

ANALYSIS OF THE ASSIMILATION AND INTEGRATION POLICIES OF PRISONS IN THE PREVENTION AND SPREAD OF COVID-19

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Abstract: *The assimilation and integration of prisons is aimed at overcoming and spreading the covid virus during the current pandemic. The purpose of this study is to analyze the Assimilation and Integration Policy of Prisons in Combating and Spreading Covid-19 using William N Dunn's policy evaluation indicators, namely: 1) effectiveness, 2) efficiency, 3) adequacy, 4) equity/equality, 5) responsiveness, 6) accuracy. This study uses a qualitative approach with a descriptive type. Data collection techniques through interviews, observation and documentation. The results of the study indicate that the implementation of the assimilation and integration policy of the prison has been going well. This is shown from the 6 (six) indicators of Dunn's policy evaluation, only indicators of adequacy and responsiveness indicators are still not running well. Judging from the adequacy indicator, there are still some problems that have not been resolved, while from the responsiveness indicator, community participation in this program is still very low due to the fear of people with redivis who fear they will commit crimes again. The recommendation from this research is that the Ministry of Law and Human Rights and prisons provide very serious assistance and guidance to prospective assimilation recipients so that in the future they will not repeat the crime again.*

Keywords: *Policy Analysis, Policy Evaluation, Assimilation and Integration Policy*

Abstrak: Asimilasi dan integrasi Lapas bertujuan untuk mengatasi dan menyebarkan virus covid di masa pandemi saat ini. Tujuan dari penelitian ini adalah untuk menganalisis Kebijakan Asimilasi dan Integrasi Lapas dalam Penanggulangan dan Penyebaran Covid-19 dengan menggunakan indikator evaluasi kebijakan William N Dunn yaitu: 1) efektivitas, 2) efisiensi, 3) kecukupan, 4) pemerataan, 5) daya tanggap, 6) akurasi. Penelitian ini menggunakan pendekatan kualitatif dengan tipe deskriptif. Teknik pengumpulan data melalui wawancara, observasi dan dokumentasi. Hasil penelitian menunjukkan bahwa implementasi kebijakan asimilasi dan integrasi Lapas sudah berjalan dengan baik. Hal ini terlihat dari 6 (enam) indikator evaluasi kebijakan Dunn, hanya indikator adequacy dan responsiveness yang masih belum berjalan dengan baik. Dilihat dari indikator kecukupannya, masih terdapat beberapa permasalahan yang belum terselesaikan, sedangkan dari indikator ketanggapan, partisipasi masyarakat dalam program ini masih sangat rendah karena adanya ketakutan para penyandang redivis yang takut akan melakukan kejahatan lagi. Rekomendasi dari penelitian ini adalah Kementerian Hukum dan Hak Asasi Manusia serta lembaga pemasyarakatan memberikan pendampingan dan pembinaan yang sangat serius kepada calon penerima asimilasi agar kedepannya tidak mengulangi tindak pidana tersebut lagi.

Kata kunci: Analisis Kebijakan, Evaluasi Kebijakan, Kebijakan Asimilasi dan Integrasi

Introduction

Currently the world and Indonesia are experiencing an outbreak known as Covid-19. The Indonesian government has declared the Corona Virus or Covid 19 outbreak a national disaster since March 14, 2020, which was announced by the President through the Head of BNPB based on Law Number 24 of 2007. The Covid-19 pandemic in early 2020 became one of the problems in Indonesia. Therefore, the policy functions to regulate people's lives so that

public order can be created and maintained. The pressure on the government to immediately take strategic steps to provide protection for the Indonesian people in general and medical personnel in particular from the viciousness of the Covid 19 pandemic continues. The spread of the corona virus in Indonesia has made the government take countermeasures such as giving students a leave to study at home, closing tourism places and making regulations to tackle the spread of the virus (Susilo et al., 2020). This virus causes panic in the community especially this virus has gone global. This does not rule out the possibility that the impact of the corona virus has also caused panic for prisoners in detention. As an anticipatory step by the government to prevent and cope with the wider spread of Covid-19, especially in prisons, the Government of Indonesia is obliged to take policies and carry out countermeasures in accordance with existing regulations. One of the policies taken by the government in tackling the spread of Covid-19 in prisons is the issuance of the Minister of Law and Human Rights Regulation Number 10 of 2020 and the Decree of the Minister of Law and Human Rights Number M.HH-19.PK.01.04.04 of 2020 concerning the Release and Release of Prisoners and Children Through Assimilation and Integration in the Context of Prevention and Control of the Spread of Corona.

