

## THE FOSTERING OF CORRUPTION INMATES IN SUKAMISKIN CLASS I CORRECTIONAL FACILITY

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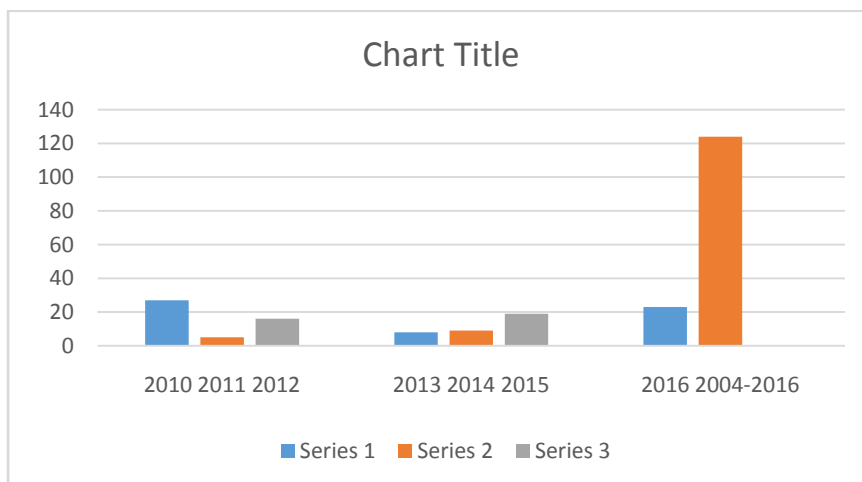
### ABSTRACT

*The purpose of this research is to observe the implementation of the fostering of corruption inmates in Sukamiskin Correctional Facility. This research uses a qualitative approach. The results of this research show that the implementation of fostering in Sukamiskin Class I Correctional Facility has not been in accordance with the concept of Correctional. The fostering of the corruption inmates is focused on the personality only. The strengthening of religious values is conducted by ustadz, pastor, and other religious leaders. The development of independence has not in line with the concept of correctional. Therefore, in addition to having expertise, correctional officers must also have a high sense of devotion. Correctional officers must uphold the concept of correctional firmly based on the principles of Pancasila and continue to view inmates as God's creatures, as individuals and as members of society.*

### INTRODUCTION

#### Background

Criminal acts of corruption have become a rampant crime lately. Those who stumble over corruption cases are mostly public officials who have high education background. They are actually honorable people chosen by their constituents to carry out the mandate, but unfortunately they even commit corruption. According to data from the Annual Report of the Corruption Eradication Commission (Indonesian: Komisi Pemberantasan Korupsi / **KPK**), in the period 2004-2016 there were 124 members of Legislative Assembly, both central and regional, who were caught in corruption cases, including 17 regional heads and 54 mayors / regents and vice mayors / regents.



Source: Annual Report of Corruption Eradication Committee (KPK) 2016

Based on the data above, it can be seen that the perpetrators of corruption are highly educated people who hold positions as public officials. The graph above also shows that the majority of perpetrators of corruption are members of Legislative Assembly, both central and regional. Actually, they were elected by the people because of their various promising program. The most tragic thing is that they are the representatives of the people who should have fought for the interests of the people.

Correctional Facility is the final part of the Integrated Criminal Justice System. Correctional Facility is a place that will provide guidance for prisoners. During their sentence in prison, the prisoners get independence guidance and personality coaching done by correctional officers.

In 2012 Deputy Minister of Law and Human Rights, Mr. Denny Indrayana made a policy that the Sukamiskin Class I Correctional Facility was used as a special correctional facility for corruption inmates. In accordance with the policy, corruption inmates from various provinces were then gathered in one location, namely Sukamiskin Class I Correctional Facility. One of the reasons for making Sukamiskin Class I Correctional Facility a special prison for prisoners of corruption is consideration that fostering corruption inmates

is different from fostering other inmates. Corruption inmates are prisoners who have a high level of education.

