

# Rehabilitation Implementation of Addictives, Abuses and Victims of Drug Abuse in Corrections Institutions

Hetty Widiastuti<sup>1</sup>, Atik Winanti<sup>2</sup>

<sup>1,2</sup>Law Faculty, Universitas Pembangunan Nasional "Veteran" Jakarta, Jl. RS Fatmawati, No. 1 Pondok Labu, South Jakarta, Indonesia  
Email: [hettywidiastuti\[at\]gmail.com](mailto:hettywidiastuti[at]gmail.com), [atikwinanti\[at\]upnvj.ac.id](mailto:atikwinanti[at]upnvj.ac.id)

**Abstract:** *The high number of narcotics cases in the Penitentiary (Lapas) becomes an obstacle to the successful implementation of correctional duties and functions. Inmates who are still in a condition of narcotic addiction will have difficulty maintaining their health and cannot follow the training programs in Lapas. The Ministry of Law and Human Rights has taken concrete steps in addressing these challenges by arranging the implementation of Rehabilitation Services for users, abusers and victims of narcotics abuse for Prisoners and Correctional Residents, including Medical Rehabilitation, Social Rehabilitation and Pascarehabilitation. This is called correctional Rehabilitation. The implementation of medical and social Rehabilitation in Lapas has been shown to improve the quality of life of inmates during Rehabilitation. This condition needs to be maintained after completing Rehabilitation, both medical and social, through a pascarehabilitation program. Currently the implementation of pascarehabilitation is carried out after an Inmate switched status to a Correctional Client in the Correctional Institution. Still unregulated between the time of completing the Rehabilitation period, until out of Lapas. This research illustrates the needs of the higher rules of correctional Rehabilitation includes technical rules for the implementation of pascarehabilitation in Lapas in maintaining the sustainability of the program and maintaining a good quality of life among inmates of Rehabilitation participants in Lapas.*

**Keywords:** Narcotic Rehabilitation, Correctional, Correctional Rehabilitation

## 1. Introduction

The mandate in the general explanation of the 1945 Constitution, that Indonesia is a State of Law, that the Law is an ideology to create justice, security, order and welfare for its citizens, and the law binds every action taken by Indonesian citizens. The criminal justice system leads more to prosecution. Prisons, in Indonesia called correctional services, are the most popular for prosecution, with the number of inmates continuing to increase every year.

Correctional services are given the mandate to conduct construction to correctional residents (WBP), based on Pancasila with integrated efforts between builders, who are built, and the community for a better quality of life. Correctional Institution (Lapas) It is expected to run the Correctional system so that inmates improve themselves by realizing mistakes and not repeating again, and can live better, be accepted back by the community environment, play an active role in development.

In its development, Indonesian correctional services were given heavy burdens that far exceeded their capacity. The number of excess residents is double the occupancy capacity. Inmates with narcotics offenses of more than 50%, mostly in prison less than 10 years, which describes the condition of inmates with dependence on narcotics. Dependence on narcotics in residents, triggering the illicit circulation of narcotics in Lapas, continues to be a major problem in Indonesian Penitentiary and hinders the successful implementation of correctional duties and functions, both on the health degree of the inmates, as well as the training of inmates for reintegration into the community, which must be controlled and eliminated so that an inmate can be healthy and run a good coaching program

and achieve the goal of improving the quality of life, life and a better livelihood.

Considering the above picture of the situation, rehabilitation is a necessary option to deal with drug dependence among prisoners and inmates. Rehabilitation is carried out gradually, namely medical rehabilitation, social rehabilitation and pascarehabilitation. The implementation of medical rehabilitation and social rehabilitation for inmates in 2020 and 2021, has been shown to improve quality of life, with assessment using WHOQoL instruments. Then continued with pascarehabilitation for clients in Bapas

In the study of the rule of law conducted, it was found that the implementation of rehabilitation for inmates has not been regulated in the law that is the basis for the implementation of correctional duties and functions. There was also a void of technical rules in the implementation of posthabilitation in Lapas, which is necessary to regulate posthabilitation, immediately after completing medical and social rehabilitation. The authors hope this study can be an input for stakeholders in completing the void of rehabilitation rules for inmates, as well as being information for a wide audience about equitable efforts for inmates victims of addicts, abusers, and victims of narcotics abuse.

