

Institusi penerima wajib lapor (IPWL) sebagai pintu gerbang upaya depenalisasi perkara pecandu narkoba = Report obligatory of recipient institution (RORI) as a gateway to depenalize drug addiction cases.

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Abstrak

Pecandu Narkotika yang tidak terlibat dalam peredaran gelap narkotika berdasarkan hasil asesmen harus diberi tindakan rehabilitasi. Rehabilitasi dapat dilakukan secara sukarela atau secara wajib, sesuai dengan kondisi Pecandu Narkotika yang melaporkan diri/dilaporkan oleh keluarganya atau yang ditangkap/tertangkap tangan. Rehabilitasi dapat dilakukan di Institusi Penerima Wajib Lapor (IPWL) dengan diadakan rangkaian Asesmen Terpadu Narkotika. Tindakan tersebut sebagai wujud dari upaya depenalisasi perkara Pecandu Narkotika. Namun, terhadapnya masih terdapat permasalahan dari aspek perundang-undangan yang menaunginya, serta aspek implementasinya. Penelitian ini bersifat yuridis normatif dengan menelaah peraturan perundang-undangan, studi kepustakaan, dan dilengkapi dengan wawancara narasumber. Hasil penelitian mengungkap bahwa peraturan perundang-undangan yang berlaku masih belum ideal memberikan keadilan bagi Pecandu Narkotika yang tidak terlibat peredaran narkotika. Fungsi dari IPWL dan pelaksanaan proses Asesmen Terpadu Narkotika tidak berjalan optimal. Padahal keduanya merupakan hal yang penting dalam memberikan upaya depenalisasi bagi perkara Pecandu Narkotika berupa rehabilitasi. Oleh karena itu, payung hukum harus dibenahi agar keadilan dapat tercapai. Fungsi serta peran IPWL dan proses Asesmen Terpadu Narkotika harus diperkuat, sehingga dapat berjalan dengan sebagaimana mestinya.

.....Narcotics addict involving in the drug or narcotics trafficking based on the results of the assessment must be treated with rehabilitation measures. Rehabilitation can be carried out either by voluntarily or compulsorily, according to the condition of the Narcotics Addict whether reporting himself and or is reported by family or those who are caught. Rehabilitation can be carried out at the Report Obligatory Recipient Institution (IPWL) by holding a series of Integrated Narcotics Assessment. This action is a form of efforts to depenalize Narcotics Addict case. However, there are still some problems regarding to the aspect of legislation that covers it, as well as aspects of its implementation. This research is a normative juridical study by examining statutory regulations, literature study, and thus completed with interviewing sources. The results reveal that prevailing laws and regulations are still not ideal to provide justice for Narcotics addicts who are not involved in narcotics or drug trafficking. The function of the IPWL and the implementation of the Integrated Narcotics Assessment process have not run optimally. Though, both are important things in providing depenalization efforts for the Narcotics Addict case in the form of rehabilitation. Therefore, the legal law must be addressed in order to achieved justice. The functions and roles of IPWL and the Integrated Narcotics Assessment process must be strengthened to enable them run properly.