Correctional Institutions (*lapas*) is based on the applicable regulations, namely Regulation of the Minister of Law and Human Rights Number 6 of 2013 concerning Rules of Correctional Institutions and State Detention Centers. The provision of disciplinary punishment to convicts is based on the fact that convicts violate the rules of conduct that apply in correctional institutions (*japas*) so that in order to restore the convicts' condition so that they return to good and orderly conditions, punishment is given in the form of disciplinary punishment (Walukow, 2013).



Disciplinary Punishments given to convicts are classified into 3 (three) based on Article 8 of Regulation of the Minister of Law and Human Rights Number 6 of 2013 concerning Rules of Correctional Institutions and State Detention Houses, namely among others:

The very first disciplinary punishment is a light disciplinary punishment given to convicts if they violate the rules set out in Article 10 Paragraph (1) of the Regulation of the Minister of Law and Human Rights Number 6 of 2013 concerning the order of Correctional Institutions and State Detention Centers.

If convicts are proven to have committed the violations mentioned in Article 10 paragraph (1) of Regulation of the Minister of Law and Human Rights Number 6 of 2013 concerning Rules of Correctional Institutions and State Detention Houses, convicts are given sanctions or punishments in the form of light disciplinary punishments regulated in Article 9 Paragraph (1)), among others: giving a verbal warning; and give a written warning (Santoso, 2016).

A higher punishment than light disciplinary punishment is moderate disciplinary punishment, which is given to convicts if they are proven to have violated Article 10 Paragraph (2) of the Regulation of the Minister of Law and Human Rights Number 6 of 2013 concerning Rules of Correctional Institutions and State Detention Centers.

If a convict is proven to have committed a moderate-level violation as stipulated in Article 10 paragraph (2) of Regulation of the Minister of Law and Human Rights Number 6 of 2013 concerning Rules of Correctional Institutions and State Detention Houses, the convict will be subject to moderate disciplinary punishment in accordance with Article 9 Paragraph (2) of the Regulation Minister of Law and Human Rights Number 6 of 2013 concerning Rules of Correctional Institutions and State Detention Centers in the form of: placing them in an exile cell for a maximum of 6 (six) days; and postpone or abolish certain rights within a certain period of time based on the results of the TPP trial (Prayusti, 2023).

In the case of imposing disciplinary punishment if a convict violates the rules, the convict will first be examined by the head of security, then the results of the initial examination will be submitted to the head of the detention center or head of the prison for further examination. In subsequent inspections the Head of Detention Center or Head of Correctional Institution forms an examining team to examine the results of the initial examination, this examining team is tasked with examining detainees or convicts who are suspected of violating the rules, the results of the examination are then set forth in the minutes of examination, detainees or convicts are given the opportunity to read the minutes of the examination before the convict signs the minutes.



Prior to being sentenced to disciplinary punishment, convicts or detainees may be subject to disciplinary action, namely in the form of placement in solitary confinement for a maximum period of 6 (six) days. Security and control is an absolute requirement for the implementation of coaching programs in every Penitentiary. Therefore, a safe and orderly atmosphere is always conditioned by various strategic means of monitoring, preventing and preventing as early as possible disturbances to security and order that arise both inside and outside the Penitentiary. Therefore, the Correctional Institution officers must supervise the prisoners so that there are no violations of the Correctional Institution rules (Adnan et al., 2023).

In an effort to create conditions for Correctional Institutions that are safe and orderly, security measures are carried out based on the principle that prevention is better than taking action. Security officers detect every symptom as early as possible that causes disturbances to security and order. If in a Penitentiary there is a disturbance of security and order, the security officers will immediately take steps to protect it by trying to stop the incident of disturbance of security and order. Disciplinary punishment is a form of enforcing discipline for convicts who commit disciplinary violations (Divine, 2019).