## 2. Problem Formulation

This study intends to answer the formulation of the problem of the Implementation of rehabilitation for addicts, abusers and victims of narcotics abuse in correctional institutions, as follows:

- 1) What are the obstacles in the Implementation of the rules for the implementation of Rehabilitation of

Abusers, Victims of Abuse and Narcotics Addicts in Correctional Institutions?

- 2) How should the rules for the implementation of Rehabilitation of Abusers, Victims of Abuse and Drug Addicts in Correctional Institutions?

### 3. Research Methodology

Normative Law research is legal research conducted by examining library materials or secondary data",<sup>1</sup> "Normative legal research is also called doctrinal legal research. As a normative science, legal science has a typical way of working sui generis."<sup>2</sup> "Normative legal research is the process of finding a rule of law, legal principles, and legal doctrines to answer the legal issues faced," said Peter Mahmud Marzuki.<sup>3</sup>

The approach methods used in this research include the statute approach, comparative approach and conceptual approach (conceptual approach). A research approach is a method or way of conducting research.<sup>4</sup>

This type of research is through an approach that refers to social norms and regulations that exist today as the basis for their current implementation. The nature of research is descriptive analytical that reveals laws and regulations related to social theories.

The source of the material consists of primary and secondary materials. The laws and regulations that became the primary material, among others, Law No. 12 of 1995 related to correctional and Law No. 35 of 2009 on narcotics. Secondary data is obtained through research and evaluation on the implementation of Rehabilitation of Addicts, Abusers and Victims of Narcotics Abuse in The Institute of Correction and the most extensive materials through magazines, newspapers and others.

Theory becomes important to maintain the continuity of the development of science, in addition to the methodology, activities and imagination of researchers. In explaining a specific reason for a particular thing to occur, it is done by testing a theoretical framework. The theory is confronted with facts that contradict the theory. Theoretical framework is a frame of mind or points of opinion, thesis theory from the author and experts in their field as a comparison. Theories that may be approved or disapproved as additional external input of the thesis. There are many theories that occur in science, some of them are Long Theory (Grand Theory), Middle Range Theory, and at least Ordinary Theory which is the result of certain sciences. And theory based on the work of one or more who is recognized as an expert to the exclusion of the quality of philosophy.

1 Soerjono Soekanto & Sri Mamudji, *Penelitian Hukum Normatif : Suatu Tinjauan Singkat*, PT. Jakarta :Raja Grafindo Persada, 2003, hal. 13

2 Sui generis dalam peristilahan hukum adalah ilmu hukum merupakan ilmu jenis sendiri dalam hal cara kerja dan sistem ilmiah, Peter Mahmud Marzuki, *Penelitian Hukum ( Jakarta: Kencana Pemuda Media Group, 2005)*

3 Peter Mahmud Marzuki, *Penelitian Hukum, Jakarta,:Kencana Prenada, 2010, hal. 35*

4 Suharsimi Arikunto, *prosedur penelitian: suatu pendekatan praktek, jakarta; rieneka cipta, 2002, hal. 23.*

Social Control Theory believes that in essence a human being is neutral, and its formation is influenced by his environment, whether to be evil or obey the norms that are in question in society.

#### 3.1 Type of Research

Based on the needs of the author about this study, there are scientific activities carried out by the author to find answers to the research conducted by the author, namely "The Implementation of Rehabilitation of Addicts, Abusers and Victims of Narcotics Abuse in Correctional Institutions".

The type of research used in this study is normative juridical research. Normative legal research includes research on legal principles such as the principle of rehabilitation, the principle of protection against drug users. Normative juridical research is a scientific research procedure to find the truth based on the scientific logic of law from the normative side, namely the science of law whose object of law itself is related to how the law highlighted, understood, and analyzed from the aspect of rehabilitation of addicts, abusers and victims of narcotics abuse in the Correctional Institution.

