

One Man One Cell Implementation Effectiveness for Terrorism Institution High Risk Pasir Putih Nusakambangan

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Abstract--This thesis is entitled "The Effectiveness of One Man One Cell Implementation for Terrorism Prisoners in the High Risk Prison, Pasir Putih Nusakambangan". The special treatment carried out by the prison authorities for terrorism convicts is that the placement has been carried out in accordance with the high risk category, namely placing them in "one man one cell". It also provides limits for terrorism convicts to influence the thinking of other prisoners. However, special guidance for terrorism convicts must be carried out in accordance with existing regulations. In this case, the involvement of all related parties is very important in creating a conducive climate for the development of terrorism convicts in the context of deradicalization. The application of a one person system in one detention cell can minimize interactions between prisoners. The implementation of deradicalization specifically for fostering terrorism must be in accordance with the objectives of the correctional system to return better prisoners so that they can be accepted back in the community. Security and order aspects are also a priority consideration in every stage of the placement of prisoners in the one man one cell program. All terrorist prisoners at the time of entering prisons are categorized as prisoners who have a high risk of potentially disrupting security and order in prisons so that the one man one cell program is one of the important programs in order to support the increase in deradicalization program

Keywords : One Man One Cell; Implementation; Effectiveness for Terrorism.

I. INTRODUCTION

Implementation of development of prisoners based on the correctional system aims to make prisoners fully human, as has been the direction of national development, through an approach to strengthen faith and foster them so that they are able to integrate fairly in group life while in the prison and the wider life (community) after undergo the crime [1].

Law Number 12 of 1995 concerning Corrections, in its general explanation contains a statement that the purpose of punishment is an attempt to awaken prisoners and children of criminals to regret their actions, and return them to be good citizens, obey the law, uphold moral, social values. and religion, so as to achieve a safe, orderly and peaceful community life [2].

As a development agency as well as a law enforcement institution, Correctional Institutions (Lapas) are part of the Integrated Criminal Justice System. In addition to its role as law enforcer, correctional institutions have a strategic role in the formation of independent, responsible, quality and dignified Human Resources (HR) [3]. In line with the role of the Correctional Institution, it is appropriate that the Correctional Officer who performs the duties of coaching and securing the Detainee in this law is established as a Functional Law Enforcement Officer.

Terrorism is a criminal act or extraordinary crime that is of concern to the world today, especially in Indonesia. Terrorism that has occurred in Indonesia recently has ideological, historical and political links and is part of the dynamics of the strategic environment at the global and regional levels. Even though the acts of terrorism that occurred in various regions in the last few years were mostly committed by Indonesians and only a few actors from outside. However, it cannot be denied that acts of terrorism are currently a combination of domestic actors and those with transnational networks [4].

In the context of preventing and fighting terrorism, since long before the prevalence of incidents classified as a form of terrorism occurred in the world, the international and regional communities as well as various countries have tried to carry out criminal policies (criminal policies) accompanied by systematic and comprehensive criminalization of acts categorized as as Terrorism.

An act of terrorism is an action that is planned, organized and applies anywhere and to anyone. Acts of terror can be carried out in various ways according to the will of the perpetrator, namely terror that has physical and / or non-physical (psychic) consequences. Acts of physical terror usually result in the physical (body) of a person and even death, such as beatings / beatings, murder, bomb detonation and others. Non-physical (psychic) can be done by spreading issues, threats, driving, frightening and so on. As a result of acts of terror, the condition of terror victims causes a person or group of people to feel insecure and in a state of fear (traumatic). Apart from having an impact on a person or group of people, it can even have a broad

impact on the economic, political and sovereign life of a country. Acts of terrorism, which are difficult to detect and have a very big impact, must have serious prevention and control solutions by both the government and society.

The role of guidance is the core of the correctional system activity, which is an activity for inmates to support the guidance program that is running in prisons in order to achieve success in returning them to a better society.

In the correctional system, the development of prisoners must be separated according to their characteristics. The United Nations Standard Minimum Rules for the Treatment of Prisoners require that detainees must always be segregated according to their legal status (judicial prisoners), sex (men from women) and age (children from adults). Law Number 12 of 1995 concerning Corrections Article 12 also regulates that in the framework of guiding prisoners in correctional institutions, classification is carried out on the basis of age, type of crime and other criteria according to the need or development of guidance.

