

Social Reintegration of Inmates Through Right to Parole

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Abstract

This study aims to analyze the implementation and obstacles to social reintegration of prisoners through the right to parole. Social reintegration through parole of prisoners is a crucial aspect in the penitentiary system that aims to restore the social life of prisoners into society. The idea is that parole is the right of every inmate as mandated by the Correctional Law. This research uses normative and empirical methods. The normative method is carried out by analyzing laws and other legal materials, while the empirical method collects field data to assess the effectiveness and challenges of the social reintegration program at the Class IIA Correctional Center Bandar Lampung. The results of the study show that the granting of parole has great potential in supporting the social reintegration of prisoners, although in fact not all of these reintegration processes can run according to the expected goals, including aspects of relationship recovery that are not optimally achieved. There are various inhibiting factors, including lack of resources, training for officers, lengthy administrative procedures and mechanisms, and most importantly, the lack of community and victim involvement in the reintegration process until the aspect of restoring relations is not achieved.

Keywords: *Recidivist-Parole-Inmates*

INTRODUCTION

The criminal justice system in Indonesia has undergone various changes in line with the times and the changing needs of society. One aspect that is getting more attention is how the justice system focuses not only on punishing offenders, but also on efforts to ensure that after the sentence is over, prisoners can return to good integration into society. This approach not only aims to reduce the level of recidivism, but also to create conditions where former inmates can live as productive members of society and not re-engage in criminal activities. The concept of social reintegration has emerged as one of the important pillars in the criminal justice system. Social reintegration refers to the process by which inmates who have served their sentences can return to society and live a normal life without repeating the crime. This process includes a range of efforts to ensure that released inmates are not only physically released from prison, but are also mentally and socially prepared to face the challenges of life outside of prison. One of the key mechanisms used to support the social reintegration process is parole.

Parole is a form of reduction in the sentence given to inmates who have shown good behavior during their sentence and who are considered ready to return to society. This parole is usually accompanied by certain conditions, such as the obligation to report regularly to the authorities, the prohibition of re-committing criminal acts, and the obligation to engage in positive activities that can support the reintegration process. In this case, parole is not only seen as a reward for good behavior, but also as an opportunity for inmates to prove that they have changed and are ready to contribute positively to society. However, while theoretically parole is a positive step, its implementation on the ground often faces challenges. This challenge comes not only from the inmates themselves, but also from the community and the authorities responsible for monitoring the parole process.

From the prisoner's side, the biggest challenge that is often faced is the lack of mental and social readiness to return to society. Despite serving their sentences, not all inmates are prepared to face the stigma and social pressures that exist outside prison. Many of them feel isolated or even afraid to return to society because they are worried about not being well received. This anxiety is often exacerbated by a lack of skills or education that can help them get a job or lead a productive life. In many cases, the inability to find a decent job or establish a

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stable life after getting out of prison can lead to a former inmate returning to the path of crime. From the societal side, the stigma attached to former inmates is often a major obstacle to the reintegration process. Society tends to have a negative view of ex-convicts, seeing them as potential threats or untrustworthy individuals. This view makes it difficult for many former inmates to find a job, a place to live, or even healthy social relationships. As a result, many former inmates feel isolated and have no other choice but to return to the same environment or activity that left them entangled in previous crimes.

Authorities and institutions responsible for the implementation of parole also face their own challenges. One of the main challenges is the limitation of resources, both in terms of manpower, funds, and infrastructure. To ensure that prisoners released on parole actually undergo the reintegration process properly, constant monitoring and ongoing support are required. However, with a large number of inmates and limited resources, often this monitoring cannot be done effectively. In addition, cooperation between various government agencies and non-governmental organizations is also often less than optimal, leading to a lack of coordination in providing support to former inmates. To address these challenges, a more comprehensive and integrated approach is needed. Social reintegration through parole should be seen as a shared responsibility between the government, the community, and the inmates themselves. The government needs to increase resources and infrastructure to support the reintegration process, including providing job training, counseling, and other social support programs that can help ex-convicts to adapt to life outside prison.

