



## **Legal Analysis Of Violence By Prisoners In State Detention House Class I Medan In Normative Legal Perspective**

Jamillah\*  
Fakultas Hukum Universitas Medan Area  
✉: [jamillah@staff.uma.ac.id](mailto:jamillah@staff.uma.ac.id)  
Corresponding Author\*

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### **ABSTRACT**

*The purpose of writing this article is to explain the forms and consequences of violence by prisoners in State Prison Class I Medan, the factors that cause violence by prisoners in State Prison Class I Medan, and efforts to overcome cases of violence by prisoners in State Prison Class I Medan. To obtain data in the writing of this article, research is carried out, to obtain secondary data is carried out by reading legislation, scientific papers, opinions of scholars, books, articles and other materials related to this research, and field research is carried out to obtain primary data related to this research through interviews with respondents and informants in this writing. Based on the results of the study, it is known that the form and consequences of violence by prisoners in Class I Detention Center Medan is in the form of misdemeanor and ordinary abuse which resulted in the victim being seriously injured and minor injuries and the perpetrator received a punishment in the form of confinement in isolation. The factors that cause violence by prisoners in Class I Detention Center Medan are individual problems, personal grudges, inadequate room capacity, and the absence of familiarity and harmonious relationships between fellow inmates. Efforts to overcome cases of violence by prisoners in Class I Detention Center Medan is given sanctions in the form of reprimands, put in isolation and not given remission, security units supervise each room of prisoners, this supervision is carried out for 1x24 hours, besides that each block is guarded by a public picket, which is tasked with guarding prisoners and ensuring that there is no disturbance of order in Class IIB Detention Center Banda Aceh. It is recommended to Rutan Klas IIB Banda Aceh to increase the number of detention rooms, so that in one room inmates do not overcapacity, counseling guidance, it is expected that surveillance efforts carried out by the security unit of Rutan Klas I Medan are divided into 3 teams plus 4 teams, this addition is intended that at 6 pm to 7 AM can be divided into 2 teams at 6 pm to 12 pm and 12 pm to 7 am.*

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## INTRODUCTION

The problem of crime in essence, has been interpreted as a very serious problem and urgently needs to be resolved, considering that to eliminate it is impossible. Therefore, the role of the government is very important in seeking various ways to counteract it, including the imposition of penalties or convictions for those who have been proven to have committed a criminal offense. The execution of punishment or conviction is carried out in community institutions with the correctional system through a guidance and guidance given to those who have violated the law.

In Article 4 letter n of regulation of the Minister of Law and Human Rights number 6 of 2013 concerning the rules of Correctional Institutions and state Detention Houses, it is explained that every prisoner or prisoner is prohibited from committing acts of violence, both physical and psychological violence, against fellow prisoners, prisoners, correctional officers, or guests/visitors. If the prisoner violates the order in this letter n, then it can be sanctioned in the form of being put in isolation and recorded in the record register f (record or book of violations committed by prisoners in the detention center)

In essence, Penitentiary desires to educate, nurture, and guide prisoners, namely improving the mindset and behavior and mental of every prisoner serving a sentence. However, it is still often encountered, heard, and read about the persecution that occurred in the Detention Center. Violence, which is a criminal offense prohibited by law, accompanied by threats to anyone who violates it. Even though this persecution is a criminal offense, there are still many people who commit this act. In fact, this violence is committed by someone who is already a prisoner of prison who is undergoing criminal sanctions in the Detention Center, where someone should be fostered in that place so as not to commit crimes and provide a deterrent effect for perpetrators of criminal acts.

Violence committed by prisoners will injure the ongoing legal process for The Prisoner and has violated the inherent rights of prisoners. Of course, this is very questionable because the crime occurred even though it was in a state prison. Based on the description above, then the problem in this writing is how the form and consequences of violence by prisoners in State Prison Class I Medan, whether the factors causing violence by prisoners in State Prison Class I Medan, how to overcome cases of violence by prisoners in State Prison Class I Medan .

## METHOD

The research method used in writing this law is a normative juridical approach. Normative juridical approach is a study that uses secondary sources obtained through library materials. This normative legal research usually includes: research on legal principles, research on legal Systematics, research on vertical and horizontal synchronization levels, Comparative Law and legal history. The method of this approach is carried out by studying the legal norms in legislation.

## RESULTS AND DISCUSSION

### A. Forms and consequences of violence by inmates in detention houses Class I Medan

The place of State prisoners of Class I Medan has a function as an institution that is expected to provide education and protection to the community that has become the status of prisoners, it often turns out to be a location that is loaded with acts of violence against prisoners in the State Prison Class I Medan. In the State Prison Class I Medan , violence that has been committed by prisoners against other prisoners, among others, in the form of acts of persecution, especially when prisoners who have just entered the State Prison Class I Medan.