Therefore, a safe and orderly atmosphere in Penitentiary needs to be created. However, to ensure the orderly implementation of life in Correctional Institutions, it is necessary to have rules that must be obeyed along with a mechanism for imposing disciplinary punishment by every prisoner. The role of disciplinary punishment in the Surabaya Class I Penitentiary is very important because it is not only to create a sense of security and order in the Correctional Institution/detention but also so that every convict can obey and comply with every obligation and prohibition in the Surabaya Class I Penitentiary. As for the obligations that must be obeyed by every convict according to the provisions of Article 3 of the Regulation of the Minister of Law and Human Rights Number 6 of 2013 concerning Rules of Correctional Institutions and State Detention Centers.

Through the rules regarding obligations for convicts themselves, it cannot guarantee that anything that is clearly obligatory for convicts to obey is actually violated or difficult to implement. So this is where it is necessary to have restrictions or prohibitions that convicts may not do and must comply with every prohibition in Class I Penitentiary in Surabaya.

Of the many obligations and prohibitions regarding rules that must be obeyed and obeyed by every convict, it cannot guarantee that the inmates who have been fostered will definitely obey the rules and not commit crimes again. The problems that often arise are caused by the convicts



themselves, because in practice they violate a lot by looking for weaknesses or loopholes on the part of the officers.

The application of disciplinary punishment should be a deterrent effect for convicts who commit violations so they don't violate the order again, but the reality cannot stop convicts from continuing to commit violations and carry out severe penalties because of mistakes that have been made in prison. The theory used in the Surabaya Class I Correctional Institution for the imposition of sanctions used is the imposition of administrative fines because it is not only a reaction to a violation of norms that is aimed at adding a definite sentence but also a mandatory one.

2. RESEARCH METHOD

The type of research in this study is sociological juridical legal research, namely research based on literature studies which include primary legal materials and secondary legal materials. Primary legal materials are carried out by reviewing laws and regulations related to the legal issues being studied and secondary legal materials in the form of books, journals and documents, as well as related studies related to the titles that have been determined. by the author. case approach, the legal approach is carried out by identifying and discussing the applicable laws and regulations, which are related to the problems in this study.

3. RESULTS AND DISCUSSION

Activities of Prisoners While They Are in Class I Penitentiary in Surabaya

In Surabaya Class I Penitentiary every convict gets his rights. Because rights must be obtained by every convict, these rights are regulated in Article 9 of Law Number 22 of 2022. Activities of prisoners in Correctional Institutions vary, ranging from the fields of religion, education, skills and sports. Activities in Surabaya Class I Penitentiary include:

1. Religious field

In this religious field, every prisoner can worship according to their respective religions, starting from Islam, Christianity and Hinduism. Places of worship in Surabaya Class I Lapas can be classified as proper places of worship and it can be said that every believer of a religion can carry out his worship comfortably and peacefully.

For convicts who are Muslim, there are many religious activities that can be participated in to fill the time while serving their sentence. Activities for Islamic religious convicts include: religious teachings, reading and writing the Koran, Banjari (sholawat). This activity is carried out in the morning and evening according to the schedule of each activity.

And for non-Muslim prisoners, they can also worship properly because in Surabaya Class I Prison there is a church that is very suitable for worship. So convicts can worship without thinking about a place to worship.

2. Education field

The field of education both within prisons and in the world is very important, therefore Class I prisons in Surabaya also provide activities in the field of education. Each prisoner can join the Pursue Package school, starting from Pursuing Package A, Pursuing Package B and Pursuing Package C. At the Class I Correctional Institution in Surabaya, a place or school room was established for the education of prisoners, the teachers were also brought in from outside so that the quality of education in the prison was also in accordance with the education in the community.

3. Skill Field

Every human being must have their own talents and skills, and also have expertise. From that basis, the Surabaya Class I Prison provides a place or place for its inmates to channel their skills, including:

- a. Crystal Ice
- b. Laundry (place to wash clothes)
- c. Tailoring
- d. Nigarin Tofu Production
- e. It is. Seat back
- f. Furniture
- g. Welding
- h. Motorcycle and Car Workshop

Of the many places or containers, each convict may or has the right to choose according to his respective field. Or for inmates who want to have skills that previously did not exist at all, they can learn and later when they return to society they can become human beings who are useful for other communities.