This assimilation policy in the midst of the Covid-19 pandemic was decided not without careful consideration, because previously it was widely reported on social media regarding the conditions of the detention cells which were overcrowded, cramped, and very inappropriate. One cell is filled with dozens of prisoners and their positions are crammed with one another. At the time of the outbreak of the Covid-19 pandemic, this became a frightening thing for prisoners, because the opportunities for transmission between fellow prisoners became very easy and wide. Previously, the conditions of the prisoners were not paid much attention and prisons were considered a suitable place for those who were guilty to get a deterrent effect. However, it is very unfortunate that there are some prisoners who commit crimes again because of some of their own economic factors. With regard to the assimilation mentioned above, it seems that the policy of the Ministry of Law and Human Rights regarding the release of 35,000 prisoners through assimilation and integration programs related to preventing the transmission of Covid-19 in prisons and detention centers has received a negative response. Because, it is not uncommon for prisoners who are released to repeat their actions against the law.

This policy has actually drawn controversy among academics and the public. How not, the policy is considered to cause security insecurity in the midst of society in the current state of panic with social vulnerabilities, even to the point that it is considered a trick by the government to escape corruption convicts. However, it was finally confirmed by the

government that the assimilation and integration program did not apply to perpetrators of extraordinary crimes such as terrorism and corruption as stated in Government Regulation Number 99 of 2012 concerning Terms and Procedures for the Implementation of the Rights of Correctional Inmates which regulates tightening remissions (Wurnasari et al. , 2020). Based on the Menkumham's decision, we certainly hope that tens of thousands of prisoners who have received assimilation of early release will become good and honest citizens. In the midst of society that has sparked this anxiety, the media has begun to report one by one the prisoners who are back at work in the midst of Covid-19. It is in this aspect that the government should understand that early release is not only in the interest of the prisoners, but there is a public interest in the sense of security that is at stake there.

The policy of releasing and releasing prisoners through the process of assimilation and integration has been controversial. Not only general prisoners, but the discourse on the release of special prisoners has also become controversial. Some people think that this decision is the right step to respect the law in the criminal justice system. On the other hand, not a few actually regretted the decision for various reasons, especially concerns about the impact of social and security aspects of vulnerability after the inmates move freely in society. The public has doubts that the effort to release prisoners is the right step in preventing the spread and transmission of Covid-19 (Marthaningtiyas, 2020). In Lampung itself, according to news in online media, East Lampung Police Criminal Investigation Unit Head AKP Faria Arista said the perpetrator, a resident of Merbau Mataram, had just been released from Sukadana Prison with the Covid-19 assimilation program, but not yet a month to breathe free air, the perpetrators returned to acting by committing crimes that same. The chronology of the latest case of the perpetrator, namely raping a 19-year-old girl, a resident of Sukadana Sub-district on April 30, 2020.

Evidence that prisoners are acting up again can be a sign that behavioral assessments before they are re-released and allowed to mingle into society are less effective. When the government cannot guarantee that the convicts will not commit their crimes again, then what the government can guarantee is to make effective policies that can provide the best solution, not add new problems. Based on this background, the author is interested in conducting a thesis research with the title Analysis of Prison Assimilation and Integration Policy in the Prevention and Spread of Covid-19.

Method

This research uses qualitative research with a case study approach. Bogdan and Taylor in (Moleong, 2013: 4) define qualitative methodology as a research procedure that produces descriptive data in the form of written or spoken words from people and observable behavior.