Terrorism is a global problem that requires special guidance in accordance with the principles of individual guidance, and stages in the implementation of deradicalization of terrorism convicts so that in the implementation of effective deradicalization, the participation of prisoners and facilitators is required, the availability of procedures and guidance modules, and evaluation of the success of rehabilitation of terrorism convicts. Deradicalization success parameters are needed in order to strengthen and evaluate the results of the rehabilitation of terrorism convicts so that this research is important to do..

II. PROBLEMS

Based on the background of the problems described above, the writer can formulate a problem, namely how is the effectiveness of implementing one man one cell for terrorism convicts in the High Risk Prison in Pasir Putih Nusakambangan Prison?

III. RESEARCH METHOD

This research is a normative legal research that is prescriptive and technical or applied. The research approach uses a statute approach and a case approach. The type of research data is secondary data with primary and secondary legal materials. Data collection techniques in the form of literature study and data analysis techniques used are deduction with syllogistic methods.

IV. DISCUSSION

Correctional as the spearhead of the implementation of the principle of protection is the place to achieve this goal through rehabilitation and reintegration education of prisoners. In order to provide provisions and form the mental attitude of the convicted person in order to realize his mistake, not repeat the crime, and become a virtuous person [5].

The training program for the construction community with the penitentiary system, implemented through four stages of training, first, the release and orientation period, at this time the construction staff is asked for a variety of information related to various construction interests. Second, reaching a third of his sentence. Third, reaching two-thirds at the time of his sentence. Fourth, obtain a conditional release [6].

The socialization system emphasizes on care, construction, education, and guidance efforts for the construction community which aims to restore the fundamental unity of the relationship between the individual building community and the community. The implementation of community building is based on the principles of the community system to treat, build, educate, and guide construction people with the aim of becoming good and useful citizens.

The assisted people in the prison system have the right to get spiritual and physical guidance and are guaranteed their right to carry out their worship, have contact with illegal parties, both their families and other parties, obtain information, rights through print and electronic media, receive proper education.

The penitentiary system, besides having the aim of returning the prisoners as good citizens, also aims to protect the community against the possibility of repeating criminal acts by order for correctional assistance, as well as an implementation and an inseparable part of the values contained in Pancasila.

Prisoners must be categorized according to the level of security according to the results of the assessment. High risk prisoners like other prisoners should have the same placement arrangements to protect and provide a sense of security for themselves, their families and for others. But in reality, prisoners who are at high risk (high risk) must be separated because it will increase the chaos and endanger other prisoners. Based on the experiences I have had during my work, the treatment and coaching roles of prisoners who are at high risk and prisoners who are general crimes must be very different. Because, they can provoke other prisoners to fight against officers, create and invite riots between prisoners and even make an escape.

High risk prisoners (high risk) are prisoners who based on the assessment determined as high

risk prisoners based on a decree of the Minister of Law and Human Rights², and have qualifications of 2 (two) assessments; Qualification A is an assessment of certain prisoners which contains an assessment of fulfilling one of the things related to a network that is still active, the ability to access weapons and explosives, has access and influence in the correctional institution, has an escape record, has access and influence in the Institution. Correctional, proven to have attempted to escape with or without the help of other people, recidivists, on death row and for life. Meanwhile, Qualification B is an assessment of the risk of disease transmission from prisoners who have HIV / AIDS, Tuberculosis (TB), Hepatitis and other dangerous infectious diseases.

As we know, prisoners who are said to be at high risk can be defined as prisoners who have a significant risk associated with:

1. *Safety*, endangering yourself, other prisoners or prison employees or visitors;
2. *Stability*, threats to order in prison / provocateurs, not cooperative
3. *Security*, the possibility of escape;
4. *Reoffending*, committing another serious / serious violation after being released, and
5. *Society*, prisoners who are still related to terrorism, drug trafficking networks, or who have money and power to influence

Apart from those who have the risks mentioned above, there are several other groups of prisoners who need special attention in the framework of classifying prisoners based on risk, namely:

- a) Violent extremist prisoners;
 - b) Members of gangs or groups of certain mass organizations;
 - c) Members of organized crime groups;
 - d) Prisoners;
 - e) Former combatants, and
 - f) Prisoners with a long sentence of death / life sentence
6. The behavior of prisoners at high risk can endanger themselves, other people and their environment so that it can interfere with the correctional guidance system, therefore they must be separated from other prison residents. However, currently many of these prisoners still receive the same treatment as other inmates. Many of them are still placed in blocks / rooms that allow interaction with other inmates so that they can influence other prisoners or have a negative impact on their environment.