4. Agriculture and farming

The Class I Penitentiary in Surabaya has a large area, starting from the building and land used. In Class I Lapas Surabaya there is land used for farming and gardening, this activity is under the auspices of BIMKER or Work Guidance. So every convict who really likes farming and gardening can distribute or carry out activities on the agricultural land and plantations that have been provided by communicating with Bimker.

5. Sports field

Sport is an activity that almost every human being likes. Because sport besides being entertainment for oneself also functions for human health itself. Maybe from that basis the Surabaya Class I Prison appreciates in the field of coaching, especially in the field of sports, this appreciation is shown by the existence of sports venues in the prison. These sports venues include:

- a. Football and Futsal Field
- b. Volleyball Field
- c. Basketball Court
- d. Court Tennis
- e. It is. Table tennis

Form of Violation of Procedure In Class I Surabaya Penalty Institution

Every inmate who has just entered Surabaya Class I Penitentiary will go through an orientation or environmental introduction stage, this stage is better known as Mapenaling (Environmental Introduction Period). Mapenaling is the initial stage of coaching for correctional inmates. Based on the Circular Letter of the Ministry of Justice No.KP.10.13/3/1 dated February 8, 1965 concerning "Prison as a Process in Indonesia", the method used in this correctional process includes four stages, namely: the orientation or introduction stage, the assimilation stage in the narrow sense, the assimilation stage in the broad sense and the integration stage with the community environment.

At the Mapenaling stage in Surabaya Class I Penitentiary, Correctional Officers in the Development and Administration of Security and Order notify the plan for implementing the personality and independence development program and the activities of the convicts while in Correctional Institutions, as well as the rules of conduct that apply in Correctional Institutions based on Permenkumham Number 6 2013 concerning Rules for Correctional Institutions (Lapas) and Detention Centers (Rutan).

Violation of the law is a violation of state laws and regulations because the law by the state is contained in the form of legislation. If it is related to inmates in Class I Penitentiary in Surabaya, what is meant by a violation of punishment is an action that is carried out in violation of the rules or against the rules that apply in a correctional institution (Lapas) and Detention Center (Rutan). The punishment referred to is the laws and regulations that regulate the security and order of prisons and detention centers, namely Permenkumham Number 6 of 2013 which contains rights and obligations as well as rules of procedure prohibiting prisoners assisted by prisons and detention centers (Divine, 2019).



There are several actions that are considered as disciplinary violations in the Surabaya Class I Penitentiary, seen from the form of violations divided into three levels, namely minor disciplinary violations, moderate disciplinary violations, and severe disciplinary violations.

The types of violations can be classified based on levels, which will be explained in detail as follows:

1. Minor disciplinary violations in the form of:

- a. Not taking care of personal and environmental hygiene
- b. Leaving a residential block without the block clerk's permission
- c. Not wearing the specified dress or uniform
- d. Not following the apples at the appointed time
- e. It is. Wear earrings, necklaces, rings or belts
- f. Committing acts or uttering inappropriate words and violating the norms of decency.
- g. Taking actions based on the considerations of the TPP trial including actions that can be subject to light disciplinary punishment.

2. Moderate disciplinary violations in the form of:

- a. Entering the sterile area without the permission of the officer.
- b. Getting tattoos and/or equipment, piercings, or the like.
- c. Doing activities that can harm yourself or others.
- d. Doing actions/ uttering words/ that are inappropriate or violate religious norms.
 - a. It is. Carry out buying and selling activities or accounts payable.
- e. Repeatedly commits acts that fall into the category of minor disciplinary punishments more than once.
- f. Doing actions that are based on TPP meetings are included in actions that can be subject to medium-level disciplinary punishment.

3. Severe disciplinary violations in the form of:

- a. Does not follow the set program.
- b. Threatening to fight or attack the officer.
- c. Make or store firearms
- d. Damaging prison or detention facilities
- e. It is. Threatening, provoking, disturbing security and order.
- f. Possessing, carrying, using electronic communication devices.
- g. Carrying, distributing, consuming alcoholic beverages
- h. Consuming, drug dealer.