In general, the coaching conducted by correctional officers toward corruption inmates should be the same as the coaching toward other inmates. But we do not know whether or not this effort can work according to what has been determined, considering that the average level of education of officers who foster the corruption inmates is Bachelor's degree only, while those who are fostered are inmates with a high level of education.

### Formulation of the Problem

Based on the background discussed above, the research question can be formulated as follows:

How is the implementation of fostering of corruption inmates in Sukamiskin Class I Correctional Facility?

### Research Objective

This research aims to analyze the implementation of fostering of corruption inmates in Sukamiskin Class I Correctional Facility.

## Research Method

Research method is a way to solve problems and serves as a guide to obtain more in-depth knowledge about an object under study by collecting, compiling and interpreting data to find, develop and test the truth of a knowledge which results in scientific writing, where the results can be accounted for scientifically. This research uses a qualitative method approach, where theory is not used as the main starting point. Data obtained in the field are then juxtaposed with theory to build a comprehensive general interpretation.

### 1. Research Approach

This research uses a qualitative approach. According to John.W.Creswell qualitative research is an inquiry of understanding based on distinct methodological traditions of inquiry that explore social or human problems. The researcher builds a complex, holistic picture, analyzes words, reports detailed views of informants, and conducts the study in natural settings.<sup>1</sup>

### 2. Research Characteristic

The characteristic of this research is descriptive research which is intended to describe a phenomenon by examining it regularly, prioritizing objectivity, and being done carefully.

### 3. Secondary Data

Data are collected from literature studies by studying various statutory provisions relating to correctional services.

### 4. Primary Data

- 1) Primary data are collected through field research, that is, by making a

persuasive approach directly with corruption inmates in Sukamiskin Class I Correctional Facility and also with correctional officers in Sukamiskin Class I Correctional Facility.

- 2) Scientific books related to correctional to support existing data.

## 5. Research Location

The research was conducted at the Sukamiskin Class I Correctional Facility, Bandung, West Java

## DISCUSSION

### Theoretical Review

According to P.A.F Lamintang, imprisonment is a punishment in the form of limiting the freedom of movement of a convicted person by closing the person in a penitentiary with the obligation to obey all rules or regulations that apply in the correctional facility that is associated with an action if violating the rule.<sup>2</sup>

According to R.A. Koesnoen, among the various types of punishment, the most important is the loss of independence carried out in prison. With the loss of independence, prisoners must be in prison for a certain period of time until the state has the full opportunity for improvement.<sup>3</sup>

According to Djisman Samosir, imprisonment is one main punishment which limits the freedom of movement of prisoners and the implementation is by sending the prisoners to a prison. By sending the prisoners to the prison, it is intended that other people not be affected by the evil nature of the prisoners; so that correctional officers can easily provide guidance to prisoners themselves; and so that

<sup>1</sup> John. W. Creswell, Research Design, Pendekatan Metode Kualitatif, Kuantitatif dan Campuran Edisi Keempat, (Yogyakarta: Pustaka Pelajar, 2016), halaman 4.

<sup>2</sup> P.A.F. Lamintang. Hukum Penitensier Indonesia. Bandung: Armico. 1984 halaman 56

<sup>3</sup> R.A. Koesnoen. Politik Penjara nasional. Bandung : Sumur Bandung, 1961 halaman 7.

the prisoners do not repeat their actions after leaving.<sup>4</sup>

Change from Prison to Correctional Facility was initiated by Dr. Saharjo, S.H. who served as Minister of Justice at the time. On July 5, 1963 at the State Palace of the Republic of Indonesia in the awarding of the Doctor Honoris Causa in the field of Law with his speech entitled "Pohon Beringin Pengayoman"; among others it was stated that the purpose of imprisonment was "Correctional" and he also proposed a conception of national law which he described as a "*Pohon Beringin*" (Banyan Tree) to symbolize that "the legal duty is to provide guidance so that the noble ideals of the nation can be achieved and maintained". The opinion of DR. Sahardjo, S.H. about those who have been in prison is very noble "Every person is a human being and must be treated as a human being even though he has been lost, it must not be shown to the inmate that he is seen and treated as a human being".