The information collected is not in the form of numbers but from interview scripts, field notes, personal documents, notes, and other official documents. This study examines data in depth related to the analysis of the assimilation and integration policies of prisons in the prevention and spread of COVID-19 and tries to determine the impact of these assimilation and integration policies. This supervision was carried out at the regional office of the Ministry of Law and Human Rights in Lampung and Class IIA Drug Release in Bandar Lampung. The data collected in this study are primary and secondary types of data. The main data sources in this study were data from interviews and observations on the analysis of the assimilation and integration policies of prisons in the prevention and spread of COVID-19. In this study, five resource persons were interviewed: Head of the development, information technology and cooperation division, the correctional division of the Ministry of Law and Human Rights of Lampung Province, Head of Binadik for Narcotics Correctional Institution Class IIA Bandar Lampung, Residivists, Residivist Families and Society. The secondary data used are documents related to assimilation and integration. Furthermore, the data analysis in this study refers to Miles and Huberman (1984) in Sugiyono (2016: 246) by using data reduction, data presentation, and drawing conclusions.

Result and Discussion

In connection with the current rampant Covid-19 outbreak, in making policies, the government sets them through an assimilation program. The assimilation program is a process of fostering and fostering children which is carried out by blending work and children in society. The release of the Government of this time is part of the effort to break the Covid-19 within the Correctional Institution and Detention Center. The policy that excluded drugs and corruption was also made due to the conditions of the Correctional Institutions and Detention Centers that exceeded their capacity. The number and limitation limits in Indonesia reach 270,386 people. Meanwhile, the capacity of prisons and detention centers is only able to accommodate 131,931 people. Therefore, the Minister of Law and Human Rights Yasonna H Laoly issued Decree Number M.HH-19.PK.01.04.04 of 2020 concerning the Release and Release of Prisoners and Children Through Assimilation and Integration in the Framework of Prevention and Control of the Spread of Covid-19.

The policy of releasing prisoners in an effort to suppress the spread of Covid-19 is the authority of the Indonesian government through the Ministry of Law and Human Rights. This is based on the government's concern about the spread of Covid-19 in prisons. Over capacity or overcapacity in social institutions shows that this concern is not a joke. It is said that a policy system is an institutional pattern in which policies are made, including reciprocal relationships between three elements, namely public policy, policy actors and the policy

environment. Policy issues are usually the result of conflicts over the definition of policy problems. The definition of a policy problem depends on the pattern of involvement of specific policy stakeholders, namely individuals or groups of individuals who have a stake in policy because they influence and are influenced by government decisions. Researchers can conclude that public policy is a series of decisions taken and actions taken or not taken by the government in order to solve public problems in order to achieve goals for the benefit of the whole community. Policy Analysis Criteria according to William N. Dunn (Rusli, 2015: 123-124): Effectiveness, Efficiency, Adequacy, Even distribution, Responsiveness, Accuracy.

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At this stage the researcher will start by describing the findings in the field, then it will be seen and associated with policy evaluation indicators according to William N Dunn (2003). The criteria are effectiveness, efficiency, adequacy, equity/equality, responsiveness, and accuracy.

a. Effectiveness

Currently the condition of Correctional Institutions and Child Special Guidance Institutions in Indonesia has a very high occupancy rate or over capacity so that they are considered vulnerable to the spread and transmission of Covid-19. Therefore, as an effort to save prisoners and children in prisons, the government issued a policy of assimilation and integration. That it can be concluded that the effectiveness is seen from the extent to which the Minister of Law and Human Rights is able to instruct all prisons throughout Indonesia and also the level of compliance of Class II Narcotics Prisons in Bandar Lampung to the Regulation of the Minister of Law and Human Rights Number 24 of 2021 concerning Amendments to the Regulation of the Minister of Law and Human Rights Number 32 of 2020 concerning Terms and Procedures for Granting Assimilation, Conditional Release, Leave Before Release, and Conditional Leave for Prisoners and Children in the Context of Prevention and Control of the Spread of Covid-19. Based on the description of the results above, it can be concluded that the indicators of the effectiveness of the assimilation and integration policies for prisoners to prevent the spread of the Covid-19 virus in prisons have been quite effectively carried out by prisons, the effectiveness is measured to what extent the Class II Narcotics Prison in Bandar Lampung can minimize accumulation the number of detainees in the prison to avoid the spread of the covid 19 outbreak in the Class II Narcotics Prison in Bandar Lampung. It can be concluded that the level of effectiveness of the Class II Narcotics Prison in Bandar Lampung in implementing a prison assimilation and integration policy in the handling and spread of Covid-

