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## **Legal Protection Of Prisoners Who Fight (Research study in Class I Medan Detention Center)**

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### **Abstract**

*The Detention Center is a place of development for correctional students and students who is serving his sentence. Coaching is carried out so that activities become distant individuals better, but as time goes by, there are so many correctional institutions that haven't can the responsibility of creating a peaceful Detention Center still be many. who do fights in the prison inmates who do fights in In the Medan 1st Class Detention Center, there are quite a lot of them. Coaching towards awards in the detention house has been done maximally by the officers and even punishment for the law those who fight in the Correctional Institution are also in accordance with their proper portion makes it a deterrent and doesn't want to repeat his actions again, but that's not all feel deterred from the punishment that has been given by the prison officers not even a little too Those who are still repeated among them without fellow humans.*

**Keywords: Legal Protection, Prisoners, Fight**

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## **INTRODUCTION**

The penitentiary system is the process of fostering convicts based on the principles of Pancasila, and views convicts as creatures of God, individuals, and members of society. Especially the penitentiary system located in the territory of the state of Indonesia has several characteristics or characteristics of the system in order to make the conception of penitentiary into a penitentiary system, which can be seen from the components, inputs, outputs, feed back, noise, and control points (Arifin, 2008).

Correctional institutions or detention houses aim to foster Correctional inmates. Coaching is carried out on prisoners and Correctional students as further regulated in Law No. 12 of 1995 concerning correctional facilities. Correctional officers in prisons who are in charge of fostering and guiding prisoners are functional law enforcement officials who carry out tasks in the field of guidance, security, and guidance of prisoners (Djoko Prakoso, 2010).

A state detention center (Rutan) is a place where a suspect or accused is detained during the process of investigation, prosecution, and examination at a court hearing in Indonesia. The state Detention House is a technical implementation unit under the Ministry of Law and Human Rights.

State Detention Center (Rutan) Class I Medan which is located at Jl. Correctional Institution No.12, Kp. Lalang, District. Sunggal, Deli Serdang regency, North Sumatra is the Office of the North Sumatra Correctional Division under the Regional Office of the Ministry of Law and Human Rights of North Sumatra province.

To achieve the goals or ideals in accordance with the expectations of the Detention Center Class I Medan based on the vision and mission.

According to an explanation from an interview with Mr. Yan Satriyono, as the data processor of the medan rutan security and Order report, he said "the conditions of human life in the Correctional Institution such as recidivism, disciplinary violations, violence between prisoners, escapes, and riots are some of the problems that often strengthen skeptical attitudes towards

correctional institutions. One example that often occurs in prisons is violence between prisoners or prisoners in the form of fights it is triggered by social inequality, disturbing cellmates, debts and stealing friends' goods in the prison itself'

In carrying out its duties, the Class I Medan Rutan, which is inhabited by male prisoners and inmates, is currently 4,311 people, as of February 16, 2022. With a capacity of 1250 people and a total number of employees of 195 people, the reception of prisoners is very dense and some of the residents are prisoners so that the Class I Medan Rutan carries out various care and development programs for prisoners (WBP) such as land use to be used as livestock and agriculture, self-development, and job training that has been carried out with the assistance of the work Training Center (BLK) and mental spiritual and physical health development. Rutan Rutan Class I Medan is a state Detention House that is not only inhabited by prisoners, but also inhabited by prisoners. Below is the list of residents in Class I Medan Detention Center.

**Table 1.**  
 List Of Prisoners In Class I Medan Detention Center.

| NO | PRISONER STATUS | AMOUNT |
|----|-----------------|--------|
| 1  | AI              | -      |
| 2  | AII             | 541    |
| 3  | AIII            | 1790   |
| 4  | AIV             | 80     |
| 5  | AV              | 66     |
|    | AMOUNT          | 2477   |

Source:Rutan Class I Medan Correctional Registrar.