- i. Make an escape attempt or help other inmates to escape.
- j. Commit acts of violence against fellow inmates or officers
- k. Doing, or ordering someone else to do the installation of electrical installations.
- l. Equip for personal needs such as AC, TV, and fan.
- m. Committing immoral acts or sexual perversions
- n. Committing theft, extortion, gambling and fraud
- o. Spreading heresy.
- p. Repeated acts that fall under the category of mild disciplinary punishment.
- q. Doing actions that are based on the consideration of the TPP meeting is included in actions that can be subject to severe Disciplinary Punishment.

From the description of the levels and types of disciplinary violations above, there are several serious disciplinary violations, namely:

1. Attempted murder
2. Using electronic communication devices (HP)
3. Consuming narcotics
4. Gambling.
5. Unrest
6. Escape from prison

For inmates who commit acts of violation above, severe disciplinary punishment is imposed by Surabaya Class I Penitentiary Officers based on a decision letter from the results of the TPP trial (Correctal Observer Team). The TPP trial that was held at the Surabaya Class I Penitentiary was a special TPP trial. Special TPP Sessions are TPP sessions carried out by Correctional Institution Officers led by the chairman of the session, namely the Head of Development, Kasi Bimkemas as secretary and its members are Kabid Adm. Kamtib, Ka.KPLP, Kabid Giatja, Head of Bimker, Lapas Doctor, Head of Security, Head of Registration and Head of Treatment at the Correctional Institution, Special TPP Sessions take place at any time according to coaching needs and discuss issues related to technical implementation of coaching and mentoring Residents who need a quick solution.

Based on an interview with Mr. Arizal Nurwahyu Ramadhan as Security and Order Administrative Staff (Adm. Kamtib) at the Surabaya Class I Correctional Institution, it is known that before reaching the trial stage, the source said that there were several steps that had to be carried out so that the TPP trial could be carried out, namely starting by summoning the Prisoners who become suspects based on the results of the Resident Block Guard Officer's Report, and then



proceeding with summoning a number of witnesses for interrogation so that they can obtain further information and serve as Evidence which is contained in the Minutes of Examination (BAP) by the Examining Team who then signed by the assisted residents concerned, the BAP results are then submitted to the Development Division for trial by the TPP.

Disciplinary Penalties For Correction Involvement Of Procedure At Class I Penalty Institution In Surabaya

Penitentiary or prison is the last institution of the Criminal Justice process. In Correctional Institutions, inmates receive Personality and Independence Coaching because inmates are considered lost and they must be reinstated with the aim of being accepted and able to live again in society. To create security and comfort in the process of carrying out effective and orderly coaching in Correctional Institutions, Correctional Institution officers apply the Regulations of the Minister of Law and Human Rights Number 6 of 2013 concerning Rules of Correctional Institutions and Detention Centers (Yuhermansyah & Zairah, 2019).

In Permenkumham Number 6 of 2013 Article 9 paragraph (1), paragraph (2), paragraph (3), discusses Punishment for Inmates who violate the disciplinary rules of Correctional Institutions and State Detention Centers.

It can be classified that there are several types of punishment that can be imposed on inmates who violate the disciplinary rules of the Correctional Institution according to the type of level of violation committed, namely light violations will be subject to light disciplinary punishment, moderate disciplinary violations will be subject to moderate disciplinary punishment, and serious disciplinary violations will be subject to severe disciplinary punishment, with the legal details as follows:

1. Light level disciplinary punishment, including:
 - a. Give a verbal warning.
 - b. Give a written warning.
2. Moderate disciplinary punishment, including:
 - a. Putting in a cell for a maximum of 6 (six) days.
 - b. Postpone or abolish certain rights within a certain period of time based on the results of the TPP trial.
 - c. Postponing or eliminating certain rights as referred to in paragraph (2) letter (b) can be in the form of delaying the time of the visit.
3. Severe disciplinary punishment, including:
 - a. Put in an isolation cell for 6 (six) days and can be extended for 2 (two) times 6 (six) days.