19 is quite effective, as evidenced by the table above, the number of assimilated prisoners is 108 inmates, although in terms of integration the number of prisoners is still nil. but this has reduced the level of overcapacity in the Class II Narcotics Prison in Bandar Lampung itself in order to break the chain of spreading.

b. Efficiency

That is associated with efficiency with respect to the amount of effort required to produce a certain level of effectiveness. Efficiency, which is a synonym for economic rationality, is the relationship between effectiveness and effort, the latter generally being measured by monetary costs. Meanwhile, according to Dunn (2003:430) argues that: "Efficiency (efficiency) with respect to the amount of effort required to produce a certain level of effectiveness. Efficiency, which is the equation of economic rationality, is the relationship between effectiveness and effort in policy sustainability. Efficiency is usually determined by calculating the cost per unit of a product or service. The policy that achieves the highest effectiveness with the lowest service and cost is called efficient.

This can be proven by the existence of a series of activities mandated by the Minister of Law and Human Rights, such as vaccinating prisoners, providing assimilation, integration and also physical distancing among prisoners. The convict assimilation program is quite efficient and has been carried out as the activities described above, namely administering vaccines to prison officers and convicts, delaying the admission of new prisoners, delaying direct visit service activities that are replaced by video calls, and conducting trials via video conference. If this is related to the fulfillment of facilities which include facilities and infrastructure, of course, this shows that the prison has fulfilled the facilities and infrastructure to support efficient handling and spread of Covid-19.

c. Adequacy

Assessment criteria on the strength of the relationship between the alternatives and the expected results. The question that arises from the indicators is how far the desired result is to solve the problem. From these understandings, it can be obtained that inventory is still related to effectiveness by measuring or predicting how far existing alternatives can satisfy needs, or opportunities in solving problems that occur. Before a policy is formulated and implemented, it is necessary to analyze the problems that occur in the community as an achievable goal, so that the right way to solve the problem can be formulated.

That activity in training the skills of the prisoners with skills training is carried out by correctional inmates so that they can have skills so that their skills can be accepted in the community again. It should be realized that it is very difficult for the world of work to accept work experience as an employee, so that with the talent that has been honed while in the

correctional facility, it is hoped that the inmates with the skills capital provided are able to become entrepreneurs who are able to sell market products. From the results of the explanation on the indicators above, it can be said as key, it should be acknowledged that the policy for the assimilation and integration program in prisons and the spread of Covid-19 is only aimed at breaking the chain of spread of Covid-19 in the environment, but is not yet effective enough to provide a deterrent effect for the prisoners. The evidence is that in a number of prisons in Lampung Province, especially in Gunung Sugih Prison itself, there are still actions that will be carried out/repeat the crime again after getting assimilation and integration.

It is undeniable that when the Covid-19 outbreak hit the world, the wheels of the economy were automatically hampered as a result, companies went out of business and made mass layoffs. This causes fewer job opportunities. As a result, those who do not have their skills and expertise will fall back into the world of crime that reopens prisons.

d. Equity/equality

Based on the description above, these are the ten countries that the researchers managed to gather in their participation in efforts to minimize the spread of the Covid-19 virus by providing assimilation to their fostered citizens. That related to equity in public policy, it can be said that it means that justice is given and the objectives of public policy are obtained. Dunn, (2003:434) states that the criterion of equality (equity) is closely related to legal and social rationality and refers to the distribution of consequences and efforts between different groups in society. An equalization-oriented policy is a policy that results or effort is equitably distributed. The key to alignment is justice or fairness.

From the results of the description of the equality/equality indicator above, it can be concluded that in general it can be said that almost all prisons in the world, including in Indonesia itself, especially in prisons in Lampung Province, have followed the policy program made by the government in order to prevent the transmission of the Covid-19 outbreak in the environment. Correctional Institution. By paying attention to the health and protection aspects of its citizens. The Indonesian government at least uses an assimilation and integration scheme, in order to follow the practice of releasing prisoners and inmates who are currently in various prisons in Indonesia. The issuance of the Permenkumham is related to the classic but unresolved problem of Correctional Institutions, namely the inadequacy of the capacity of prisons (overcapacity). On the other hand, the practice of various countries has shown that sequentially, inadequate capacity building in prisons will have a high risk of transmitting the Covid-19 outbreak.

