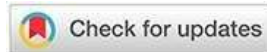


ANALYSIS OF THE PROFESSIONALISM OF THE CORRECTIONAL OBSERVATION TEAM IN THE IMPOSITION OF DISCIPLINARY PUNISHMENTS ON INMATES AT RUTAN KELAS IIB KOTA AGUNG



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ABSTRACT

The role of the Correctional Observer Team (TPP) is very important in providing advice and recommendations related to rehabilitation programs, guidance, and security disturbance prevention to the head of the Technical Implementation Unit, where they are required to deliver measurable and professional recommendations encompassing capabilities, quality, facilities and infrastructure, human resources, information technology, and reliability, while employing qualitative methods through the collection of primary and secondary data via observation, interviews, and document studies. The research findings indicate that TPP officers at the Class IIB Detention Center in Kota Agung exhibit a high level of professionalism, reflected in the recommendations made regarding disciplinary actions. Although they adhere to existing standards and consider the six dimensions of professionalism, there are challenges such as limited hearing rooms for disciplinary processes and a lack of components within the Correctional Observer Team

Keywords: Professionalism; Correctional Observation Team; Disciplinary Punishment



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INTRODUCTION

The concept of the rule of law has been an important topic since ancient Greece, with figures such as Plato and Aristotle emphasizing its role in nationhood. In Indonesia, the principle of the rule of law is consistently highlighted in the constitution, reflecting society's view on the importance of good governance. This is evident in the 1945 Constitution and various amendments that assert Indonesia as a law-based state.

The 1945 Constitution regulates sanctions and penal measures, where the concept of "penalty" encompasses both formal and material aspects. In a formal context, the penal system involves judges and law enforcement authorities, while in a material context, it includes the legal process from investigation to execution of decisions. The penal system aims to achieve specific objectives, making it a crucial element in the structure of criminal law.

Issues of penal measures in Indonesia have become increasingly complex with a focus on human rights. Corrections are not solely punishment-oriented but also emphasize humane treatment of inmates. This development reflects efforts to prioritize rehabilitation and social reintegration, as outlined in Law Number 22 of 2022, which replaces previous legislation.

The correctional system emphasizes planned development between staff and inmates, aiming for inmates to reintegrate into society without negative stigma. Additionally, the observation function in corrections is vital for maintaining security and order in correctional facilities, including efforts to prevent violations.

Changes in the correctional system are evident through the elimination of punitive approaches detrimental to inmates. The current focus is on social reintegration, viewing crime as a conflict to be resolved. This approach aims to restore relationships between offenders and society. The Correctional Observation Team plays a crucial role in providing advice and recommendations related to development programs. The professionalism of team members is essential to ensure that recommendations meet inmates' needs and aim for improvement. Each team member brings a different background, allowing diverse perspectives to enhance decision-making quality. However, conditions at Rutan Kelas IIB Kota Agung reveal an overcapacity issue of 218%, affecting inmate behavior and potentially leading to violations. This situation highlights the need for greater attention to correctional conditions so that the principles of the rule of law can be effectively and humanely implemented.

LITERATURE REVIEW

The research conducted by Syarif, et al (2020) highlights the important role of TPP in inmate development programs, while also identifying obstacles such as suboptimal membership composition and ineffective communication with related agencies. Although TPP has significant responsibilities, challenges such as the lack of family visits to inmates and weak engagement with external members need to be addressed to enhance the effectiveness of TPP's duties. This research provides deeper insights into the challenges faced by TPP and emphasizes the need for solutions to improve its performance.

The study aims to identify the ideal role of TPP and analyze hindering factors, such as the lack of engagement from external members, suboptimal collaboration with other agencies, and infrequent family visits. The findings indicate that while TPP plays a crucial role in development, these obstacles must be addressed to enhance the effectiveness of their duties. This research provides in-depth insights into TPP's role and the challenges that need to be considered for improving its performance.

The research conducted by Jainah, et al (2022) highlights issues related to the treatment of inmates, which often neglect human rights and the lack of effectiveness in the disciplinary punishment system. This study aims to assess the implementation and effectiveness of the correctional system in terms of guidance, supervision, and services for inmates, as well as to enforce discipline according to the Regulation of the Minister of Law and Human Rights No. 6 of 2013. The findings indicate that the sanctions applied cover various levels of violations but often fail to provide a significant deterrent effect, and the use of isolation cells may violate inmates' human rights. The research also emphasizes the importance of communication between staff and inmates to maintain order and security within the correctional institution.

Sukiman and Rizky (2023) examines the execution of meetings conducted by the Correctional Observation Team and the challenges faced in the context of compliance with legislation. The findings show that TPP meetings have been consistently held, with 292 meetings conducted across nine correctional units during 2022, without any fees charged, reflecting a commitment to the principles of transparency and justice. Despite the achievements in the frequency of meetings, the study also acknowledges limitations in evaluating other aspects of meeting implementation and potential unrecognized challenges, while still providing a clear overview of the efforts in guidance and supervision of inmates in the region.

