

OPTIMIZING PRISONERS' RISK AND NEEDS ASSESSMENT IN PEMATANG SIANTAR CLASS IIA REHABILITATION

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Abstract

Independence coaching is a form of program implemented by providing work guidance training which is an effort to provide provisions and skills to correctional prisoners while they are serving their sentences which are useful when the prisoners return to the midst of society in providing such guidance, an assessment is carried out where the assessment activities carried out on correctional prisoners aim to collect data and information on correctional prisoners which are then verified and analysed to provide an assessment of the risks and needs of correctional prisoners, its implementation refers to the Minister of Law and Human Rights Regulation number 12 of 2013 concerning risk assessment and assessment of the needs of prisoners, The method used in this research is descriptive method to analyse a research with a case study as a series of activities in obtaining data by presenting the actual situation and explaining the circumstances and conditions of the problem, Optimisation of risk assessment and needs assessment in the independence coaching program at the Pematang Siantar class IIA correctional institution is currently not optimal where its implementation should refer to the Minister of Law and Human Rights Regulation number 12 of 2013 concerning risk assessment and needs assessment of prisoners, this is because in the implementation of risk assessment and needs assessment itself in the Pematang Siantar class IIA correctional institution there are obstacles accompanied by various factors.

Keywords: Risk and needs assessment, coaching, optimization

Abstrak

Pembinaan kemandirian merupakan bentuk program yang diterapkan dengan memberikan pelatihan bimbingan kerja dimana sebagai usaha pemberian bekal serta keahlian kepada warga binaan pemasyarakatan pada saat mereka menjalani masa hukuman yang berguna ketika warga binaan kembali ke Masyarakat dalam pemberian pembinaan tersebut dilakukan assessment dimana Kegiatan Assessment yang dilakukan terhadap Narapidana bertujuan untuk mengumpulkan data dan informasi narapidana yang kemudian diverifikasi dan dianalisis untuk memberikan penilaian terhadap risiko dan kebutuhan narapidana, pelaksanaannya mengacu pada permenkumham nomor 12 tahun 2013 tentang assesment risiko dan assesment kebutuhan bagi narapidana, Metode yang digunakan dalam penelitian ini adalah metode deskriptif untuk menganalisis suatu penelitian dengan studi kasus sebagai rangkaian kegiatan dalam memperoleh data dengan cara mengemukakan keadaan yang nyata serta menjelaskan keadaan dan kondisi permasalahan, optimalisasi assesment risiko dan assesment kebutuhan pada program

pembinaan kemandiria di lembaga pemasyarakatan kelas IIA pematang Siantar saat ini belum optimal dimana seharusnya pelaksanaannya mengacu pada permenkumham nomor 12 tahun 2013 tentang assesment risiko dan assesment kebutuhan bagi narapidana, perihal ini disebabkan pada pelaksanaan assesment risiko dan assesment kebutuhan sendiri di lembaga pemasyarakatan kelas IIA Pematang siantar terjadinya penghambatan yang di sertai dengan berbagai macam faktor.

Kata kunci: Assesment risiko dan kebutuhan, Pembinaan, Optimalisasi

INTRODUCTION

Corrections is a form of criminal justice system that seeks law enforcement in the treatment of detainees, children and prisoners by mandating fundamental improvements. the correctional system is a form of directional order and boundaries with tasks that include a form of service, a form of guidance, guidance, community, care, security, and observation with a high foundation on respect, protection, and fulfilment of human rights where this is stated in Law Number 22 of 2022 concerning corrections. This concept is a form of punishment system that is no longer *retaliatory* but moves away from the philosophy of *retributive (retaliation)*, *deterrence (deterrence)*, and Resocialisation (Kothari dkk., 2020). in the sense that punishment is directed not to make suffering as a form of *retaliation*, not directed to make a deterrent with suffering, nor to direct someone who is convicted where his social is lacking. Corrections is a form where the part cannot be separated from the integrated criminal justice system that is carried out through the government as the foundation of the law enforcement process in the form of service schemes and coaching and mentoring for social reintegration.