The idea of Correctional reached its peak on April 27, 1964 at the National Prison Conference at the Grand Hotel Lembang. In the Lembang conference the basic principles concerning the treatment of prisoners were formulated. The ten correctional principles agreed upon as the guidelines for fostering inmates in Indonesia are as follows:

1. Protecting and providing life provisions to the inmates so that they can carry out their roles as good and useful citizens
2. Criminal imposition is not an act of state revenge.
3. Providing guidance not torture so that they can repent.
4. The state has no right to make them worse or more evil than before being punished.
5. During the loss of freedom of movement, the inmates must be introduced to the community and may not be exiled from the community.

6. The work given to inmates should not be in the form of work to just fill in time or just to meet the needs of the service or interests of the country at any time, but the work given must be the same as the work in the community and can support the efforts to increase production.
7. Guidance and education given to inmates must be based on Pancasila.
8. Inmates, as the lost people, are human beings, and they must be treated as human beings
9. Inmates are only sentenced to lose independence as one of the sufferings they experience.
10. It is necessary to provide and improve facilities that can support rehabilitative, corrective and educative functions in the correctional system.

Correctional, as a criminal objective, must be free from views of liberal individualism. Therefore, correctional, as a criminal objective, is defined as the restoration of the unity of the essential relationship between life and livelihood which occurs among the lawbreakers concerned, society and their environment under the unity of the relationship with God Almighty and Pancasila (Social Re-Integration).

The Correctional System has a fostering strategy, especially concerning the fostering process and program. The fostering process is defined as a fostering stage that starts from intramural guidance and moves to the next stages gradually, in accordance with the progress of the fostering results, towards the guidance carried out in the midst of the community, or extramural stage. The fostering process is intended to eliminate the possible destructive impact of "imprisonment" in the form of stigmatization, immurement, and recidivism. In its implementation, this stage of

<sup>4</sup> C. Djisman Samosir. Sekelumit Tentang Penologi dan Pemasyarakatan: Bandung: Nuansa Aulia halaman 54

the fostering process requires community participation, support and control which significantly determine the success of the process itself.<sup>5</sup>

The fostering stages are as follows:

- 1) Admission Orientation
- 2) Determination of the initial program through the trial
- 3) Implementation of the initial program and its evaluation

The implementation of correctional processes is regulated in Government Regulation Number 31 of 1999 concerning fostering and guidance toward inmates as follows:

- 1) Early Stage Fostering
- 2) Advanced Stage Fostering
- 3) Final Stage Fostering

### Research Results and Analysis of Problems

Since 2012 the Sukamiskin Class I Correctional Facility has been designated as a Special Correctional Facility for corruption inmates only, considering that fostering corruption inmates is different from fostering other inmates. Corruption inmates have a high level of education, or commonly referred to as white-collar crime. Hazel Croall defined white-collar crime as the abuse of a legitimate occupational role that is regulated by law. The term white-collar crime, including fraud, embezzlement and other fences, is associated with high status employees.<sup>6</sup>

Table below shows the number of corruption inmates based on the level of education:

**Table 1**  
**The Number of Corruption Inmates based on the Level of Education**

Inmates	Level of Education							Number
	Doctoral Degree	Master's Degree	Bachelor's Degree	Associate Degree	High School	Junior High School	Elementary School	
Special Crime	-	92	223	-	73	-	-	388

Source: Registration Section, August 30, 2017

The table above shows that the highest education is Master's Degree with 92 inmates. Bachelor's Degree with 223 inmates. The lowest education for corruption inmates is high school. Fostering corruption inmates with different levels of education is not an easy job. It requires special method and technique so that officers can enter their environment. The fostering done must be able to touch their hearts.