Communities must also be more open and supportive of this reintegration process, by reducing the stigma against former prisoners and giving them a fair chance to prove themselves. In addition, prisoners who will be released on parole must also be well prepared, both mentally and skillfully, so that they are really ready to live a productive life and not be involved in criminal acts again. Successful social reintegration through parole is not only beneficial for the inmates themselves, but also for society as a whole. By reducing recidivism rates, communities can feel safer, and state budgets typically used to manage prisons can be diverted to other, more productive programs. In addition, by giving former inmates a second chance to live a better life, we are also making a positive contribution to the social and economic development of the community as a whole.

In Indonesia, the implementation of Parole is regulated in Law Number 22 of 2022 concerning Correctional Services and various other implementing regulations, including Regulation of the Minister of Law and Human Rights Number 7 of 2022. This social reintegration is important in the context of correctional services because it aims to reduce the possibility of recidivism and help inmates start a better life after being released from correctional institutions and the ultimate goal of being accepted back into community life. Based on the description above, the problem in this study is how to implement the social reintegration of prisoners through the right to parole and what are the factors that hinder the implementation of social reintegration of prisoners through the right to parole.

METHODOLOGY

This research method adopts an empirical normative approach that combines legal theory analysis with field observation. Normatively, this study analyzes literature reviews and laws and regulations related to social reintegration through parole, as well as literature reviews on criminal law theories and rehabilitation. Empirically, this study involves interviews and observations on the implementation of Parole at the Bandar Lampung Class IIA Correctional Center, including an evaluation of practices and challenges faced. Data is collected through document studies, interviews with relevant parties, and direct observation to provide a comprehensive picture of the program's effectiveness in real-world contexts.

RESULTS AND DISCUSSION

Implementation of Social Reintegration of Prisoners Through the Right to Parole

The penitentiary system in Indonesia has undergone a significant transformation from the concept of prison to correctional service. The main goal of this change is to humanize prisoners who have committed mistakes, so that they can return to making a positive contribution to society. The concept of "prison" as it was previously known emphasizes more on the aspects of exile, punishment, and retribution for criminals. However, this approach is not in line with the values of Pancasila, which recognizes human rights and

prioritizes humanity. The development of inmates in prisons and correctional centers is clear evidence of the state's involvement in fulfilling the human rights of prisoners. This coaching system aims to improve the mentality of inmates and prepare them for social reintegration. This is important to prevent repetition of the crime, which often occurs when inmates do not receive adequate coaching during their detention period.

One of the priorities in the criminal justice system in Indonesia is the prevention of recidivism through social reintegration programs, especially for narcotics inmates. The program is designed to help narcotics inmates reintegrate into society by preparing them physically, mentally, and socially. The Bandar Lampung Class IIA Correctional Center is one of the institutions that plays an important role in the implementation of this program. The Bandar Lampung Class IIA Correctional Center has developed various comprehensive social reintegration programs, including:

1. **Skills Education and Training:** Inmates are given the opportunity to participate in formal and non-formal education and skills training, which can enhance their ability to find a job or start a business after their release.
2. **Counseling and Guidance:** A team of counselors and social workers provides counseling and guidance services to help inmates overcome personal and social issues that may be the cause of criminal behavior.
3. **Religious and Spiritual Activities:** Inmates are given the opportunity to participate in religious and spiritual activities, which can help them find inner peace and increase morale and motivation to change.
4. **Economic Empowerment:** Correctional Centers work closely with various parties to help inmates get jobs or business opportunities, which aims to facilitate the economic independence of inmates after they are released.
5. **Development of Hobbies and Interests:** This program aims to develop inmates' hobbies and interests, helping them have positive activities during their sentence and fill their free time with useful things.

