

The Implications of Remission for The Repetition of Narcotics Inmates in Bangli Class Iia Narcotics Prison

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ABSTRACT: The remission policy is one of the instruments in the correctional system given to inmates as an award for good behavior and success in participating in the coaching program. For inmates of narcotics crimes, the provision of remission has a more complex problem because the characteristics of narcotics crimes are related to dependence, social environment, economic conditions, and the risk of repetition of crimes. This study aims to analyze the implementation of the remission policy for narcotics inmates and its implications for the recurrence of crimes in the Class IIA Bangli Narcotics Prison. The research uses normative legal research methods with a legislative, conceptual, and case approach, supported by research data on recidivist inmates in the Class IIA Bangli Narcotics Prison. The results of the study show that remission is a prisoner's right that is given based on the fulfillment of legal requirements, good behavior, and participation in coaching programs. The implementation of remission at the Bangli Class IIA Narcotics Prison is carried out through administrative mechanisms and verification in stages. However, data on 418 recidivist inmates showed that 229 people or 54.8% were first recidivists, 137 people or 32.8% were second recidivists, while 48 people or 11.5% had committed repeat crimes three or more times. The findings suggest that remission cannot be placed as a single factor in the prevention of recidivism. The effectiveness of remission is highly dependent on the quality of rehabilitation, behavior change, readiness for social reintegration, and assistance after inmates return to society. Therefore, remission policies for narcotics inmates need to be developed within the framework of remission based on coaching and social reintegration while still ensuring the principles of non-discrimination and legal certainty.

KEYWORDS: Remission; Narcotics Inmates; Recidivism; Corrections.

INTRODUCTION

Criminalization in the modern criminal law system is not solely directed to provide suffering to the perpetrators of criminal acts, but also has the purpose of fostering and social reintegration. (Andrisman, 2011) This paradigm change places correctional institutions not only as a place to serve their sentences, but as institutions that have the responsibility to prepare inmates so that they can return to carrying out their social functions in society.

Remission is one of the important instruments in the correctional system. Remission is essentially a partial reduction of the sentence given to prisoners based on the requirements specified in laws and regulations. Remission can be a stimulus for inmates to maintain good behavior, participate in coaching programs, and prepare themselves to return to society. (Novianti, 2026)

Law Number 22 of 2022 concerning Corrections (Undang-Undang, 2022) placing remission as one of the rights of correctional assisted citizens. In principle, the granting of remission requires good behavior, not serving a disciplinary sentence for a certain period of time, and participating in a coaching program organized by a correctional institution with a good predicate. (Novianti, 2026)

The problem becomes more complex when the remission policy is applied to inmates of narcotics crimes, especially inmates who have recidivist status. Narcotics crimes have special characteristics because the repetition of crimes can be influenced by dependence on substances, social environment, economic conditions, family, and the existence of narcotics trafficking networks. Narcotics abuse is a multidimensional problem that has a serious impact on individual health, social order, and the criminal justice system in Indonesia. The increase in the number of narcotics cases not only causes a social and economic burden, but also contributes to a surge in the population of inmates in correctional institutions. This condition shows that the repressive approach alone is not fully effective in reducing the number of abuses, so a more comprehensive and recovery-oriented strategy is needed. (Josephine Yenni Sijabat, 2026)

Research data on 418 recidivist inmates at the Class IIA Narcotics Prison in Bangli shows that recidivism is a serious problem. A total of 229 people or 54.8% were first recidivists, 137 people or 32.8% had committed the second recidivism, 34 people or 8.1%

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were third recidivists, and some others had committed up to six recidivists. Overall, 185 people or around 44.3% have committed repeated criminal acts at least a second time, while 48 people or 11.5% have committed three or more repeat crimes.

The data shows that the success of the correctional system cannot only be measured by the number of inmates who receive remission. Measures of success must also consider behavioral change, rehabilitation success, inmates' ability to adapt to society, and low risk of reoffending.

This problem is an important basis for examining the relationship between remission policies and the repetition of narcotics crimes. This research is directed to answer the implications of the remission policy on the recurrence of narcotics crimes.

2. RESEARCH METHODS

This study uses empirical legal research methods with a legislative approach, a conceptual approach, and a case approach. The legislative approach is used to analyze the provisions regarding the right to remission and its granting mechanism, especially Law Number 22 of 2022 concerning Corrections and Regulation of the Minister of Law and Human Rights Number 7 of 2022. Research data on recidivists in the Bangli Class IIA Narcotics Prison is used as supporting data to provide an empirical picture of the phenomenon of repetition of narcotics crimes. The data is analyzed descriptively and associated with the legal framework and the concept of corrections.