Legal research that puts the law as a building of the norm system is called Normative Juridical research. The system of norms in question is about the principles, norms, rules of laws and regulations, agreements and doctrines. This research was conducted on data of a secondary nature such as laws and regulations, scientific journals, legal books related to the law of cooperation agreements and agencies.<sup>5</sup>

In writing this thesis the author undertakes a law research approach and a conceptual research approach, where the research approach is a method or way of conducting research.<sup>6</sup> On this occasion, the research was conducted by conducting a search of rules and literature, collecting and examine the material of secondary literature / data that becomes the basic material for research related to the problems studied, with normative juridical approach methods. The author conducted a review and study on Permenkumham RI number 12 of 2017 on the implementation of services drug rehabilitation for prisoners and correctional residents and the need to complete the rules on Pascarehabilitation services in Lapas.

#### 3.2 Nature of Research

Legal Science is researched and distinguished in 2 (two) parts of specialization, namely "skin in system or also called research on law in book", and secondly "skin out system research related to law in action".

Law in book used in this study, by conducting research on the implementation of correctional rehabilitation for addict inmates, abusers and victims of narcotics abuse in Lapas. In this case, researchers make efforts to find the law in

5Yulianto Achmad, Mukti Fajar 2010, *dualisme penelitian hukum normatif & empiris, yogyakarta, pustaka pelajar, hlm. 34*

6 Suharsimi arikunto, *prosedur penelitian: suatu pendekatan praktek (Jakarta: Rieneka Cipta, 2002), hlm.23*

concreto by researching its application and providing recommendations in solving problems in a legal case and providing as much explanation as possible related to juridical aspects.

### 3.3 Data Source

"The main sources of data in qualitative research are words, and actions, the rest are additional data such as documents and others," according to Lofland. The origin of the research data obtained is called the data source. The authors of the study used secondary data sources consisting of Primary, Secondary and Tertiary Law materials:

- 1) Constitution of the Republic of Indonesia of 1945, Criminal Law Code, Law 8 of 1981 on Criminal Procedure Law, Law 12 of 1995 on Corrections, Law 35 of 2009 on Narcotics, Government Regulation No. 32 of 1999, Government Regulation No. 58 of 1999, Permenkumham R.I. number 12 of 2017 concerning Narcotics Rehabilitation, The Decree of the Director General of Corrections on the Organization of Narcotics Rehabilitation Services for Prisoners and Correctional Residents, is the primary legal material;
- 2) Related literature, in the form of books, writings, academic works, journals of scientists or legal practitioners, as well as other relevant and related legal disciplines, are secondary legal materials;
- 3) Other materials that add information to primary legal materials and secondary legal materials, can be dictionaries, are tertiary legal materials.

### 3.4 Data Collection Methods

In this thesis research, a method is needed as a bridge that connects the world of ideas (research problems, theoretical frameworks, hypotheses) with the realities that arise when conducting research. At the time of data collection, the data is distinguished into primary data and secondary data. "Primary data is data obtained directly from the object studied. This is different from secondary data, which is data that is already in finished form such as data in the form of documents and publications".<sup>7</sup>

Lofland and Lofland's main sources of data in qualitative research are words, and actions, the rest are additional data such as documents and others." This research was conducted in an effort to find secondary data, namely legal materials that are binding The issues to be examined consist of primary legal sources, secondary legal sources and tertiary legal sources. Literature search to obtain legal materials in the form of books of scientific papers of legal scholars related to research. During and after data collection, literature related and relevant to the study problem will be studied. The point is to compare what is found from the data with what is said in the professional literature. Literature studies are conducted by conducting research and understanding of relevant scientific literature and essays as supporting theories in rehabilitation of abusers and drug users and discussion of the results of research. By reading, record the literature related to the rehabilitation of addicts,

abusers and victims of narcotics abuse in the community institutions.

The study in this study was conducted by understanding the provisions of the legislation on the issue of rehabilitation of drug abusers and users in Indonesia. By reading, record the literature related to the rehabilitation of addicts, abusers and victims of narcotics abuse in the community institutions.

The study in this study was conducted by understanding the provisions of the legislation on the issue of rehabilitation of drug abusers and users in Indonesia.

There are several reasons why the document method is used in this study, namely:

- 1) As one stable, rich and encouraging source is the document;
- 2) Used as evidence for testing;
- 3) Suitable for qualitative research due to its scientific nature;
- 4) The results of this assessment open the opportunity to further expand the science of those investigated;
- 5) Study of the contents in the documentation questioning the contents that are manifested;
- 6) The study of the contents in a document is a process directed to generalize.