Corrections itself is aligned with the principle of social reintegration which argues that crime is a conflict that occurs through convicts with society (Fuge dkk., 2022). So punishment is aimed at restoring conflict or reuniting convicts with their communities. Corrections was coined by MacLean dkk., (2022) The correctional system considers that the convicted human being has good intentions, as long as he remains aware of his existence as a creature of God, the location of the correctional principle is recovery with the main purpose of coaching in prison. The correctional institution is a place where correctional prisoners are fostered and educated to make them complete human beings so as not to repeat and commit crimes that can harm the state and themselves whereas Akiyama dkk., (2021) say evil deeds can also harm others. Correctional institutions are a basic part of the justice system that runs in Indonesia with the aim of guidance, where the form of loss of independence is the only thing experienced and suffered by the perpetrators of criminal offenses.

The correctional system can be said to be the purpose of the loss of independence that is punishment based on guidance that is carried out humanely based on human rights with the background of Pancasila, it is hoped that correctional prisoners are more able to accept the mistakes they make. considering coaching is an important part of the administration of the criminal justice system, the coaching programme can be a form of effort to prevent criminal acts. where criminality itself is a crime in the form of breaking the law, both immoral and religious norms, crime is a form of behaviour that is contrary to morals and causes harm to victims and violates existing laws. considering that Indonesia itself is a

state of law (Macmadu dkk., 2021). Crimes are committed by several societies, of course, have different rationales, be it economic, cultural, social or psychological factors. therefore in order to overcome people with different environments requires adjustments so as not to be wrong in making changes. the existence of criminal law can be a balance to overcome people who commit crimes so that their behavior is not repeated by applying the main and alternative criminal law (Ryland dkk., 2020). the function of law according to Hamilton dkk., (2022) is to protect the interests of society to secure and regulate society as well as a means of realizing justice, and change becomes the best choice and dispute resolution.

Hamilton, Kigerl, dkk., (2022) legal certainty is a form of wanting the rules to work as a form of law that must be obeyed, of course, not only on how the rules are carried out. in general, the direction of the law is to regulate the association of life in a prosperous manner. equality between people is maintained by law by protecting the interests of certain human interests, be it independence, life, property against those who harm it. As for the interests between one person and another, they are always in conflict with each other because of the differences that each person has. through these interests with conflicts that always cause conflict and even destruction. (Van Apeldoorn, 2019) the purpose of law is to achieve legal certainty from human association, namely certainty because of the law and certainty in or from the law. criminal law that has been determined will take place at the stage of the correctional process carried out in correctional institutions. Ghasemi dkk., (2021) the role of coaching itself is indispensable as a form of empowerment of prisoners to improve skills and improve the morals of prisoners. in the implementation of the coaching program, it must cooperate with other parties to achieve success in the implementation of the coaching process for prisoners. as for the coaching programs in prisons, namely spirituality and independence coaching in the form of:

Spiritual development which aims to make prisoners devoted to God Almighty the development of awareness of faith will provide a strong personality in facing the twists and turns of life. this coaching in the form of reading the Al Quran which is guided by prison officers, Friday prayers in congregation, and reading yasin letters for Muslims. Bible deepening, joint worship, and sharing to build a good and healthy Christian spirit and soul led by the Pastor, Vedas for Hindus, Tripitaka for Buddhists, and Confucian scriptures Si Shu (Alves da Costa dkk., 2022). As for the guidance of the Nation and State in Pematang Siantar Correctional Facility based on the implementation of this coaching, the Correctional Facility can reapply the values of nationalism. By fostering a form of responsibility in a common desire by providing a paradigm shift, in attitudes, and behavior so that prisoners can become Indonesian people who have character, realize mistakes, improve themselves, do not repeat criminal acts and take an active role in national development by carrying out the values of Pancasila and the 1945 Constitution (Sheehan dkk., 2023). other than that, Intellectual development is also an important part of national development, 2015. In addition, intellectual development is also carried out so that the knowledge and capacity of prisoners increase so that they can achieve the positive activities needed during the coaching period in prison. as well as fostering legal awareness in order to increase the knowledge, understanding and insight of prisoners as

well as fostering a law-aware attitude in everyday life to obey existing laws.