As for also in the form of misdemeanor and ordinary misdemeanor resulting in the victim suffered serious injuries and minor injuries and the perpetrator received punishment in the form of confinement in an isolation room and given a warning and reprimand.

Violations of the law against prisoners in the form of violence committed by fellow prisoners are still common in the State Prison Class I Medan. This violence usually occurs in the form of direct violence which is manifested in the form of physical and psychological violence against fellow inmates. That any violations committed by prisoners will be processed in the State Prison Class I Medan which then receive sanctions in the form of a reprimand or up to the isolation cell. When there is a crime of abuse, the officer will take action to resolve and find out the causes of the fight.

The initial action to be taken by the officer is to bring the two sides together in order to make peace efforts. But if it turns out that the fight continues, then the state Detention Center Officer Class I Medan will impose sanctions expressly. The sanction given is in the form of placing the prisoner in a detention cell that is far from other cells. In addition, prisoners are also not given the freedom to move up to an indefinite time limit, depending on the severity of the offense committed.

## **B. Legal remedies and causes of violence by inmates in State Prison Class I Medan**

One of the factors that cause violence by prisoners in the State Prison Class I Medan is an individual problem, the existence of problems from the outside, both private and public, so as to make prisoners who are in custody can not control emotions when disturbed by other prisoners.

The next factor is personal grudges between prisoners, the existence of personal grudges both outside (before entering prison) and inside the prison, when they meet in the state Detention House Class I Medan with the same case or cases that are not the same, those who have grudges before have never got the same cell, because the officers do not know if they have grudges before outside, after the violence the officers separate them into different cells.

There is also a room capacity factor that does not use or over capacity (excess capacity). As a result, Class I Medan Detention Center is no longer conducive and functioning normally. According to Husni, KPR (Kasubsi pengamanan Rumah Penahan Negara) Kasi Medan, the number of occupants of the room and also the restricted movement space caused the emotions of the prisoners themselves to be unstable. The number of prisoners and inmates in the Banda Aceh Class IIB State Detention House which reached 800 clearly exceeded the capacity of the Medan Class I state Detention House which could only accommodate 600 prisoners. This is one of the factors that lead prisoners and convicts to commit violent criminal acts in the form of mistreatment in custody.

Efforts are made by the detention center officers in carrying out technical security tasks (reception, supervision, placement of prisoners/ inmates) security officers perform :

- a) Control, reception, placement, and withdrawal of inmates and prisoners,
- b) Maintenance of security and order,
- c) Checks against violations of security and order,
- d) Activities that are considered to be able to strengthen relationships between fellow inmates and prisoners,
- e) Daily reports and news events implementation of security.

In addition to ensuring compliance with the rules by prisoners, the security unit conducts surveillance for 1x24 hours. This supervision was carried out by 32 prisoners (wardens) who were divided into 3 (three) shifts. The time interval from the first shift to the second shift is about 5 to 6

hours, from 7 am to 1 pm, and from 1 pm to 6 pm. For the night shift, it starts from 6 pm to 7 am. General pickets are in charge of guarding prisoners and ensuring that there is no disturbance of order in the detention center, while clinic pickets are in charge of guarding prisoners who are temporarily ill. The number of security officers is 32.

## **CONCLUSION**

The form and consequences of violence by prisoners in the state Detention House Class I Medan is in the form of misdemeanor and ordinary misdemeanor resulting in the victim being seriously injured and minor injuries and the perpetrator gets a punishment in the form of confinement in an isolation room. The factors that cause violence by prisoners in State Prison Class I Medan are personal problems that become the burden of prisoners ' thoughts, so that they are always overshadowed by annoyance, saturation, and emotional carrying, inadequate room capacity, which causes limited space for prisoners and prisoners to move, resulting in unstable emotions of prisoners and prisoners, and the absence of intimacy and harmonious relationships between fellow inmates. Efforts to overcome cases of violence by inmates in the State Prison Class I Medan is given a warning sanction or reprimand for minor violations, put in isolation for serious violations, not given remission for violations committed repeatedly, the security unit of the State Prison Class I Medan supervises each room and places of prisoners and inmates, this supervision is carried out for 1x24 hours, besides that each block is guarded by a general picket, public pickets are in charge of guarding prisoners and inmates and ensuring that there is no disturbance of order in the Medan Class I state Detention House.

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