3. RESULTS AND DISCUSSION

Narcotics abuse, as one of the criminal acts that is still high, occurs. The WHO (*World Health Organization*) defines illicit drugs (drugs) as any substance that, if ingested, alters one or more organ functions. (Yoga Wira Pranata, 2022) Drugs (narcotics and dangerous drugs) can change a person's thoughts, feelings, mental functioning, and behavior. Narcotics offenses have no victims in criminology. Narcotics violations involve perpetrators as victims. (Patmawanti, 2020) Narcotics abuse is a very dangerous thing, because in addition it will have an effect on the user's personal self where he will be addicted and his life will depend on narcotic substances, which if not prevented (treated), the type of narcotics that will be used will be stronger and the larger the dose, so that for him it will be worse. (M. Zidan Ardana, 2024) The user will do anything to fulfill, if the user has enough money, it may not bring other effects outside of his personal and even the user can not be found out (can still hide) but if narcotics addicts do not have enough money to fulfill their addiction continuously, the consequences will spread, not only to themselves personally but also to society, because the user who is addicted at the time of addiction cannot meet his needs from money or his own property, he will try in various ways, which it is not impossible to be able to commit acts that constitute crimes. (Romli, 2025)

Basically, the imposition of a criminal sentence (punishment) is not merely a matter of giving suffering to deter, but an element of guidance and coaching. Punishment for law violators is carried out in Correctional Institutions (Lapas), known as in-institution coaching, with the aim that law violators can realize their mistakes and not repeat their actions, and can return to society and carry out their social functions properly. A person (the offender) who is sentenced to prison has the status of a prisoner. In this case, a person's prison sentence is placed in a Correctional Institution to receive coaching. (Risyal Hardiyanto Hidayat, 2020) Seiring berjalannya waktu, penggunaan narkoba di Indonesia yang terus meningkat dan tersebar luas, bahkan seorang narapidana yang dalam menjalankan masa hukumannya masih menggunakan barang tersebut bisa menjualnya dari balik jeruji besi.

Prisoners have rights that must be fulfilled, these rights are regulated in Law Number 22 of 2022 concerning Corrections. (Undang-Undang, Undang-Undang Nomor 22 tahun 2022 tentang Pemasyarakatan, 2022) Article 3 paragraph (2) emphasizes that the granting of special remission is carried out on: every Eid al-Fitr holiday for prisoners and criminal children who are Muslim, every Christmas day for prisoners and criminal children who are Christians, and every Nyepi holiday for prisoners and criminal children who are Hindu, as well as every Vesak holiday for prisoners and criminal children who are Buddhists. Third, Additional Remission is given if the inmate or criminal child who during his sentence has: done service to the state; and doing deeds that are beneficial to the state or humanity; and carry out acts that help coaching activities in prisons, one of which is obtaining remission.

The problem of recidivism in narcotics crimes is one of the crucial issues in the criminal justice system in Indonesia. The high rate of narcotic recidivism is a reflection of the limited effectiveness of the penal system implemented, as well as an indicator of the need for a thorough evaluation of the mechanism of coaching and social reintegration of former inmates. (Suryantoro, 2025) The reduction of serving a sentence (remission) in Indonesia is a problem that needs to be considered, because the reduction of serving the sentence on the one hand concerns human rights that should be upheld in order to create justice for society. Because even though their status is as prisoners who are serving prison sentences in correctional institutions, they are still Indonesian citizens who have human rights that must be protected and respected by the state. Remission is a reduction in the sentence given to inmates based on good behavior and involvement in coaching programs in correctional institutions. (Abdul Rahman Marasabessy, 2026) Remission is a partial reduction in the sentence given to an inmate as a reward for good behavior during his sentence, participation in coaching programs, and compliance with correctional provisions. (Manullang, 2021) In principle, remission aims to encourage the development of inmates, accelerate social reintegration, and reduce the overcrowding of correctional institutions (LP). (Wulandari

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S. , 2025) The provision of remission for narcotics inmates is an important concern because this type of inmate has a high level of dependency and a greater risk of recidivism than other inmates. (Wulandari, 2017)