Placement of high risk prisoners at the Nusamkabangan High Risk White Pair Prison is a "one man one cell" and there is no guidance program or other activities. This is a deterrent so that they can regret all their actions and can return to the community by conducting an assessment or an assessment of their daily progress in the block.

Deradicalisation is detecting early, preventing from the beginning, and targeting various layers of potential with various forms and variants that are relevant to each target group. The main objective of deradicalization is not only to eradicate radicalism and to eradicate the increasing potential of terrorism, but the main thing is to strengthen the implementation of the four pillars of national and state life to achieve Indonesia's national goals and ideals.

Whether or not deradicalisation is effective against terrorism perpetrators or prisoners is very much dependent on the role of prisons as a forum for guidance. There are a number of reasons that cause deradicalization in prisons to be ineffective, namely the inability of prison officers to provide guidance also affects the deradicalization process. Officers do not understand how to limit the influence of prisoners with extreme ideologies to other prisoners who can be influenced by radical teachings. The situation is exacerbated by poor coordination between government agencies and non-governmental organizations, which have a stagnant and unclear deradicalization program. So that inmates become confused with the program, bored, and ultimately refuse to participate in deradicalization and make the coaching program unsuccessful. The obstacles faced by terrorism convicts are the lack of special treatment, and the treatment of other general prisoners cannot be equal. The treatment of prisoners in terrorism cases should be done as much as possible so that they can slowly escape from the bonds and ideological influence of their movement.

However, some of the high risk prisoners who are classified as terrorism are still not cooperative and do not want the Republic of Indonesia to be able to cooperate and help him to get out of his network, this is also an obstacle experienced by officers. In Class I Batu High Risk Nusakambangan Prison, there is no special treatment or coaching role carried out to high risk prisoners including narcotics prisoners, so they are assessed for risk and need assessment and must be able to change and get changes in good development so that they can be brought to the TPP trial (Team Correctional observer) and can be recommended to be transferred to a medium prison according to the prevailing soup.

High risk prisoners require the maximum level of security. The treatment of High Risk

Prisoners needs to be supported by adequate facilities and infrastructure [7]. Maximum security is carried out by building infrastructure in the form of buildings as well as facilities and infrastructure in the form of security tools.

Development of high risk prisoners begins to be handled according to the existing development plan. The guidance program is aimed at reducing the risk of prisoners committing acts of violence and violations in prison as well as repetition of crimes when they are free. Efforts to reduce these risks include rehabilitation and restriction which are routinely evaluated.

There are three assessment methods used in the treatment of high-risk prisoners, namely:

- a. The initial assessment is carried out based on the recommendation of the guardian, bapas and other information, the period of the assessment is carried out 1 (one) month after the prisoner has undergone a mission and orientation, carried out by the correctional institution (the person responsible for the assessment result is the Head of Staff);
- b. Annual assessments are carried out by the Directorate based on recommendations from the TPP Lapas, to carry out analysis and review of the status and types of treatment of high risk prisoners; and
- c. Special assessments are carried out at the request of regional offices and directorates for changes in the status of high risk prisoners based on the presence of convincing evidence of a decrease or increase in security risk.

The placement of prisoners in prison based on maximum security is only imposed on only a small part of the prisoners, so that evaluation and reassessment of the risk level of narcotics-funds must be carried out.

The special treatment or different treatment of terrorized prisoners is due to their inherent needs and risks. As for the moral basis of the treatment is that different treatments cannot always be interpreted as violating the principle of equal treatment and service (the principle of non-discrimination). In addition, this different treatment is in accordance with the principle of individualization of coaching as recommended in point 52 Implementation of The Standard Minimum Rules for The Treatment of Prisoners and also in accordance with Article 12 of Law Number 12 of 1995 concerning Corrections. A balance must be maintained between the use of legal security measures and the basic freedoms and human rights of the prisoner and rights must be maintained throughout the criminal process. And education is also needed for prison officers in collaboration with BNPT in fostering terrorism convicts and preventing

the continued growth of terrorism movements in Indonesia.

In carrying out coaching activities for terrorism convicts in the context of deradicalization, the Penitentiary also faces obstacles or obstacles that have an impact on the emergence of an inopportune development. There are at least two factors that become obstacles to the implementation of the development of terrorism convicts, namely internal and external factors. Internal factors, including the quality and quantity of prison human resources, still require upgrading skills, training facilities, and budget. Meanwhile, external factors include government and community support and the character of the prisoners themselves.