**Table 2.**  
 List Of Inmates In Class I Medan Detention Center

| NO | PRISONER STATUS | Amount |
|----|-----------------|--------|
| 1  | BI              | 1772   |
| 2  | BIla            | 29     |
| 3  | BIlb            | 1      |
| 4  | BIIS            | 11     |
|    | AMOUNT          | 1813   |

Source: Registrator PemasyarakatanRutan Class I Medan.

Description :

AI: police custody

AII: detention prosecutor

AIII: court custody

AIV: High Court Appellate custody

AV: Supreme Court-level Cassation prisoner.

Description :

BI: prison more than 1

Year

BIla: Imprisonment Of More Than 3 Months

Up To 12

BIIB: Imprisonment Of 1 Day Up To 3

The moon.

BIIS: is undergoing a subsidiary or

Substitute Fines.

Over capacity resulted in the tendency of riots in the penitentiary itself such as fights between prisoners who still often occur in the detention center. Various aspects of the situation and conditions that exist in the detention center is very likely to cause many fights that occur

between inmates one with other inmates one of which is full of shelter or (over capacity) this is because the shelter is narrow and little space to move with a hot and stuffy room lack of air for inmates who often make them feel uncomfortable being in the prisoner's room which ultimately makes them emotional with each other and fights (Dwidja Priyatno, 2013).

The detention center should be a peaceful place to educate inmates for the better, but why in the detention center there are still very many fights between inmates this is still very contrary to Article 2 of law no. 12 year 1995 on Correctional namely forming inmates in order to become a much better human being.

Fights that very often occur if left unchecked will have a bad impact on the Narpidana itself and other inmates. Prisoners in the detention center are intended to be fostered to be better, but in fact there are still many prisoners or prisoners who fight, which means there is something wrong with the construction, therefore the author tries to describe the number of cases of disciplinary violations in the form of fights between prisoners in the Class I Medan prison from 2018 to 2021 in the table below(interview results, 2022):

**Table 3.**

The number of fights between prisoners in Class I Medan Detention Center from 2018 to 2021

| NO | Amount | Year |
|----|--------|------|
| 1  | 23     | 2018 |
| 2  | 30     | 2019 |
| 3  | 12     | 2020 |
| 4  | 5      | 2021 |

Source: Rutan Class I Medan Correctional Registrar

Each inmate in the Class I Medan Detention Center knows the rules that apply in the Rutan, because the rules in the form of obligations and prohibitions against prisoners have been socialized first by making a banner that contains obligations and prohibitions which are then placed in each security post, also socialized during the introduction of the environment, that is, when the prisoner is in the status of a prisoner, he is first placed in a quarantine cell to be given directions and get to know the environment, including being informed of all obligations that must be implemented as well as prohibitions that must be avoided while in detention, as well as forms of disciplinary punishment that will be obtained when violating these rules.

Despite the socialization of the rules that apply in Class I Medan, still various disciplinary violations still occur and are things that often happen in every Rutan and prison in Indonesia, including in Class I Medan(interview results).

The impact of overcapacity also has great potential to disrupt the coaching process that takes place in the detention center, so that the purpose of coaching for the inmates is not optimal. Then other impacts are not optimal supervision by prison security officers because the number of security officers is not ideal with the overall number of prisoners and detainees, and various other impacts caused by overcapacity are factors that affect the easy occurrence of disciplinary violations committed by prisoners and prisoners in Class I Medan Detention Center.

## RESEARCH METHODS

This research is normative legal research, that is, research conducted or aimed only at written regulations or other legal materials(Suratman, 2013). Retrieval and data collection in this study was carried out through a literature study by looking for the concepts of theories or opinions regarding the legal protection of prisoners who fight among prisoners in Class I Medan detention center. To be able to give an assessment of the research inimaka used the data collected. The Data were analyzed using qualitative analysis methods (Ediwarman, 2014).

Qualitatively analyzed Data will be presented in the form of a systematic description by explaining the relationship between various types of data seajutnya all data are selected and if then analyzed descriptively so that it can be drawn some things that can be made conclusions in this discussion the conclusion in question is the answer/problem solving in the proposed and evidence of incorrect hypothesis (shown, 2011).