There are several reasons why the document method is used in this study, namely:

- 1) As one stable, rich and encouraging source is the document;
- 2) Used as evidence for testing;
- 3) Suitable for qualitative research due to its scientific nature;
- 4) The results of this assessment open the opportunity to further expand the science of those investigated;
- 5) Study of the contents in the documentation questioning the contents that are manifested;
- 6) The study of the contents in a document is a process directed to generalize.

According to Suryabrata, library research is an effort to obtain data from literature searches, laws and regulations, court rulings, articles, journals, and other sources relevant to research.<sup>8</sup> With literature research collected data, read, and study literature materials related to the title and with research problems.

After data collection, the next process is the analysis and interpretation of data, researchers organize and sort data into patterns, categories, and basic description units so that themes can be found and can be formulated working hypotheses as suggested by the data. In this context, the analysis of researchers' data is analogous to the theoretical framework used in this study, namely the theory of rehabilitation of abusers and drug users.

Data analysis according to Patton is "the process of

<sup>7</sup> Lofland, *Op. Cit.*, hlm.47

<sup>8</sup> Sumandi Suryabrata, *Metodologi Penelitian*, PT. Raja Grafindo Persada, Jakarta, 1998, hlm.16

arranging the sequence of data, organizing it into pattern beacons, categories, and basic units of description". The steps in this method are:

### 1) Data Collection

Data collection is looking for and collecting the necessary data and done against various types and forms of data in the field and then the data is recorded.

### 2) Data Reduction

Reduction is the process of selecting the focus of the simplification, abstracting and transformation of "rough" data that arises and classifies, unites and disposes of the data in such a way that its conclusions can be drawn and verified. The results of research as raw materials are summarized, reduced and then compiled to be more systematic, which is focused on the main results of studies that are systematically compiled to make it easier for researchers to recover data obtained if needed again.

### 3) Presentation of Data

The presentation of data is a set of organized information that gives the possibility of conclusion withdrawal and action. The presentation of data helps researchers to see the full and complex picture of the data or certain parts of the study results. Data obtained from research objects either from primary data or secondary data will be systematically compiled and presented in the form of qualitative research reports based on theoretical concepts, laws and regulations on narcotics, and rehabilitation of drug abusers and users in Indonesia.

### 4) Draw Conclusions

A conclusion is a review of field records or a reviewable conclusion as arising from data that must be tested for truth to stamp its validity. From the data obtained then researchers look for the meaning of the results of the study. Researchers are trying to find patterns, relationships, and things that arise. From the results of the study or data obtained, researchers make conclusions and then verify.

The process of data analysis in this study begins by examining all available data from various sources. After the researcher can read, study, and study, then the next step is to make a reduction of data done by making abstractions that can connect categories and then arrange in units of information to determine and define the categories of these units and then categorized in the next step. The final stage of this data analysis process is to conduct an examination of the validity of the data. After completing this stage, then begin the stage of interpretation (interpretation) of data in processing temporary results into substantive theories using certain methods.

## 4. Discussion and Results

### 4.1 Discussion

Indonesia and other countries in the world face major problems related to narcotics and psychotropic abuse. Since 1969, narcotics abuse began to grow and continue to grow

even more as a social problem in Indonesia.<sup>9</sup> Narcotics crimes are the highest, prison houses and correctional institutions are overcrowded by narcotics cases. As of September 2021, the total number of residents of Rutan and Lapas was 268,394 people, capacity 132,107 people (overcrowded 103%), with narcotics cases 50.9% which was 136,655 people (prisoners 24,808, criminal < 5 years 25,590, criminals 5-9 years 73,023, criminal >10 in 13,234).<sup>10</sup> The high crime of narcotics causes overcapacity in Rutan or Lapas which causes health problems, order security problems and other problems.

"Legal politics is an attempt to bring about good regulations with certain situations and conditions" Soedarto Said. The nature of political law is the policy of the state through its equipment that has the authority to set the regulations needed to achieve the objectives.<sup>11</sup> In this case, it affects the legal political policy against narcotics users in Indonesia.

