

Tinjauan yuridis pelaksanaan pengetatan remisi narapidana korupsi di Lapas Sukamiskin Bandung pasca uji materiil di Mahkamah Agung dan Mahkamah Konstitusi = Juridical study on the implementation of the tightening of remission for corruption prisoners at Sukamiskin Prison Bandung after material reviews at the supreme court and the constitutional court

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Abstrak

Skripsi ini membahas pelaksanaan pengetatan remisi narapidana korupsi di Lapas Sukamiskin Bandung pasca uji materiil Peraturan Pemerintah No. 99 Tahun 2012 tentang Perubahan Kedua Atas Peraturan Pemerintah Nomor 32 Tahun 1999 tentang Syarat dan Tata Cara Pelaksanaan Hak Warga Binaan Pemasyarakatan di Mahkamah Agung dan uji materiil Undang-Undang No. 12 Tahun 1995 tentang Pemasyarakatan di Mahkamah Konstitusi yang diajukan narapidana korupsi.

Penelitian ini adalah penelitian yuridis normatif dengan pendekatan kualitatif untuk menganalisis pelaksanaan pengetatan remisi narapidana korupsi di Lapas Sukamiskin Bandung pasca uji materiil di Mahkamah Agung dan Mahkamah

Konstitusi. Berdasarkan hasil penelitian yang dilakukan, pengetatan remisi narapidana korupsi yang diatur dalam PP 99 Tahun 2012 oleh narapidana korupsi dinilai bertentangan dengan hak-hak narapidana yang diatur dalam UU Pemasyarakatan. Setelah langkah uji materiil dilakukan narapidana korupsi di Mahkamah Agung dan Mahkamah Konstitusi ditolak, maka pelaksanaan pengetatan remisi narapidana korupsi di Lapas Sukamiskin Bandung dilakukan

berdasarkan aturan perundang-undangan yang berlaku. Dari 366 narapidana korupsi di Lapas Sukamiskin, hanya 36 orang narapidana yang mendapatkan remisi. Sebanyak 30 orang mendapatkan remisi sebelum keluarnya PP 99 Tahun

2012 sehingga mereka tidak dikenai pengetatan syarat remisi. Sedangkan hanya 6 orang yang mendapatkan remisi pasca pengetatan yang diatur dalam PP. 99 Tahun 2012 yaitu memenuhi syarat menjadi justice collaborator dan membayar lunas denda dan uang pengganti

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This thesis discuss the implementation of the tightening of remission for corruption prisoners at Sukamiskin Prison after material review in the Supreme Court against Government Regulation Number 99 Year 2012 on the Second

Amendment of Government Regulation Number 32 Year 1999 on Conditions and Mechanisms for the Implementation of the Rights of Prisoners (PP 99 Year 2012) and another material review submitted by corruption prisoners in the

Constitutional Court against Law Number 12 Year 1995 on Correction (Correction Law). The nature of the research is normative juridical with qualitative approve to analyze the implementation of tightening remission for

remission for corruption prisoners at Sukamiskin Prison after those material reviews in the Supreme Court and the Constitutional Court. The result of this research shows that in the view of corruption prisoners the

policy to tighten remission for corruption prisoners regulated in PP 99 Year 2012 contradicts with the rights of the prisoners regulated in the Correction Law. After both material reviews in the Supreme Court and in the Constitutional Court has failed, the policy of the tightening remission for corruption prisoners at Sukamiskin Prison in Bandung is implemented according to the applied rules and regulations. Out of 366 corruption prisoners at Sukamiskin Prison, there are only 36 prisoners who have received remission. However, 30 prisoners received the remission before PP 99 Year 2012 being issued so that the tightening remission policy was not applied for them. Meanwhile, only 6 prisoners were able to receive remission after the tightening policy in PP 99 Year 2012 was implemented, because they were qualified as justice collaborators and has paid fine penalties as well as fine replacements.