## RESULTS AND DISCUSSION

A criminal is a punishment imposed on a person who is legally and convincingly proven to have committed a criminal offense. According to the provisions of the Criminal Code, the punishment consists of: basic punishment and additional punishment(Syaiful Asmi, 2019).

Administrative sanctions for prisoners applied by Class I Medan Detention Center who violate Article 4 of the regulation of the Minister of Law and Human Rights of the Republic of Indonesia number 6 of 2013 is a regulation that regulates the rules of the State Penitentiary institution and Detention Center. This Ministerial Regulation is a reference that to ensure the orderly implementation of life in penitentiary institutions and state detention houses and for the implementation of prisoner development and prisoner services, there needs to be rules that must be obeyed by every prisoner and prisoner along with disciplinary punishment mechanisms.

Compliance with the rules that apply in penitentiary institutions and state detention houses is one of the indicators in determining the criteria for good behavior towards prisoners and detainees(Aliman, 2001).

In the Class I Medan Detention Center has implemented the regulation of the Minister of Law and Human Rights on the rules of penitentiary institutions and state detention houses, this applies to all prisoners in prison, the purpose of disciplinary punishment here as a form of administrative sanctions is to improve and educate prisoners who commit disciplinary violations. law enforcement is very necessary in handling violations of disciplinary regulations of Correctional inmates.

Based on the results of an interview conducted by the author with Mr. Yan Satriyono, as the data processor for the Medan Rutan security and Order Report on February 16, 2022, at 11.00 WIB., bahwa every violation committed by prisoners will be processed in Medan Detention Center which then get sanctions in the form of reprimand or up to the exile cell. A frequent case in the Class I Medan Detention Center is a case of fights between fellow prisoners. When there is a commotion that leads to a fight, the Class I Medan prison officer will immediately take action to resolve and find out the causes of the fight.

Based on the regulation of the minister of law and human rights of the Republic of Indonesia number 29 of 2017 concerning the rules of Penitentiary institutions and state Detention Houses in Article 1 Paragraph 6, disciplinary action is a security measure against prisoners/detainees in a placement in an isolated room (exile cell)

Then if there is a violation of discipline in the form of a fight between prisoners, the first step taken by the officers is to try to bring together the two parties who are fighting each other earlier in order to achieve peaceful efforts. However, if it turns out that the fight took place masuk, then Rutan Medan class I officers will take strict sanctions. Sanctions given are in the form of placing prisoners in a special room of Exile commonly referred to as Straft F(Hadinata,2000).

The cell is a containment cell away from other cells. After the sanction is given, the activities of the detainee concerned are also limited to a predetermined time limit, depending on the type of offense committed. In the interview, the security and discipline Division of Class

I Medan Detention Center revealed several factors that affect prisoners, causing violations of legal discipline related to fights between prisoners in Class I Medan Detention Center are as follows :

1. Factors lacking the ability of self-penyusuaian

Prisoners/detainees in Class I Medan Rutan must have good self-management skills, such as choosing friends in Class I Medan Rutan that are good and do not plunge to commit crimes against fellow prisoners/detainees in class I medan rutan, and also mutual understanding in terms of sharing, such as food, drinks and others. This is because in the detention center there are many people who have different personalities, and if unable to maintain themselves there will be fights and clashes between fellow inmates/prisoners

2. Provocation Factor

In Rutan Class I Medan there must be inmates / prisoners who have properties that do not want to be regulated and rebellious spirit that often provokes fellow cells in order to create riots/commotion in rutan Class I Medan, which resulted in violent crimes committed jointly or individually, causing the death of other inmates.

3. Pemalakan factors that lead to fights

This type of pekelahian is caused by an element of pemalakan carried out by inmates to other inmates who have just entered their territory, pemalakan or forced demand for money or goods that are the property of newly entered inmates is done by threatening or in the form of violence carried out by the head of the room/cell, so that these inmates defend themselves to defend their property rights, then there is a fight.