e. Responsiveness

Controversy is currently shrouding the policy that has been made, there are those who agree and some disagree, considering that it will add new polemics, which will change the philosophy of the purpose of punishment. The phenomenon that occurs actually raises concerns, namely a number of cases when prisoners who have received assimilation actually repeat their actions. This becomes even more worrying when under current circumstances, where when convicts are released there is no guarantee of avoiding difficulties in meeting their daily needs, one of which is due to the difficulty of finding work so that there is great potential for ex-convicts to commit crimes again, as for criminal acts. What has been done varies, such as criminal acts of theft, violence to being a drug courier, however, even if it is for the purpose of fulfilling the necessities of life, it cannot be used as a justification for ex-convicts who have committed these crimes, especially if it has caused unrest in the community (Trias Palupi). Kurnianingrum, 2020).

Fulfillment of the necessities of life is another factor that drives the occurrence of recidivism, namely the ineffectiveness of the supervisory function by the Correctional Center (Bapas), this is due to the limited human resources within the Prisons itself and it is also known that the Prisons do not carry out coaching in the usual way, currently only rely on existing technology, so it cannot provide optimal service. Evidence that prisoners are acting up again can be a sign that behavioral assessments before they are re-released and allowed to mingle into society are less effective.

When the government cannot guarantee that the convicts will not commit their criminal acts again, then what can be guaranteed by the government is the supervision and action of officers who are always on guard after these convicts are returned to society. The assimilation policy creates a problem when prisoners who are not ready to be released from society repeat their crimes. The situation will become more complicated and unsupportive, where after the convicts are released the economic situation is going down drastically due to a wave of inflation as a result of the corona outbreak (Niyati Trisnawati: 2020).

Based on the description of the results of the responsiveness indicators, it can be concluded that in general the response to government policies regarding Permenkumham Number 24 of 2021 concerning Conditions and Procedures for Granting Assimilation, parole, Leave Before Free, and Conditional Leave for prisoners and children in the context of preventing and overcoming the spread of Covid-19 19 also varied, ranging from people who agreed, hesitated and disagreed, showing that the perspective of the community was not always the same. The government, in responding to this policy, really respects and supports the program, as evidenced by the Lampung provincial government providing pre-employment cards for ex-convicts who are assimilated and integrated.

The response to this disagreement was motivated by the attitude of the community who rejected the policy and the community considered the policy to be ineffective because instead of throwing tantrums outside prisoners, it is better to be productive in prisons to make free masks. as if the crime occurred as a result of the issuance of a prisoner release policy, even though out of 38,822 inmates, only 39 people acted again. Then the public is still hesitant to accept the policy due to media coverage that always exaggerates the prevalence of crime during the corona pandemic so that people participate in terms of vigilance against high new crimes.

f. Accuracy

The criteria used to assess the level of accuracy indicators in this study are those related to whether the results (objectives) of the implementation of the assimilation policy program are really useful or on target. In response to this, the assimilation policy has pros and cons. On the one hand, assimilation is the right of prisoners whose rights are guaranteed by law. On the one hand, the assimilation policy violates the hierarchy of the above laws and regulations, such as the penitentiary law. narcotics and government regulations regarding the rights of inmates considering the essence of the assimilation given to the convict is that it must be in accordance with a feasibility study whether the inmate deserves to be assimilated or not like the actions of the inmates during the coaching and have also shown a good attitude.

Based on the description of the results on the accuracy indicators, it can be concluded that the Assimilation Program is not appropriate if those who receive the target are narcotics case prisoners, this is because the prisoners involved in narcotics cases are not in accordance with the government's discourse to not tolerate, especially for extraordinary crimes where the government's focus is In eradicating extraordinary crimes, it is not easy to eradicate it to its roots and create a deterrent effect on the perpetrators, but with the policy of releasing prisoners in the midst of the Covid-19 pandemic, it is actually inversely proportional to the goals and ideals of the Indonesian government itself.