For addicts, abusers and victims of narcotics abuse, rehabilitation is the right step that must be done and not imprisonment, which in principle becomes the mandate of Law number 35 of 2009. But for the city and the dealer must be severely punished and eradicated to its roots. Narcotics countermeasures must be together with all components of society, in law enforcement functions, prevention functions and rehabilitation functions. Also in the implementation of rehabilitation, carried out together in accordance with its function. Law enforcement efforts in this case can be rehabilitative or repressive.

- a) Law enforcement is Rehabilitative, with the aim of abusers, carried out by using forced efforts in the form of placement into rehabilitation institutions in accordance with the authority granted under article 13 PP 25 of 2011 during the examination process starting from the level of investigation, prosecution and court. Judges in the case of examining narcotics abuse cases are given absolute authority to impose rehabilitation sanctions under article 103 of the Narcotics Law. After the judge carries out the legal obligation under article 127/2 to pay attention and get answers whether the case of abusers who are being examined in a state of narcotics dependence from an expert and whether the abuser has been reported to IPWL by his parents to get treatment / Rehabilitation as an element of forgiveness given by the Narcotics Act.
- b) Law enforcement is repressive with the target of dealers where law enforcement is pressing or suppressing with forced efforts in the form of detention and sanctioning the heaviest criminals. Dealers are not only investigated, prosecuted and tried as suspects/defendants of dealer cases, can also be tried separately with money laundering crimes stemming from the results of narcotics crimes to break the chain of network. (Iskandar, 2020).

9 Hawari, Dadang, 1991, penyalahgunaan narkotika dan zat adiktif lainnya, fakultas kedokteran universitas indonesia, h. 1.

10 Direktorat Jenderal Pemasarakatan, [Http://Smslap.Ditjenpas.Go.Id/Public/Krl/Current/Monthly/Year/2021/Month/9](http://Smslap.Ditjenpas.Go.Id/Public/Krl/Current/Monthly/Year/2021/Month/9) diakses pada tanggal 1 November 2021

11 Mulyadi, Mahmud 2008, criminal policy: pendekatan integral penal policy dan non penal policy dalam penanggulangan kejahatan kekerasan, pustaka bangsa press, medan, hlm. 65-66



In terms of regulations, drug addicts who are undergoing legal proceedings fall into the category of drug offenders. The conditions of a person who commits narcotics abuse or narcotics addicts who are undergoing legal proceedings are regulated in the Supreme Court Circular Letter No. 4 years. 2010 about the placement of Narcotics Abusers, Narcotics Addicts, and Victims of Narcotics Abuse into Rehabilitation Institutions that contain the general conditions of a person said to be an addict, abuser, or dealer.

Presidential Instruction number 2 of 2020 on the National Action Plan for Prevention and Eradication of Abuse and Illicit Circulation of Narcotics and Narcotic Precursors 2020-2024 that the Ministry of Law and Human Rights in this case the Association, became one of the Ministries of Institutions that get the Mandate to organize rehabilitation services. Rehabilitation must meet the rules of gender sensitive, child-friendly and pay attention to the needs of vulnerable groups, in accordance with Indonesian national standards and implemented by human resources who are trained and have competence in accordance with their duties.

Regulation of the Minister of Law and Human Rights number 12 of 2017 on "the implementation of narcotics rehabilitation services for prisoners and correctional residents" which has then been lowered in the technical rules of correctional rehabilitation through "decision of the Director General of Corrections number PAS-168.OT.02.02 Year 2020 about the Standards of Correctional Rehabilitation Services for Prisoners and Residents of Correctional Institutions addicts, abusers and victims of narcotics, psychotropic and other addictive substances (NAPZA) abuse at UPT Correctional".

Standards of Correctional Rehabilitation Service Organizers for Prisoners and Residents of Correctional Services of addicts, abusers and victims of narcotics, psychotropic and other addictive substances (NAPZA) in UPT Correctional facility regulates the implementation of correctional rehabilitation services that regulate and establish general requirements and special requirements of correctional rehabilitation service organizers for prisoners and correctional residents of addicts, abusers, and victims of drug abuse in UPT Correctional. Correctional rehabilitation in question includes medical rehabilitation, rehabilitation social and pascarehabilitation. Regulating the general and special conditions that have been correlated with SNI: 8807 on the implementation of rehabilitation in Indonesia, also includes general and special facilities and infrastructure, system mechanisms and procedures, completion period and budget in the implementation of correctional rehabilitation, consisting of medical rehabilitation, social rehabilitation and pascarehabilitation.