<sup>5</sup> A.Josias Simon – Thomas Sunaryo. Studi Kebudayaan Lembaga Pemasyarakatan di Indonesia. Bandung:Lubuk Agung halaman 30.

<sup>6</sup> Baharuddin Lopa. Kejahatan Korupsi dan Penegakan Hukum. Jakarta:Kompas halaman 35



**Table 2**  
**The Level of Education of the Officers of Sukamiskin Class I Correctional Facility**

No.	Level of Education	Number
1.	Master's degree	12
2.	Bachelor degree	41
3.	Doctoral degree	2
4.	High school	42
<b>Total</b>		<b>97</b>

*Source: Personnel Sub-Division, August 30, 2017*

Table above shows that based on the level of education, most officers of Sukamiskin Class I Correctional Facility are high school graduates, or 42 people. The number of officers with Bachelor's degree is 41 people, and the number of officers with Master's degree is 12 people. Therefore, it can be seen the competence of officers at the Sukamiskin Class I Correctional Institution. This data shows that correctional officers have a very strong role in fostering.

The fostering conducted in the correctional facility is divided into two, namely: personality coaching and self-reliance development. Personality coaching is related to restoring the life relationship between inmates and community. Personality coaching includes fostering religious awareness, fostering national and state consciousness, fostering intellectual capacity, and fostering legal awareness. Meanwhile, self-reliance development is closely related to the restoration of livelihoods, the life relationship between prisoners and community, such as the relationship between prisoners and their work. Self-reliance development includes the provision of programs, such as the skills to support independent businesses and the skills to support small industrial enterprises. The coaching that is now being carried out by correctional officers for corruption inmates is personality coaching in the form of strengthening religious mental development by deepening religion.

The figure above shows that the fostering process has been arranged in accordance with the flow that should be carried out by the correctional officers starting from the initial stage, the advanced stage and the final stage. The process from the initial stage to the advanced stage is carried out by holding a Correctional Observers Team (TPP) session.

Correctional officers have a very large role in fostering inmates. Correctional officers must be able to carry out various roles and have the following characteristics:

As a teacher, it means that they have to know about the knowledge of correctional systems, psychology, and character (daily behavior) well

As a parent, it means that they have to provide protection, act calmly in dealing with problems, act fairly towards prisoners, maintain authority, and so on.

As a coach, it means that they have to be able to act to foster working spirit and ability to see the future of inmates, thus raising the awareness of their shortcoming and mistakes. Being a correctional officer is a tough job, but it must be done for the sake of devotion.

As a guard, it means that they must have a healthy physique and useful self-defense ability, to be on guard in case of physical events in the correctional facility.



In carrying out the fostering of corruption inmates, there must be good values strengthened, that is, the feeling of regret arising within the inmates because they have harmed the community. Inmates usually do not think about the public interests and only enrich themselves. Although they are now prisoners, they still position themselves as the upper class that has a lot of money. They can buy whatever they want. Gradually, this kind of thinking must begin to be eroded and they must truly regret their actions. Correctional officers must make corruption inmates truly aware of their mistakes and turn out to be better human beings. As stated in the 10 correctional principles, one of them is "Protecting and providing life provisions to the inmates so that they can carry out their roles as good and useful citizens."

## CLOSING

### Conclusion

Based on the analysis of the problem above, it can be concluded that the implementation of fostering of corruption inmates in Sukamiskin Class I Correctional Facility has not run in accordance with the concept of correctional. Correctional officers should play an important role in fostering. Therefore, correctional officers must have expertise in their fields in addition to a high sense of dedication. Correctional officers must uphold the concept of correctional based on the principle of Pancasila and continue to view prisoners as the God's creatures, as individuals and as members of society.

### Suggestion

It is recommended that the correctional officers, who foster corruption inmates, have a high level of education and integrity. The fostering should be done to strengthen the values of goodness that corruption has a detrimental impact on many people.

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