Effective social reintegration programs have many benefits, such as preventing recidivism, improving the quality of life of prisoners, reducing the burden on the criminal justice system, and building positive relationships with society. However, one of the biggest challenges is the negative stigma from society against former prisoners. This stigma often prevents former inmates from reintegrating into society, which can lead them to relapse into crime. In the context of social reintegration, a number of inmates who have met the requirements are given the opportunity to get parole and conditional leave. The decision was taken after going through a rigorous evaluation and assessment process of their behavior and readiness. With social reintegration programs such as parole and conditional leave, it is hoped that inmates can make good use of this opportunity to improve themselves, change their behavior, and become productive and responsible members of society in the future. This program is also part of the efforts of a humane and rehabilitative law enforcement system.

When inmates undergo a reintegration process in the form of Parole, the responsibility for guidance for the inmates will be transferred to the Correctional Center. The Correctional Center is appointed as a correctional supervisor in accordance with the applicable institutional regulations and regulations, namely Law number 22 of 2022 concerning Correctional Institutions which states that the purpose is to guide correctional inmates to be aware and improve themselves and not to repeat criminal acts again. The several provisions in the process of proposing the provision of social reintegration programs, in this case Parole for prisoners, are contained in the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 7 of 2022 concerning the Second Amendment to the Regulation of the Minister of Law and Human Rights Number 3 of 2018 concerning Terms and Procedures for Granting Remission, Assimilation, Leave to visit family, parole, leave before release, and conditional leave. Parole will be granted to inmates when they have met the conditions, including:

1. Have served a minimum sentence of 2/3 (two-thirds), with the provision that 2/3 of the sentence is at least 9 months;
2. Behave well while serving a minimum of the last 9 months counted before the 2/3 of the criminal term;

3. Religious Have participated in the coaching program well, diligently, and enthusiastically; and
4. The community can receive the program of inmate development activities.

Social reintegration is the process by which inmates are prepared to return to society and live a life as productive citizens and not commit crimes again. One of the mechanisms to achieve this social reintegration is through Parole. In this context, Parole is not only the release of prisoners from prison, but also includes guidance and supervision carried out by the Correctional Center. The Correctional Center is responsible for ensuring that inmates who obtain Parole not only return to society, but also adapt well and do not repeat the same mistakes. The Bandar Lampung Class IIA Correctional Center has a very important role in the implementation of Parole. As an institution appointed to guide inmates, the Correctional Center serves to ensure that prisoners released on parole get the necessary support for social reintegration.

According to Law Number 22 of 2022 concerning Corrections, the main task of the Correctional Center is to guide inmates to be aware and improve themselves and not to repeat criminal acts. In the Parole process, the Correctional Center conducts community research which then becomes the basis for deciding whether inmates deserve parole or not. The Correctional Center is also responsible for compiling progress reports on inmates who have been released on parole and conducting periodic monitoring to ensure that inmates remain compliant with the provisions of Parole. The process of proposing Parole is regulated in detail in the Regulation of the Minister of Law and Human Rights Number 7 of 2022. In this regulation, there are several conditions that must be met by inmates to be proposed for parole. These conditions include:

1. Copy of the excerpt of the judge's decision and the minutes of the implementation of the court decision (Required to ensure that the inmate has undergone a valid and transparent legal process).
2. Coaching progress report (This report shows whether the inmate has shown positive behavior changes during the detention period).
3. Community research report (Compiled by the Community Advisor of the Correctional Center, this report evaluates the readiness of inmates to return to society).
4. Notification letter to the district attorney's office (This is an administrative procedure that ensures transparency in the process of proposing Parole).
5. Copy of register F and list of changes from the Head of Prison (This is used to verify information regarding the prisoner's sentence period).
6. Prisoner's statement letter (This letter states that the inmate will not break the law after being released).
7. Letter of guarantee from family or other party (This letter guarantees that the inmate will be guided and supervised during the Parole period).