#### 4.2 Results

The essence of the construction of inmates in Lapas has the aim of returning a guilty person back to being a whole human being, as has become the direction of national development by:

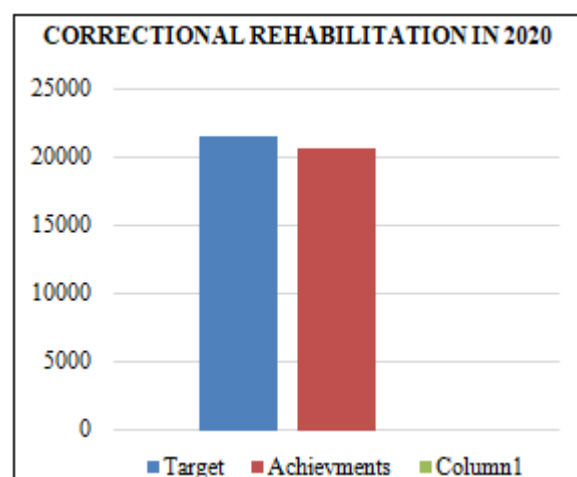
1) Strengthen their faith;

2) Foster them to be able to integrate reasonably in group life while in the penitentiary and wider life (society) after completing their criminal term.

Rehabilitation for prisoners and correctional residents is carried out from the beginning into Rutan, Lapas and LPKA. Starting with screening, then assessment and continued with medical or social rehabilitation for 6 months. When completed through rehabilitation and will be released, prepared to participate in post-activities rehabilitation in lapas and in Bapas. The successful implementation of rehabilitation results is assessed using the WHO Quality of Life (WHOQoL) instrument. With the results of the implementation of 2020 and 2021 semesters 1, 2 and 3, showed improved quality of life in prisoners and inmates of rehabilitation participants.

Narcotics rehabilitation services for inmates have been carried out since 2015, Correctional Support support the National Narcotics Agency to reach the target of 100,000 rehabilitation participants in Indonesia. In 2017 issued the Minister of Law and Human Rights Regulation number 12 of 2017 concerning the implementation of services rehabilitation of narcotics. In 2020, rehabilitation in Lapas was held with the budget of the Ministry of Law and Human Rights which was standardized per period (6 months), and which was then equipped with derivative regulations through the Decree of the Director General of Corrections number PAS-168.OT.02.02 on Standards of Correctional Rehabilitation Service Providers is hereinafter referred to as Correctional Rehabilitation.

The implementation of correctional rehabilitation with a standardized budget begins in 2020, with a target of 21,540 prisoners and correctional residents as correctional rehabilitation participants. Reached 95.48% of the target, which is 20,568 correctional rehabilitation participants which includes medical and social rehabilitation, although they have to make many adjustments due to being constrained by the conditions of the COVID-19 pandemic.



## 5. Conclusions and Suggestions

### 5.1 Conclusions

1) Current conditions, lapas residents are dominated by

more than 50% by narcotics cases, not to mention coupled with the number of inmates who are not narcotics cases but have a background of users, abusers and victims of narcotics abuse. This forces correctional policy makers to make regulations for rehabilitation implementation for addicts, abusers and victims of narcotics abuse in correctional institutions;

- 2) Rehabilitation in Lapas is not only for narcotics case inmates, but also includes inmates with non-narcotics cases but has a history of users, abusers and victims of narcotics abuse based on screening and assessment meet the criteria to become a participant medical or social rehabilitation in Lapas;
- 3) Narcotic rehabilitation in Correctional is continuous, including medical rehabilitation and social rehabilitation in Lapas, and pascarehabilitation in Bapas, hereinafter referred to as Correctional Rehabilitation;
- 4) Medical and social rehabilitation in Lapas is carried out immediately when new inmates enter, based on the results of drug screening and assessment, carried out for 6 months (1 period);
- 5) Pascarehabilitation is carried out in Bapas, after the inmate becomes a correctional client, after being released from Prison;
- 6) There is a longtime lag, since the inmate completes medical rehabilitation or social rehabilitation in Lapas, until the person concerned becomes a client in Bapas;
- 7) Pascarehabilitation implementation needs to be carried out as soon as the inmate completes his or her social rehabilitation program in Lapas;
- 8) Rehabilitation has been shown to improve the quality of life of inmates, based on assessment of results using WHOQol instrument at the beginning, after 3 months and after 6 months;
- 9) The implementation of rehabilitation for prisoners and inmates, regulated in the regulations of the Minister of Law and Human Rights, and has not been regulated in the Law on Corrections.