4. Borrowing factor

Occurs because of the element of borrowing / borrowing goods/money that belong to the inmates. Borrowing is not in accordance with the terms of the agreement or the good faith of the borrower. Circumstances like this in the end often happens inmates who feel they have debt consider themselves not in debt and as if they do not feel borrowed or behutang. This is a factor causing fights between fellow inmates in Class I Medan detention center.

The policy to make good criminal law regulations cannot be separated from the purpose of crime prevention. Crime prevention efforts with criminal law is essentially part of law enforcement efforts (especially criminal law enforcement).

Legal protection is a picture of the workings of the function of law to realize the goals of law, namely Justice, usefulness and legal certainty.

Legal protection is a protection given to legal subjects in accordance with the rules of law, both preventive (prevention) and in the form of repressive (coercion), both in writing and unwritten in order to enforce legal regulations (Syaiful Asmi, 2016).

The legal protection referred to by the author here is in the form of the role of Class I Medan Detention Center in tackling fights or protecting prisoners from any violations that occur in the detention center, especially fights between prisoners.

Based on the regulation of the Government of the Republic of Indonesia (PP) No. 31 of 1999 on the development and guidance of Correctional inmates in Article 2 said that the development and Guidance Program includes activities to develop and guide the personality and independence of the prisoners/inmates in the detention center.

Legal protection for prisoners who fight among prisoners in Class I Medan Detention Center is by implementing :

a. Morality School Guidance,

Morality school (in Zi Gui) is a form of container where prisoners/detainees get guidance or socialization about what rules and regulations exist in the Class I Medan detention center. In terms of the role of rutan in tackling fights between fellow inmates, in addition to coaching in the form of morality schools, Class I Medan Rutan also provides special education coaching,

namely “special mental development education” which in the early stages or at the admission and orientation stage begins since the prisoners / detainees enter the Rutan they will carry out an activity that includes, rights and obligations while in the institution and also get special guidance, namely morality school where the duration of the activity is for 1 (one) month for prisoners.

b. Special education mental development (PKBM)

Special education mental development is the beginning of the introduction of citizens binaa correctional on his identity (intelligence, mental, and faith) in more depth on the prisoners/inmates through sports, Scouts and others.

c. Self-Reliance Development

These activities are given to prisoners with the aim of training the independence of prisoners, so that prisoners after leaving the Class I Medan prison have special provisions or privileges to be applied and become their work capital, considering that it is still difficult for prisoners who after leaving the prison to get a permanent job.

Self-reliance development consists of

1) Personality Development that includes :

a. religious awareness Development

This effort is needed in order to strengthen his faith, especially to provide understanding so that the inmates can realize the consequences of their true actions and wrong actions. Fostering religious awareness is intended so that prisoners can increase awareness of the religion they profess.

b. fostering awareness of the nation and state

This effort is carried out through the construction of the introduction of pancasila. For this reason, this guidance is given with the aim of fostering awareness of nation and state within the prisoners.

c. development of Legal Awareness

This guidance is carried out by providing legal counseling which aims to achieve a high level of legal awareness so that as members of the community, they are aware of their rights and obligations in order to participate in upholding law and justice, protection of human dignity and dignity.

2) self-reliance development

a. skills to support businesses such as handicrafts, home industry and so on.

skills to support small industrial enterprises, such as the processing of raw materials from the agricultural sector and natural materials into semi-finished materials.

## CONCLUSION

Factors causing fights by fellow prisoners in Class I Medan Detention Center are lack of self-management ability, provocation factor, pemalakan factor resulting in fights, borrowing and borrowing factors, monotonous and long-lasting situations and conditions, resulting in boredom and stress sustained treatment of apathy, laziness, disobedience and others and Over capacity and the ratio of the number of officers and occupants is high.

Legal protection of prisoners who fight among prisoners in Class I Rutan Medan is a legal protection the author means here is the role of Class I Rutan Medan in tackling fights or



protecting prisoners from any violations that occur in the rutan, especially fights between prisoners legal protection of prisoners who fight among prisoners in Class I Rutan Medan is by:

- a. Morality School Guidance
- b. Special education mental development (PKBM)
- c. Self-Reliance Development

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