

## Pelaksanaan pembinaan terhadap narapidana hukuman satu tahun ke bawah: studi kasus LP Kelas I A Cipinang

Sitorus, Roy Tulus Martin, author

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### Abstrak

Didalam pelaksanaan pembinaan dewasa ini yang mana menganut prinsip community-based treatment, telah ditentukan program-program yang seharusnya dilaksanakan. Mengenal community-based treatment, berdasarkan sistem pemasyarakatan mengandung dua aspek dalam proses pembinaan. Aspek pembinaan yang institusional yang berlangsung didalam lingkungan bangunan-bangunan tempat penampungan pelanggar-pelanggar hukum dan aspek pembinaan yang non institusional yang berlangsung di tengah-tengah masyarakat. Konsep kepenjaraan - yang lama telah ditinggalkan dan beralih kepada pandangan yang lebih humanis yang semata-mata demi perbaikan diri pribadi seorang narapidana. Mereka diberikan pembinaan, agar kelak bila bebas nantinya mempunyai suatu kapasitas tertentu untuk bisa berintegrasi kembali ditengah-tengah masyarakat. Mereka yang dipidana, hukumannya sangat beragam. Jangka waktu pembinaan memainkan peranan penting didalam pelaksanaan pembinaan. Hal ini bisa menjadi suatu masalah bagi pengaplikasian dari community-based treatment (CBT).

Tidak semua narapidana akhirnya bisa mendapatkan keseluruhan program-program pembinaan tersebut, khususnya yang dihukum satu tahun kebawah. Keadaan yang menjadi awal dari semua permasalahan ini harus bisa dicarikan jalan keluarnya. Memang sejak masuk ke dalam penjara, para narapidana telah diberikan program pembinaan, tetapi hanya sebagian saja, sehingga disebut, hanya berorientasi saja kepada CBT. Padahal konsep CBT harus bisa benar-benar dijalankan sebagai tujuan reintegrasi. Didalam kenyataannya fasilitas yang ada, lebih banyak digunakan oleh mereka yang dihukum satu tahun keatas. Peraturan perundang-undangan sangat jelas sekali untuk pidana 1 (satu) tahun lebih, tetapi lemah untuk hukuman kurang dari 1 tahun. Para narapidana memiliki berbagai macam tipikal yang akan menjadi masalah, ketika mereka menerima pembinaan yang ada.

The treatment implementation for under one-year sentence Inmates. Nowadays, in implementing the treatment programs which is have a community-base treatment principle. that has been determined the programs which supposed to be implemented. Recognizing the community-based treatment, based-on its community system consist two aspects in treatment process. The institutional treatment aspect which is exist in the environment includes the shelters that placing the law-offenders and non-institutional treatment aspects which is exist in the community itself. The old / conventional correctional concept had been left and moving to humane point of view for improving an inmate personality. They have given treatment programs, so if they are being free someday, they will have a capacity to reintegrate in society. They, who has been sentenced, owning the variety of sentence. The period/term of treatment played an important role in implementing the treatment programs. This, can be a problem for the community-based treatment application.

Finally, not all the inmates has got its overall treatment programs, especially those who being under one year

sentence. The condition has become the beginning of all these problems which should be solved. Thus, since they have been sentenced, the inmates had given a treatment program. But they don't get all the treatment programs, so called, it's only a CBT concept. Meanwhile, the CBT concept should be really to be implemented as a purpose of reintegration. In fact, the existing facility, has been used by those whose being above one year sentence. Although the procedure has been really clear for over one year sentenced but it's really weak/become a problem for unless of one year sentence. The inmates also have a character which is becoming a problem, when they have received an existing treatment program. The function of treatment is to rehabilitate and to increase the capacity. As an organization, correctional institution also has barriers in reaching their objectives/goals, basically in terms of the official staffs. The above problems/things which is to identify as a problem- that starting in the sentence process (vonis) until the supervision and the treatment, finally should be looking for the right solution.</i>