## 5.2 Suggestions

Based on the above description, in order to realize comprehensive, continuous correctional rehabilitation services, and maintain the abstinent condition of narcotics for inmates who have completed medical rehabilitation or social rehabilitation in Lapas, the author conveys the following advice:

- 1) Rehabilitation for prisoners and inmates, can be a special treatment for Narcotics Prisons;
- 2) The implementation of narcotic rehabilitation in Correctional for Prisoners and Correctional Residents needs to be strengthened by being regulated in the Revision of the Penitentiary Law;
- 3) It is necessary to propose a revision of the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 12 of 2017 concerning the Implementation of Narcotics Rehabilitation Services for Prisoners and Correctional Residents, to add rules on the implementation of Pascarehabilitation services in Lapas, as a complement to the rules that have been available on Pascarehabilitation services in Bapas.

## References

### Books:

- [1] Mohammad Ali, *Metodologi & Aplikasi Riset Pendidikan*. Jakarta (Jakarta: PT Bumi Aksara, 2014)
- [2] Gatot Supramo, 2007, *Hukum Narkotika Indonesia*, Jakarta: Djambatan.
- [3] Lydia Harlina Martono & Satya Joewana, *Membantu Pemulihan Pecandu Narkotika Dan Keluarganya* (Jakarta: Balai Pustaka, 2005)
- [4] Peter Mahmud Marzuki, 2010, *Penelitian Hukum*, Jakarta: Kencana Prenada.
- [5] Prodjohamidjojo, Martiman, 1984, *Komentar Atas KUHP: Kitab Undang-Undang Hukum Acara Pidana*, Jakarta: Pradnya Paramita.
- [6] A.R. Sujono dan Bony Daniel, "Komentar dan pembahasan Undang-Undang No. 35 Tahun 2009", Bandung: Alumni, 2012.
- [7] Hadiman, *Penanggulangan Korban Narkotika Meningkatkan Peran Keluarga dan Lingkungan*, FKUI, Jakarta, 2001.

### Scientific Work:

- [8] Yuliana Yuli W, Atik Winanti, "Upaya Rehabilitasi Terhadap Pecandu Narkotika dalam Perspektif Hukum Pidana", ADIL: Jurnal Hukum Vol.10 No.1
- [9] Ibrahim Nainggolan, 2019, "Lembaga Pemasarakatan dalam Menjalankan Rehabilitasi Terhadap Narapidana Narkotika", Jurnal EduTech Vol. 5 No. 2
- [10] Ferdy Saputra, 2020, "Peranan Lembaga Pemasarakatan dalam Proses Penegakan Hukum Pidana dihubungkan dengan Tujuan Pemidanaan", Jurnal Ilmu Hukum Reusam ISSN 2338-4735/E-ISSN 27225100 Vol. VIII No.1
- [11] Ida Bagus Putu Swadharma Diputra, "Kebijakan Rehabilitasi Terhadap Penyalah Guna Narkotika Pada Undang Undang Nomor 35 Tahun 2009 Tentang Narkotika".
- [12] Allegra M. Mcleod, 2012, *Decarceration Courts, Possibilities and Perils of a Shifting Criminal Law*, The Georgetown Law Journal, Vol. 100, No. 1587
- [13] United Nations Office of Drug and Crime (UNODC), *World Drugs Report*, 2019.
- [14] Siti Hidayatun, Yeni Widowaty, 2020, *Konsep Rehabilitasi Bagi Pengguna Narkotika Yang Berkeadilan*, Jurnal Penegakan Hukum Dan Keadilan Vol. 1 No.2, 2020
- [15] Risapto Struktur Wahyudi Agung Nugroho, "Evaluasi Organisasi Pada Lembaga Pemasarakatan Terbuka Terhadap Pelaksanaan Tugas Dan Fungsi," Jurnal Ilmiah Kebijakan Hukum 14, no. 1 (2020): 43–60

### Laws and Regulations:

- [16] Undang Undang Dasar 1945
- [17] Undang Undang 12 Tahun 1995 Tentang Pemasarakatan.
- [18] Undang Undang 35 Tahun 2009 Tentang Narkotika.
- [19] Instruksi Presiden Nomor 2 Tahun 2020 Tentang Rencana Aksi Nasional Pencegahan Dan Pemberantasan Penyalahgunaan Dan Peredaran Gelap Narkotika Dan Prekursor Narkotika Tahun 2020-2024.