The right to remission is given by the Ministry of Corrections in the form of a reduction in the sentence period for prisoners based on the regulations that have been in force in Indonesia. Juridically, the granting of this right to remission must be given to prisoners who have been decided by a court with permanent legal force. The existence of this program to provide a reduction in the sentence is very much needed by the Correctional Institution because through this program inmates can be motivated to behave well. Basically, remission is a government program that aims to motivate inmates to behave well continuously to accelerate reintegration, reduce the psychological impact of prisoners due to deprivation of independence, psychologically minimize disturbances of security and order in the form of fights between inmates that will be fatal, as a facilitator for inmates' self-awareness. (Norman Syahdar Idrus)

Class IIA Bangli Narcotics Prison (Lapastik Bangli) is a Correctional Unit located in Banjar Buungan, Tiga Village, Susut District, Bangli Regency, in the field of Corrections which is under and directly responsible to the Head of the Regional Office of the Directorate General of Corrections Bali. The Bangli Class IIA Narcotics Prison was formed in accordance with the Decree of the Minister of Justice and Human Rights of the Republic of Indonesia Number: M.04.PR.07.03 of 2003. The construction of the Class IIA Bangli Narcotics Prison with a Land Area of 4 Hectares began in 2010, and was inaugurated on September 21, 2016 by the Minister of Law and Human Rights of the Republic of Indonesia (Mr. Yasona H. Laoly). The Class IIA Bangli Narcotics Prison has a capacity of 468 people, but until June 2026 the total number of inmates is recorded at around 1,200 people, so there is an overcapacity rate of around 138%. Inmates in Lapastik are perpetrators of narcotics crimes (both as users, couriers, and dealer networks. (Budi, 2026)

In the granting of Special Remission for Eid al-Fitr 2025 in Lapastik Bangli, for example, the requirements mentioned publicly are to behave well and not be registered in Register F. Therefore, Register F is one of the important instruments to determine the eligibility of inmates to obtain remission. (Budi, 2026) Narapidana register F adalah status bagi warga binaan yang tercatat melakukan pelanggaran tata tertib atau aturan selama menjalani masa hukuman di lembaga pemasyarakatan (Lapas) atau rumah tahanan (Rutan). (Vera Novianti, 2026). The implementation of remission at the Class IIA Bangli Narcotics Prison is carried out through administrative and verification stages. Lapastik Bangli has a role in identifying inmates who meet the requirements, submitting data, and ensuring the completeness of documents before the remission proposal is forwarded through a predetermined mechanism.

Research data on 418 recidivist inmates shows that the repetition of narcotics crimes is a complex problem. The distribution of recidivism shows that most are first recidivists, but there are also groups that have repeated it many times. (Budi, 2026)

Recidivism Rate	Quantity	Percentage
First recidivism	229	54,8%
Second recidivism	137	32,8%
Third recidivist	34	8,1%
Fourth recidivism	8	—
Fifth recidivism	3	—
Sixth recidivism	3	—
Total	418	100%

Source: Research data of Bangli Class IIA Narcotics Prison.

The data shows that 185 people or 44.3% of the total data have committed repeated criminal acts at least for the second time. Meanwhile, 48 people or 11.5% had repeated three or more times.

In terms of age, the inmates in the research data were in the range of 21 to 60 years, with an average age of around 36.2 years and a median of 35.5 years. This condition shows that narcotic recidivism occurs mainly in the productive age group. Of the types of involvement in narcotics crimes, as many as 286 people or 68.4% have categories that include dealers, 113 people or 27.0% include dealers, and 62 people or 14.8% include users. These categories can intersect.

The diversity of these characteristics shows that the coaching policy is not appropriate if it uses a uniform approach to all prisoners. Each inmate has a different level of risk and coaching needs.