- b. Not getting remission rights, family visits, conditional leave, assimilation, pre-release leave, and parole in the current year and recorded in Register F.

Register Book F is a book to record violations of the rules and regulations of a convict and detainee with the aim that the convict is registered as a convict who may not receive remission in the current year or the following year. In contrast to its implementation, in the Surabaya Class I Penitentiary, severe disciplinary punishment is imposed on inmates who commit gross violations during the period of exile decided at the TPP session exceeding the period of exile stated in Permenkumham Article 9 paragraph (3). Based on an interview with Mr. Ari Prasetiono, SE. KPLP staff, it is known that the period of exile sentences imposed for convicts exceeds the 2x6 period of exile.

In the Surabaya Class I Correctional Institution, the punishments applied to convicts who commit serious disciplinary violations are punished with exile with a term according to the decision of the TPP trial results and the penalty for revocation of rights is also added besides not getting remission, not getting family visits, conditional leave, assimilation, leave before release, and parole in the current year and the following year, the inmate also lacks the amount of clothing and food menu.

If the prisoner has not changed during the exile period, the Penitentiary Officer will add to the sentence until the prisoner shows a change in attitude and good behavior. specifically positioned to supervise the inmates in the isolation isolation room, but officers always control what activities are carried out by the inmates while in the isolation room.

Every decision that has been made has been considered to the fullest extent possible, this is because the Class I Penitentiary in Surabaya places convicts sentenced to exile in an isolation room that is not cell staff (silent closed prison).

The seclusion room facility provided is an ordinary residential block room (inmates' room), even though the room is located separately from the residential block of Correctional Inmates and the room is specifically for a quota of one person, but the condition of the room is not closed which is cell staff, so the punishment imposed beyond the time period specified in the Permenkumham with the aim of creating a deterrent effect for the inmates so that they do not repeat the violation and become preventive as a precaution so that other inmates are not provoked and motivated to commit violations too, any punishment given to people who violate rule of law.

Prior to the implementation of the addition of severe disciplinary punishment every year, the number of prisoners who committed a large number of violations, with various types of violations as mentioned above, committed violations, both minor, moderate and serious level



violations. If it is classified that most of the violations are committed by inmates who have just been transferred from other correctional institutions. While the old inmates have been able to adapt to the provisions of the disciplinary rules applied in the Surabaya Class I Correctional Institution, it's just that some of them have been provoked by the inmates who have just moved to commit violations, and only a small number of the old inmates have repeated the violations they committed. caught red-handed by the guard of the residential block (Roesli et al., 2017).

For prisoners who commit repeated violations, they are subject to the severe disciplinary punishment that applies at the Class I Penitentiary in Surabaya by the head of the TPP session, the sentence imposed can be adjusted according to the number of times the prisoner repeats the violation. If after adding a severe level of disciplinary punishment the convict continues to commit repeated violations, the prisoner is recorded in the Transfer Expedition Book (a book for recording the list of convicts transferred to other detention centers or correctional institutions signed by the authorized official) and then transferred to another correctional institution because they are considered cannot be fostered by the guidance that applies in the Surabaya Class I Correctional Institution and is unable to adapt to the Surabaya Class I Penitentiary Environment, so the head of the Special TPP session adopts a policy so that the Assisted Citizen is transferred to another Correctional Institution outside the Surabaya Class I Penitentiary. The application of disciplinary punishment is a form of coaching in the Surabaya Class I Penitentiary for inmates who violate the rules.

4. CONCLUSION

The forms of discipline violations that occurred in Surabaya Class I Correctional Institution varied, namely light violations of discipline, violations of court regulations, and serious violations of discipline. Violations that often occur are minor violations, but only moderate and serious violations are recorded in the F register, such as: accounts payable, possession of electronic devices (HP), running away, carrying or consuming narcotics, and acts of violence or fighting. The violation of the rules occurred due to several factors, namely factors from the penitentiary and factors from the convicts themselves which resulted in violations of the rules occurring at the Surabaya Class I Penitentiary.