Blair dkk., (2021) Development of Independence consists of work skills that support existing business ventures by utilising technology where in today's modern world technology is part of one's life. so that mastering technology can make skills useful in building businesses when prisoners get out of correctional institutions. such as work training or production honing theoretical capabilities and skill abilities through issues related to activities to achieve goals. be it for skills to build independent businesses, skills to support industrial work, or skills that are printed according to the talents and interests of prisoners.

Independence coaching is a form of implementation that is applied by providing job guidance training which is an effort to provide provisions and expertise to correctional prisoners while they are serving a sentence that is useful when prisoners return to society (Fuge dkk., 2022). Prisoners who are given guidance are not only acting just to fulfil the time or need for response or national needs but should be related to activities in the general area that can support development around the environment of life. this is based on 10 correctional principles. Considering that prisoners who are undergoing a criminal period are still members of the community and have the rights and obligations to play an active and productive role in the development process. The development of independence is very decisive in efforts to foster the livelihood of correctional prisoners. Therefore the importance of conducting assessments of prisoners in order to achieve appropriate and effective coaching so that the reasons and objectives of the coaching can be truly felt by correctional prisoners. following up on this, the implementation of the coaching program for correctional prisoners must be categorized based on the level of risk and needs of the prisoners to determine the level of diversion carried out by the prisoners.

Considering the importance of the risk assessment mechanism carried out to determine the level of risk that will harm the prisoners themselves and others as well as the needs assessment for each prisoner who participates in the independence coaching program in the penitentiary. to increase the accountability of the implementation of coaching (Shih dkk., 2023), it is necessary to conduct an objective assessment of behavior change. this assessment leads to the reaction of the inmate in obtaining the coaching program which is reflected in his behavior, the willingness of the inmate to accept the independence coaching program becomes the benchmark for changes in the inmate's behavior. Based on the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 12 of 2013 concerning Risk Assessment and Needs Assessment for prisoners where the presence of this regulation is expected to be able to carry out independence coaching to prisoners can be carried out with measurable, precise and effective. so that when prisoners participate in running an independence coaching program implemented in prisons the program can run positively which is useful for both themselves.

METHOD

The use of qualitative methods is applied through an approach in conducting research that is oriented towards natural symptoms/events so many researchers use in-depth observations and interviews. qualitative research focuses on meaning, reasoning, and

explaining certain circumstances. qualitative methods originated in philosophy which began with the study of anthropology, phenomenology and idealism. because philosophy is universal and open. in applying this method the researcher becomes a key instrument. (Jaya, 2020) where qualitative research does not rely on questionnaire instruments that can be distributed by anyone, but the researcher alone becomes an instrument therefore the skill of a researcher in using various data sources will shape the quality of the data and research obtained. in this method the selection of information is not based on hypotheses but is directed towards the reality obtained during research in the field.

RESULT AND DISCUSSION

Based on observations of indicators of the target benchmarks of the success of a prisoner's guidance carried out in the Pematang Siantar class IIA correctional institution is to pay attention to the behaviour of the prisoner himself, both during his stay in the correctional institution or after he left the correctional institution. The purpose of the results of the coaching is so that the inmates can introspect themselves by regretting their actions so that the prevention of repetition of criminal acts the next, can change themselves towards a direction that is truly in line with humanity or better so that when the inmate has finished from the correctional institution or out he can be accepted back in the community by having several fields of skills to prove that he has changed and can produce real financially and help the family and the state with his improved behavior.