- [20] Peraturan Pemerintah Nomor 32 Tahun 1999 *Tentang Syarat dan Tata Cara Pelaksanaan Hak Warga Binaan Pemasyarakatan*, Pasal 14.
- [21] Peraturan Pemerintah Nomor 58 Tahun 1999 *Tentang Syarat-Syarat Dan Tata Cara Pelaksanaan Wewenang, Tugas Dan Tanggung Jawab perawatan Tahanan*.
- [22] Peraturan Menteri Hukum dan Hak Asasi Manusia Republik Indonesia Nomor 12 Tahun 2017 *Tentang Rehabilitasi Narkotika Bagi Tahanan dan Warga Binaan Pemasyarakatan*.
- [23] Peraturan Badan Narkotika Nasional Republik Indonesia Nomor 24 Tahun 2017 *Tentang Standar Pelayanan Rehabilitasi Bagi Pecandu Narkotika Dan Korban Penyalahgunaan Narkotika*.
- [24] Surat Keputusan Direktur Jenderal Pemasyarakatan Nomor PAS.985.PK.01.06.04 Tahun 2018 *Tentang Petunjuk Pelaksanaan Layanan Rehabilitasi Narkotika Bagi Tahanan Dan Warga Binaan Pemasyarakatan di Unit Pelayanan Teknis Pemasyarakatan*.
- [25] Standar Nasional Indonesia (SNI) Nomor 8807 Tahun 2019 *Tentang Penyelenggara Layanan Rehabilitasi bagi Pecandu, Penyalahguna dan Korban Penyalahgunaan Narkotika, Psicotropika dan Zat Adiktif lainnya (NAPZA)*.
- [26] Surat Edaran Mahkamah Agung tentang *Penempatan Penyalahgunaan, Korban Penyalahgunaan dan Pecandu Narkotika ke dalam Lembaga Rehabilitasi Medis dan Rehabilitasi Sosial*. Pada tanggal 7 Desember 2017.

#### Other Sources

- [27] <https://www.timesindonesia.co.id> atau [read atau news atau 259832 atau arti-penting-lembaga-pemasyarakatan-dalam-sistem-peradilan-pidana](https://www.timesindonesia.co.id/news/259832/arti-penting-lembaga-pemasyarakatan-dalam-sistem-peradilan-pidana) , diakses tanggal 15 Januari 2021.
- [28] <http://www.facebook.com/topic.php?uid=341355375076&topic=11176>, *Tommy, Korban Tindak Pidana Narkotika, 2011*
- [29] <http://www.ma-ri.go.id/info/lapas/Rehabilitasi> M. Tavip, 2010, *“Pelaksanaan Therapeutic Community Dan Rehabilitasi Terpadu Bagi Narapidana Narkotika Dan Psicotropika Di Lembaga Pemasyarakatan Klas I Medan Dihubungkan Dengan Tujuan Sistem Pemasyarakatan*
- [30] <http://palukota.bnn.go.id> 2017, 06, *tahap-tahap-Rehabilitasi-bagi-pecandu.html*, diakses tanggal 17 Januari 2021.
- [31] <http://Smslap.Ditjenpas.Go.Id/Public/Krl/Current/Monthly/Year/2019/Month/10> diakses pada tanggal 13 April 2021
- [32] <https://law.unja.ac.id/pentingnya-Rehabilitasi-sebagai-solusi-dalam-menekan-kasus-narkotika/> diakses pada tanggal 13 april 2021
- [33] Harsono, C.I. *Sistem Baru Pembinaan Narapidana*. Jakarta: Djambatan. 1995.
- [34] Marzuki, Mahmud, Peter. *Penelitian Hukum*. Jakarta: Kencana Prenada Media Group. 2011.