The Impact of Prions in The Prevebtion and Spread of Covid-19

The positive impact can be seen from:

1. Savings in the State Budget as a result of the ongoing policy

With the reduction in the number of prisoners in prisons, resulting in a reduction in the state budget allocated for the implementation of prisoner development while they are in prison, that in addition to reducing the impact of overcrowding, another positive impact obtained from issuing this policy is that the state can save the state budget by as much as IDR 341 Billion, where a budget of this size was initially made for the cost of coaching in

prisons, the government could transfer it to other fields, especially for the prevention and control of Covid-19.

2. Reducing the amount of overcapacity in prisons

The positive impact is the decrease in the number of overcrowded in prisons in prisons and detention centers in Indonesia. The conditions of detainees in Indonesia are currently very crowded and overcrowded. Considering at the outset that imprisonment is the most popular punishment imposed in Indonesia in relation to violations of criminal acts in the Criminal Code. The existence of a policy from the Ministry of Law and Human Rights can be said to have succeeded in reducing the number of overcrowding conditions by up to 30% in prisons.

The negative impacts are as follows:

1. No deterrent effect

This stems from the criminal penalties given to inmates do not deter them. In detention they can get along well so that they feel at home and do not feel that the punishment they are serving has a deterrent effect.

2. Lack of preparation after being released from prison

Prisoners do not have sufficient preparation to resume their lives outside of detention. Basically correctional institutions have a process to mediate prisoners before they are released, which aims to prepare them to return to society and comply with existing norms.

3. No job and no savings

Crimes can arise in forced circumstances, in this case prisoners who have been detained long enough when they leave may not have jobs or even have no savings at all, in contrast to prisoners who are indeed wealthy. From this condition, it is very possible that the crime will be committed again to meet the needs of his life.

4. Congenital or inherent characteristics of prisoners

Through a criminological approach, it can also be seen that there are innate traits both socially and individually owned by criminals. This trait is inherent and difficult to lose, so that even when he is a prisoner there is the possibility of committing crimes again.

Conclusion

The policy of assimilation and integration of prisons in the prevention and spread of Covid-19 was made based on the results and discussions using William N Dunn's policy evaluation indicators. This can be seen from the 6 (six) policy evaluation indicators, only the adequacy and responsiveness indicators get negative scores. From the adequacy indicator, there are several problems that still cannot be resolved, while from the responsiveness indicator, the public's understanding of the assimilation and integration policy is still low, causing many rejection responses, and also the government's inaccuracy in making policies

without paying attention to the target object of the recipient of the policy. namely narcotics convicts who are in fact contrary to the government's ideals in eradicating drugs to the root;

The impact of the assimilation and integration policy of prisons in the prevention and spread of Covid-19, namely the sentence period that was not served in full, resulted in the inaccuracy of the policy, namely the rehabilitation and deterrent effect, not being fully implemented. This has the potential to result in these prisoners not being ready to integrate and assimilate back into society. This unpreparedness can trigger the ex-convicts to commit crimes again for the sake of their survival. Seeing this, of course, this policy has an impact on causing pros and cons to prisoners and also the community.

From the findings of the research, it is known that there are still shortcomings that hinder the success of the Prison Assimilation and Integration Policy in the Prevention and Spread of Covid-19, namely the indicators of adequacy and indicators of responsiveness. In this regard, the researcher provides suggestions including:

1. In initiating a policy in this strategy during the Covid-19 pandemic, the government must pay attention to the interests of the community. By providing assimilation and integration to prisoners, the government must be responsible for providing clear regulations for the survival of criminals in the future because during this pandemic society is expected to be in a very difficult situation, especially for recidivists. So that in the future the recidivists will not commit crimes again to make ends meet, such as stealing or selling drugs.
2. Implementation of assistance and guidance for assimilation and integration prisoners during the Covid-19 pandemic, for optimal assistance and guidance, the government should show seriousness in the process. With the support of the budget to facilitate prisoners as well as human resources from the Fathers itself as the responsible party.
3. It is better for the government to have a discussion before giving a decision to implement a policy to the public, it must be tested first in the community or the DPR whether it is effective or causes pros and cons.
4. The government should provide an adequate budget for the needs of prisons throughout Indonesia, namely improving facilities and infrastructure, especially expanding prison buildings so that it does not cause over capacity again in the future.

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