This process ensures that Parole is only granted to inmates who are truly deserving and have met all the requirements set. After all conditions are met, the inmate will get a Parole and supervision and guidance will be carried out by the Correctional Center. In implementing social reintegration for prisoners, it is important to involve victims and the surrounding community as part of a fair and sustainable process. Currently, there are still many reintegration procedures that do not directly involve them, although there are efforts to remedy this with some steps taken. First of all, social reintegration is an attempt to prepare prisoners to return to society after serving their sentences. It involves a variety of processes to help them adapt back to community life, including psychological support, skills training, and social integration.

Ideally, the success of this reintegration, especially parole, depends on the support of the surrounding community and victims of crime. One of the suggested approaches is to include them actively in the decision-making process regarding the parole of prisoners. Meetings between prisoners, victims, and the community can be an opportunity to explain that parole is a right for every inmate under a law that is then implemented when it has been granted their consent. This not only provides an opportunity for inmates to apologize directly to victims and the community, but also as an effort to restore relations between the parties. However, the fact is that not all processes for granting parole require direct approval from victims and the community.

Approval from the victim and the community for parole can be an important factor in the final decision on whether the inmate is eligible for this opportunity. It also creates a more inclusive and supportive environment for inmates who seek to improve their lives. In addition, the involvement of victims and communities in the reintegration process can help in rebuilding trust and supporting the rehabilitation process more broadly. By engaging them, the reintegration process not only becomes more transparent but also more impactful in reducing the possibility of returning to the criminal world for prisoners. However, there are challenges that need to be overcome in involving victims and communities in this reintegration process. One is the need for a sensitive and respectful approach to all parties involved, to ensure that this process runs fairly and benefits all parties.

Although Parole has many benefits, its implementation is not without its challenges. One of the main challenges is ensuring that prisoners who are released on parole do not return to committing crimes. This requires intensive guidance from the Correctional Center as well as support from family and the community. In addition, there are also challenges related to the capacity of the Correctional Center to carry out effective supervision of all prisoners who are released on parole. Limited resources, both in terms of labor and budget, are often an obstacle to optimal implementation. Parole is important to bring prisoners together with victims and the community, in order to improve social relations and reduce stigma. This process allows for reconciliation, provides opportunities for inmates to show remorse, and helps communities understand and accept social reintegration, thereby creating a more inclusive and supportive environment for rehabilitation.

Obstacles to Social Reintegration of Prisoners Through Parole

Social reintegration of prisoners through conditional coaching programs is one of the important efforts in the modern criminal justice system. The goal is to prepare inmates to better reintegrate into society, as well as minimize their chances of re-committing crimes. However, this process is not without its challenges. Existing barriers can be systemic and multidimensional, involving various factors that interact with each other. Here are some of the main obstacles to the social reintegration of prisoners through parole programs:

1. Overcrowding or Overcapacity of Correctional Institutions

One of the biggest obstacles in the implementation of conditional coaching programs is the condition of overcapacity in many correctional institutions. This excess capacity is a serious problem faced by many countries, including Indonesia. When correctional institutions are filled with inmates beyond their intended capacity, the attention and resources that should be allocated to the development of inmates are very limited. As a result, conditional coaching programs often do not run optimally. Excess capacity can also lead to an environment that is not conducive to rehabilitation. Tight spaces, inadequate living conditions, and lack of privacy can trigger stress among inmates, which in turn hampers the coaching process. In addition, correctional staff are often overwhelmed in managing large numbers of inmates, so they are unable to give enough attention to individual inmates who require special coaching. In the long run, this condition has the potential to increase the level of recidivism, where inmates who have been released on parole return to commit crimes due to a lack of adequate coaching during the sentence period.

2. Parole Granting Has Not Involved the Community and Victims

The provision of social reintegration through parole still faces several obstacles, one of which is the lack of community and victim involvement in the process. Ideally, this reintegration should be carried out by involving related parties, including victims and the surrounding community. With their involvement, the community can know that inmates have been reintegrated and are ready to return to their social environment. In addition, the consent of the community and victims is also important to ensure that the reintegration process runs smoothly and that inmates do not face stigma or rejection. This involvement also serves as a preventive measure to reduce the potential for the recurrence of criminal acts in the future. Therefore, a more inclusive and participatory approach to granting parole is urgently needed to achieve the goal of effective and sustainable social reintegration.