The imposition of a criminal sentence (punishment) is not merely a matter of giving suffering to deter, but an element of guidance and coaching. Punishment for law violators is carried out in Correctional Institutions (Lapas), known as in-institution coaching, with the aim that law violators can realize their mistakes and not repeat their actions, and can return to society and carry out their

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social functions properly. A person (the offender) who is sentenced to prison has the status of a prisoner. In this case, a person's prison sentence is placed in a Correctional Institution to receive guidance. (Risyal Hardiyanto Hidayat, 2020)

The problem of recidivism in narcotics crimes is one of the crucial issues in the criminal justice system in Indonesia. Recidivism in general understanding is understood as a broad term that refers to the *relapse of criminal behavior*, including due to *rearrest*, *reconviction*, and *reimprisonment*. (Hairi, 2018) Recidivism is a legal term for a type of crime that cannot be stopped but can only be prevented, such as a type of disease that cannot be cured and can only be prevented. (Patuju, 2016) Recidivism or repetition of narcotics crimes has been regulated in Article 144 paragraph (1) of Law Number 35 of 2009 concerning Narcotics which states that every person who commits a repetition of narcotics crimes as stipulated in Articles 111 to 129 has a maximum penalty plus 1/3 (one-third). Recidivism usually occurs because there is no deterrent effect obtained by the perpetrator. Recidivism in the Criminal Code is not regulated in general in the "General Rules" of Book I but is regulated specifically for a specific group of criminal acts, both in the form of crimes in Book II and in the form of violations in Book III. In addition, the Criminal Code also requires a certain grace period for repetition. Thus, the Criminal Code adheres to the Special Recidivism system, meaning: "criminal aggravation is only imposed on the repetition of certain types of criminal acts (crimes/offenses) and those committed within a certain period of time. (Andrisman, 2011)

Not a few of the former narcotics convicts who, after serving their sentences behind bars, find that their lives are getting harder. Not only have they lost time, opportunity, and self-esteem, but they also now have to walk around carrying the label of "ex-prisoner" who is a burden at every step, especially when trying to restart a decent and dignified life. This is where the role of social, economic, and stigma factors becomes very significant, even unconsciously, increasing the likelihood of someone slipping back down the same path of a seemingly endless cycle of recidivism. The inherent negative labels make many people miss out on opportunities before they even have a chance. This stigma is often more painful than the prison sentence itself. Once out of prison, a former narcotics convict is often immediately confronted with a situation where the community, including friends, neighbors, and sometimes even his own family, shows suspicion and keeps his distance, as if they remain dangerous or will always return to crime. In a tired and fragile inner atmosphere, accepting the fact that the world outside the prison presents a more subtle and lonely cage, of course, takes a huge toll on their mentality and motivation. (Kristianingsih, 2020) The high rate of recidivism in Lapastik Bangli shows that remission cannot be placed as a single instrument in preventing the recurrence of criminal acts. Data of 418 recidivists shows that repetition of crimes still occurs at various levels, including repetition up to three or more times. The repetition of narcotics crimes is not only influenced by the length of the crime. Environmental, economic, family, and access to narcotics networks can affect the likelihood of a person re-committing criminal acts. Environmental factors, for example, can create social conditions that support a person's return to narcotics abuse behavior. Economic factors also have a role. Limitations in education, skills, employment opportunities, stable housing, and access to social services can magnify the vulnerability of ex-convicts to return to their old environment. In addition, the development of information technology can provide easier access to narcotics networks. Digital communication and social media can be used to communicate and transactions more secretly. The family factor also has an important meaning. Emotional support, healthy communication, and family supervision can be protective factors against the repetition of criminal acts. Conversely, families that do not provide adequate support can increase the vulnerability of inmates after returning to society. Therefore, the provision of remission must be integrated with rehabilitation and social reintegration. (Budi, 2026)

4. CONCLUSION

The results of the study show that narcotics recidivism in the Class IIA Bangli Narcotics Prison is a complex problem. Of the 418 recidivist data, 185 people or 44.3% had repeated at least twice. This condition shows that the remission policy cannot be separated from the need to strengthen the quality of coaching and rehabilitation.

Remission has positive implications in the form of providing incentives for good behavior, reducing the sentence of sentence, contributing to reducing overcapacity, and accelerating the process of social reintegration. However, remission also has institutional implications in the form of increased administrative burden and the need for officer resources. Most importantly, remission cannot be seen as a single factor in the prevention of recidivism. Its success depends heavily on the quality of rehabilitation, change in mindset, social readiness, and assistance after release.

Thus, the remission policy for narcotics recidivists in the Class IIA Bangli Narcotics Prison needs to be developed within the framework of remission based on coaching and reintegration, namely the provision of remission rights that still guarantees the principle of non-discrimination and legal certainty, but is integrated with risk assessment, narcotics rehabilitation, psychological intervention, independence coaching, and post-release assistance. This approach is more in line with the paradigm of the correctional system based on Law Number 22 of 2022 and at the same time more rational in an effort to suppress narcotics recidivism.

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