Therefore, a plan is needed in the preparation of a strategy that is designed and appropriate for conducting coaching, especially in the field of self-reliance coaching at the Pematang Siantar class IIA correctional institution carried out by correctional officers, a mismatch when conducting coaching can affect the inmate's behavior both mentally and physically so that it becomes worse than before and has the fatal effect of making a repeat offense when outside can occur with a different case. Seeing the development of coaching where there are quite a variety of types of independent coaching programmes that are still inadequate, because there is a mismatch through the results of the risk assessment and the needs carried out where the cause of this is caused by insufficient facilities and infrastructure in coaching,

Considering based on observations and analyses in the field that how important the implementation of risk and needs assessments carried out in correctional technical implementation units, especially in correctional institutions. The Ministry of Law and Human Rights circulates an order with technical assessment regulations which are contained in the Regulation of the Minister of Law and Human Rights Number 12 of 2013 concerning risk assessment and assessment of the needs of prisoners where the presence of this circulated regulation can be carried out precisely, quickly, accurately and practically and sustainably, where the assessment of the risks and needs of prisoners becomes one of the Prison's efforts in realizing the rights of prisoners, especially in providing guidance both independence and personality.

What is meant by risk assessment is an assessment carried out to understand the level of risk of prisoners who commit crimes. Not only that, it is also to anticipate failures in the coaching program provided and anticipate things that can harm the prison because there

are prisoners who can take advantage of the work coaching for the sake of escape, or destruction, for example in a case that occurred several years ago in an Indonesian penitentiary where one of the prisoners was made a tamping section of the water gutters by taking advantage of the work program the prisoner took advantage of this to carry out a planned escape by looking at the conditions and reading every terrain in the Permisan prison so that there was an exaggeration that could harm the prison and become a negative stigma against the officers who were there. The definition of needs assessment is a form of activity in conducting an assessment aimed at obtaining information about the needs of coaching or mentoring per the prisoner who is considered through the behavior or experience of the prisoner himself. This definition is based on Minister of Law and Human Rights Regulation number 12 of 2013 concerning risk assessment and needs assessment for prisoners.

Some of the existing problems are related to the quality of the human resources who carry out the assessment. Before the issuance of Law No. 22 of 2022 concerning Corrections, the personnel who carried out these activities were Community Supervisors from various backgrounds. PK has a different background, ranging from law, criminology, psychology, and others. The reason is because the opening place is different every year. So that in analyzing needs and risks, they must have good analytical skills even though they do not have a psychologist background. some of the questions designed in the instrument are aimed at looking at needs and risks, and it will affect the placement and determination of the pattern of fostering prisoners.

Therefore, even though the WBP is fostered in the correctional center, the correctional officers in charge of the correctional center will also consider the results of the assessment conducted by the PK. Therefore, it is very important for PKs to enrich their literacy and improve skills even though the background of PKs is different through the consideration that the distance between the bapas and the Pematang Siantar class IIA prison is quite far which is also an obstacle in processing assessments. by looking at the latest Law No. 22 of 2022 where there are assessor officers who assist in the implementation of inmate assessments to facilitate every implementation of risk or needs assessments, especially in independence, but seeing the conditions in the Pematang Siantar class IIA correctional institution itself, the assessor officer has not received training related to needs assessment so that implementation becomes less optimal.

CONCLUSIONS

Based on the results of the research that has been carried out, the authors conclude, namely: The implementation of risk assessment and needs assessment in the independence coaching program at the Pematang Siantar class IIA correctional institution is currently not optimal where its implementation should refer to Minister of Law and Human Rights Regulation number 12 of 2013 concerning risk assessment and needs assessment for prisoners, this matter is due to the implementation of risk assessment and needs assessment itself in the Pematang Siantar class IIA correctional institution. the occurrence of obstacles accompanied by various factors.

First, starting from the officer factor itself, the lack of human resources in the implementation of the competence of officers who have not been upgraded and stuck in the initial conditions, there is no encouragement in providing legitimate training to correctional officers who are in the Pematang Siantar prison, therefore the qualifications that do not exist and are fulfilled in processing the correct assessment are not realized, so that the effect is less effective and not optimal in placing the coaching program to the prisoners themselves, while efforts in this obstacle by increasing human resources which are the main center in the implementation of coaching, human resources themselves can be improved for the continuity of a targeted program.

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