3. Lack of Resources and Infrastructure

Parole programs are often hampered by limited resources, both in terms of funds, facilities, and trained workforce. The management of correctional institutions requires a large budget, especially to provide adequate facilities and to pay and train competent staff. However, in reality, many countries, including Indonesia, still face obstacles in providing sufficient budgets to support programs in correctional institutions. . The lack of a cost budget often has an impact on the implementation of reintegration programs, the implementation of litmas by the Correctional Center in terms of the process of conducting research on victims, and the community is constrained by operational costs that are not yet available.

4. Stigma Social

Social stigma is one of the most significant obstacles in the process of reintegrating inmates into society. After serving their sentences, inmates are often faced with negative stigma from society. They are labeled as ex-offenders, which often makes it difficult for them to be readmitted into their social environment. This stigma can come from a variety of sources, including the media, family, friends, and the general public. This social stigma has a wide impact, ranging from difficulties in getting a job to rejection from the environment where they live. Many inmates who have been released on parole face discrimination in the job search process, where companies or employers are reluctant to hire them because of their criminal background. These difficulties can lead to inmates getting caught up in the cycle of crime again, due to a lack of access to decent work. In addition, social relationships with family and friends are often damaged by stigma, which makes inmates feel isolated and deprived of support.

5. Do not have a letter of guarantee from family

A bail letter is one of the requirements needed in the management of the inmate social reintegration program. In the management of this bail letter, the involvement of the inmate's family is needed as a guarantor and the family will be considered able to play the role of a guarantor so that when the prisoner returns to the community he will not commit acts that violate the rules and do not flee while in the community. This guarantee letter is closely related to the role of the community to participate in supporting the implementation of this social reintegration program.

6. Prisoners Do Not Want to Be Proposed to Participate in the Social Reintegration Program

In order for the implementation of the social reintegration program for inmates, the relevant parties, both from the prison, the community and the inmates themselves, must coordinate well. Obstacles in the implementation of this reintegration program do not only come from the community or in this case the family, but can also come from the inmates themselves. Even though they have met the requirements and served 2/3 of their sentence and are considered worthy of applying for a social reintegration program, there are several cases where the inmates themselves refuse to be proposed to participate in the social reintegration program. This is because inmates feel that they are no longer considered in their family or community when they will undergo the social reintegration program. so they think that it is better to serve the rest of their sentence in prison or be free pure. There are also inmates who do not want their families to know that they are in prison.

7. Inmates' Families Are Far from Prisons and Difficult to Contact

The next obstacle faced by inmates in realizing this social reintegration program is that the family who will be the guarantor is far away or out of town and also difficult to contact by the prison. Meanwhile, one of the conditions for getting a reintegration program such as Parole is a guarantee from the family, especially the nuclear family. But actually it does not have to be a nuclear family, but it can also be if the inmate has a group or social institution that can guarantee it. But the average obstacle is that their families are not around the prison where they are serving their sentences and because not all associations or social institutions want to guarantee, because if the inmates escape, it will be their responsibility.

CONCLUSION

Social reintegration of prisoners through the right to parole is the right of every prisoner as stipulated in Law Number 22 of 2022. There are several requirements that must first be met by inmates who want to get the right to parole. The reintegration of prisoners through the granting of parole has been carried out in accordance with the mandate of the law even though in its implementation this program has not been fully run optimally and comprehensively because there are still obstacles in its implementation.

Factors that hinder the social reintegration of inmates through the right to parole include the lack of resources and infrastructure, the lack of community and victims in the parole approval process, the negative stigma against former inmates who is still high, not having a guarantee letter from their families, inmates do not want to be proposed to participate in the Social Reintegration Program, and the inmate's family is far from the prison and is difficult to contact hindering the effectiveness of this program. Systemic solutions are needed to overcome these obstacles and ensure the success of social reintegration, especially parole.

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