As for the special treatment carried out by the prison authorities for narcotics and terrorism, the placement has been carried out in accordance with the high risk categories, namely placing them in "one man one cell". It also provides limits for terrorism convicts to influence the thinking of other prisoners. However, special guidance for terrorism convicts must be carried out in accordance with existing regulations. In this case, the involvement of all related parties is very important in creating a conducive climate for the development of terrorism convicts in the radicalization framework.

Types of activities carried out by the prison, namely profiling activities of convicted citizens of the criminal act of terrorism, are activities of recording identities, background cases and behavior to obtain comprehensive information in order to determine placement and guidance programs. The objectives of the terrorist detainee profiling are as follows:

- 1) To find out the idealistic views of terrorist prisoners towards ji-had;
- 2) To determine the level of radicalism of terrorist prisoners;
- 3) To determine the appropriate placement in a prison so that it is hoped that it can prevent security disturbance;
- 4) Mapping of networks (groups) can be done, based on factions and streams of terrorist prisoners.

Profiling is not only carried out the first time a terrorist prisoner enters the prison, but is carried out periodically along with the development stages, this is necessary for the guidance that has been and will be carried out. The correct placement and training of terrorists will depend on the results of the profiling. Therefore, officers who can do it well are needed. Basically, all officers of prisons and state detention centers carry out the task of coaching prisoners. However, for the development of terrorist prisoners, it is necessary to have employees who are

specifically assigned to accompany them to record, observe, supervise terrorist inmates in their daily activities and in participating in the guidance program and compiling profiling, who are intended to be prison guardians. With such activities, it is very helpful for coaching activities carried out at High Risk Lapas and can run well with the strategies of the deradicalization program in collaboration with Detachment 88 and BNPT.

The policy of supermaximum security prison for prisoners in the high risk category of terrorism must be able to be properly implemented in the Correctional Institutions, so that the goal of deradicalizing the ideologues of terrorism can be realized. Therefore, in carrying out this policy, an analysis of the factors that influence the successful implementation of the policy of a super maximum security prison is required.

The implication of this policy in the Pasir Putih High Risk Penitentiary, Nusaambangan is that there is a major change in the operational standards, the prison infrastructure from a public prison to a super security. Not only that, staff at the Pasir Putih High Risk Penitentiary in Nusa-kambangan must be based on the results of the assessment so that there are many staff transfers from and to the Pasir Putih High Risk Penitentiary, Nusakambangan. Then the Pasir Putih High Risk Prison, Nusakambangan Prison, was occupied by high-risk terrorism convicts from all areas of Indonesian prisons. For terrorism convicts who are placed in prisons, of course they are very surprised considering that this prison is very different from prisons in general. The High Risk Prison Development Pattern is:

- a. One man one cell;
- b. The prayer service is completely carried out in the room;
- c. Clothing services using the laundry system;
- d. The dining service uses a catering system;
- e. The visit is carried out once a month;
- f. Get 1 (one) hour of recreation rights per day
- g. Basic daily needs are provided by the prison. (There is an out-sourcing force for this activity)

With the difference in the development of high risk prisons, prisoners must occupy one cell for one prisoner, where all activities must be carried out in the cell, besides that contact with prison staff or family visits is very limited. The turmoil of rejection by prisoners with this security system is very clear, but persistently on the changes expected from the implementation of the Pasir Putih High Risk Penitentiary in Nusa-kambangan.

Basically, the main objective of implementing the policy of terrorism security supermaxx prison is to optimize the implementation of the social system with the spirit of revitalizing the correctional facility which is being promoted by the Director of Corrections. Based on the objectives of

the super maximum security prison, it explicitly illustrates that the benefits generated are benefits for the state and benefits for terrorism convicts at high risk.

Separation of a high-risk prisoner is carried out because there are concerns that the presence of these funds in conventional prisons can interfere with the correctional management system and disturb fellow prisoners and officers.

V. CONCLUSION

The implementation of deradicalization specifically for fostering terrorism must be in accordance with the objectives of the correctional system to return better prisoners so that they can be accepted back in the community, and the prison must be more effective in collaborating with the MoU with aspects of security and order as well as being considered Prioritized in every stage of the placement of prisoners and the development program of terrorist convicts. All terrorist convicts at the time of entering prisons are categorized as prisoners who have a high risk of disrupting security and order in the correctional institutions of various parties and agencies in the context of increasing deradicalization programs.

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