

Pemenuhan hak rasa aman anak pidana : studi kasus di rumah tahanan negara Bandung

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Abstrak

Kemajuan teknologi dan arus globalisasi bukan hanya membawa dampak positif, tetapi juga menimbulkan dampak negatif. Salah satunya adalah timbulnya tindakan kenakalan anak-anak, sehingga anak harus berurusan dengan hukum, mendapat putusan pengadilan dan harus menjalani pidana hukuman penjara di Rumah Tahanan Negara atau Lembaga Pemasyarakatan. Rumah Tahanan Negara Bandung, sebagai salah satu unit pelaksana teknis Kantor Wilayah Departemen Hukum dan Hak Asasi Manusia Jawa Barat, menampung anak-anak pidana sebanyak 19 orang. Anak-anak tersebut ditempatkan bersama-sama dengan Narapidana Dewasa. Walaupun berbeda Blok, namun masih memungkinkan terjadi interaksi pengaruh dari dan Narapidana Dewasa. Keadaan dan situasi ini memungkinkan anak-anak yang berada di Rumah Tahanan Negara Bandung menjadi semakin buruk keadaannya. Banyak tindak kekerasan dan perlakuan yang buruk terhadap anak-anak yang dilakukan baik oleh Narapidana maupun Petugas Pemasyarakatan. Salah satunya adalah tidak terpenuhinya Hak Rasa Aman Anak Anak Pidana yang dijadikan obyek penelitian sebanyak 6 orang, Petugas Pemasyarakatan 2 orang, Kepala Rumah Tahanan Negara Bandung, Petugas Balai Pemasyarakatan 1 orang dan Hakim Wasmat 1 orang. Penelitian dilakukan selama 2 bulan di Rumah Tahanan Negara Bandung, dengan metode wawancara, pengamatan langsung serta studi kepustakaan.

Berdasarkan hasil penelitian disimpulkan bahwa masih belum terpenuhinya Hak Rasa Aman Anak-anak Pidana di Rumah Tahanan Negara Bandung. Hak Rasa Aman yang belum terpenuhi, yaitu : perlindungan diri pribadi anak, hak berhubungan surat menyurat, perlakuan yang sama dalam hukum, serta bebas dari penyiksaan dan perlakuan sewenang-wenang. dalam penelitian ini diberikan rekomendasi tentang upaya-upaya yang harus dilakukan agar terpenuhinya Hak Rasa Aman bagi Anak Pidana di Rumah Tahanan Negara Bandung.

Technology development and globalization era growth not only causing positive impact, but also negative impact against economy situation, community mental, one of them is negative impact over children, juvenile, due to childrens openness process can access any kinds of information without filter. The results the children commit obscene crime, due to the influence of Porn or explicit Video CD, other result is economy situation that is less of benefit, and forcing the children to commit a crime, and still many cause of children commit crime, so they must execute the punishment in prison. Detentions House in Bandung is one of the Technical Institute Unit Executor in Regional Environment Office of Law Department and Human Rights in West Java which accomodating and constructing not only Prisoner but also good Convict of child and also adult. West Java has not been owned Special Institute of Correctional as Prisons for children, so that the location for children convict are linked up with adult Convict. This situation are exist in Detention House Bandung, it is very gristle and is prone of negative influence from adult Convict, besides that also affecting on chiidreen growth, a security which ought to be got by a child growth is cannot fulfilled maximally. Rights to feel safe to the children among others is ; the confession of equal rights in front of

law, free from persecution, and correspondence the right to communications. Rights to feel safe to the children also ought to be fulfilled maximally, the mentioned not fully run in Detentions House Bandung because there is an existing constraints among others : Facilities and basic facilities, Human Resource, Peripheral punish or unclear order.

This research conducted to find out and understanding the constraints so that not fulfilled of rights feel safe crime child in Detentions House Bandung and also give for thought and solution to natural trouble-shooting by criminal children in Detentions House Bandung The efforts which is and will be run to construction of criminal children in Detentions House Bandung in this time does not match as according to regulation and Law Codes, so that would be need the existence of furthermore construction especially to Detentions House officer.</i>