In carrying out the application of disciplinary punishment by officers to inmates at the Surabaya Class I Penitentiary it has been carried out as it should. Because the number of disciplinary violations has decreased from the previous year, the application of disciplinary punishment has been effective in reducing disciplinary violations that occurred in the Surabaya

Class I Penitentiary. The perpetrators of the violation of the rules have been given sanctions in the form of disciplinary punishment according to the level of violation of the rules by the convicts.

REFERENCES

- Abdullah, R. H. (2015). The urgency of classifying convicts in correctional institutions. *Fiat Justisia: Journal of Legal Studies*, 9(1).
- Adnan, L. A. J., Aswadi, K., & Rauzi, F. (2023). Implementation of Permenkumham Number 29 of 2017 concerning Amendments to Minister of Law and Human Rights Regulation Number 6 of 2013 concerning Rules of Correctional Institutions and State Detention Centers for Convicts at Praya Class IIB State Detention Center. *Unizar Recht Journal (URJ)*, 2(1).
- 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.
- Divine, A. N. (2019). Law Enforcement of the Practice of Abuse of Buying and Selling Cells in Correctional Institutions is Linked to Law Number 12 of 1995 concerning Corrections Juncto Regulation of the Minister of Law and Human Rights Number 6 of 2013 concerning Rules of Correctional Institutions and State Detention Centers. *Legal Science Proceedings*, 19–26.
- Ma'ruf, A., & Zulharman, Z. (2023). Social Reintegration for Class IIA Watampone Correctional Families. *JURNAL DARUSSALAM: Thoughts on Constitutional Law and Comparison of Schools*, 3(1), 1–20.
- Nainggolan, I. (2019). Correctional Institutions in Carrying Out Rehabilitation of Narcotics Convicts. *EduTech: Journal of Education and Social Sciences*, 5(2).
- Prakosa, H. R. (2022). The Role of the Main Door Security Officer (P2U) as an Important Component of the Implementation of Correctional Functions (Security) in Class IIB Wates Prison. *Journal of Education and Counseling (JPDK)*, 4(6), 2695–2701.
- Prayusti, J. B. (2023). IMPLEMENTATION OF REGULATION OF THE MINISTER OF LAW AND HUMAN RIGHTS NUMBER 6 OF 2013 CONCERNING RULES OF CORRECTION INSTITUTIONS AND STATE PRIZE INSTITUTIONS (STUDY IN CLASS IIA TENGGARONG Correctional Institutions). *Journal Justice*, 5(1).
- 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.
- Roesli, M., Heri, A., & Rahayu, S. (2017). Authority of Land Procurement Committee In The Implementation of Compensation For Land Acquisition. *JURISDICTION: Journal of Law and Science Discourse*, 10(2), 46–59.

- Santoso, P. B. W. (2016). Implementation of Discipline Punishment for Convicts Violating the Rules of Order Based on the Regulation of the Minister of Law and Human Rights No. 6 of 2013 concerning Rules of Correctional Institutions and State Detention Centers in Relation to the Development of Convicts. *Journal of Nestor Master of Laws*, 3(3), 209899.
- Walukow, J. M. (2013). Embodiment of the Principle of Equality Before The Law for Convicts in Correctional Institutions in Indonesia. *Law and Society*, 1(1).
- Yuhermansyah, E., & Zairah, N. (2019). Implementation of PERMENKUMHAM Number 6 of 2013 concerning Rules of Class IIb Banda Correctional Institutions and Detention Centers. *Legitimacy: Journal of Criminal Law and Legal Politics*, 8(1), 22–45.
- Yunus, M., & Sanjaya, S. (2023). Legal Implications for the Implementation of Law Number 22 of 2022 Concerning Corrections for the Fulfillment of the Rights of Convicted Citizens, Specifically the Development and Assimilation of Convicts with Narcotics and Over Capacity Cases in the Class II State Detention Center b Sen. *Legal Journal of Law*, 2(1), 91–105.