METHOD

The research method is a systematic and scientific approach undertaken to carefully and thoroughly investigate a problem. This approach includes the collection, processing, and analysis of data, as well as drawing objective conclusions. Its primary goal is to solve problems or test hypotheses, thereby generating useful knowledge. In this context, qualitative research methods are employed, focusing on the collection of descriptive data and in-depth analysis of social phenomena.

Qualitative research aims to describe events using all senses, systematically and accurately organizing data. This method allows researchers to conduct a thorough exploration of the situation under investigation, generating data from both written documents and verbal statements. The results of this social observation provide confidence that the research conducted is scientifically valid.

In this study, the researchers adopt a descriptive qualitative method. The focus is on testing hypotheses and describing existing conditions. This method will yield descriptive data, consisting of structured words from reports of individuals and observed behaviors. Qualitative research encompasses various data sources, including personal experiences and case studies that reflect the issues present in the lives of the subjects studied.

The design of qualitative research is flexible and can evolve during the research process. Before conducting the research, researchers must create a clear activity plan to ensure the process is effective and efficient. This design serves as a guide for solving problems and describing observable facts. The method is not only for finding evidence but also for elucidating the subject through various efforts.

Researchers use purposive sampling to determine informants that align with the focus of the study. Informants are selected based on their understanding of the situation at the research site, ensuring they can provide accurate information. The research will be conducted at the Correctional Institution, with samples including officers from the Detention Center. The snowball technique may also be employed to identify additional informants during the research process.

The sources of data in this research are categorized into two types: primary and secondary data. Primary data is obtained directly from the research site through interviews and observations, while secondary data is drawn from relevant documents and literature. Data collection techniques include observation, interviews, and documentation studies, which are conducted simultaneously to acquire comprehensive and in-depth information regarding the issues being investigated.

RESULTS AND DISCUSSION

This research focuses on the professionalism of the Correctional Observation Team (TPP) in providing recommendations related to disciplinary punishments for inmates at the Class IIB Kota Agung Detention Center. Data collection methods involved direct observation and interviews with six informants, consisting of five officers and one inmate. Observations aimed to understand TPP activities in the field, while interviews provided various perspectives on the functions and effectiveness of the TPP.

The analysis indicates that TPP plays a crucial role in recommending disciplinary actions for inmates. The hearings conducted by TPP at the detention center are based on regulations set forth by the Minister of Law and Legislation. With clear regulations in place, TPP is expected to perform its duties effectively and provide objective recommendations to the head of the detention center.

Sondang P. Siagian serves as a reference for understanding TPP professionalism. He defines professionalism as encompassing reliability, expertise, and an understanding of applicable procedures. In this context, the competencies of TPP members are tested through legal literacy, communication skills, and situational awareness. The analysis shows that TPP possesses adequate knowledge of the legal foundations and standard operating procedures (SOP) governing their tasks.

Capability Analysis of the Correctional Supervisory Team

Capability is a key factor in determining the professionalism of the Correctional Supervisory Team (CST) in the imposition of disciplinary sanctions at Class IIB Agung Prison. This analysis emphasizes the importance of three aspects of capability: legal literacy, communication, and situational understanding. Observations and interviews indicate that CST members possess adequate knowledge of the legal framework and standard operating procedures (SOP), which are crucial references for providing recommendations to the prison head.

From the interviews, both the Chairperson and the Secretary of the CST confirmed that understanding the rules and having the ability for objective assessment are essential in carrying out their duties. They stated that CST members must comprehend the regulations governing disciplinary hearings, although some members still struggle to differentiate between types of hearings. This indicates a need for further training to ensure that all members have a consistent understanding and knowledge.

Meanwhile, the Head of the Prison emphasized the importance of experience in understanding the practices of disciplinary action. He noted that while the CST provides recommendations, the final decision rests with him, as he has a deeper understanding of the regulations and standards for action. This underscores how the Head of the Prison's capability in understanding regulations significantly impacts the effectiveness of the CST in executing their responsibilities.

Although CST members have demonstrated good capabilities, such as knowing the legal framework and following SOPs, they also acknowledge the lack of formal training related to their duties. Many members who have served for years have never attended specific training programs. This creates opportunities for improvement in their knowledge and understanding.

Overall, the analysis shows that while the CST exhibits good literacy and communication skills, formal training is essential to enhance their competencies. Individual experiences and initiatives to learn the regulations are crucial; however, the establishment of structured training programs could strengthen the professionalism and integrity of the Correctional Supervisory Team in fulfilling their roles at Class IIB Agung Prison.

Quality of Disciplinary Punishments

Quality is a critical element in the imposition of disciplinary punishments at the Class IIB Kota Agung Detention Center, heavily reliant on the professionalism of the Correctional Observation Team members. In this context, quality encompasses the ability to separate personal interests from duties, experience, and decision-making skills. The team must provide objective recommendations unaffected by personal emotions, in accordance with the prevailing standard operating procedures (SOP) and legal frameworks.

Interview results indicate that TPP members understand the importance of maintaining professionalism and integrity. The team leader asserts that all recommendations must be based on SOPs, without emotional biases, to ensure fairness for inmates. Similarly, the team's secretary emphasized the need for objectivity in assessments to avoid potential harm to inmates.

The experience of team members significantly influences the quality of decisions made. One informant noted over 16 years of involvement in TPP hearings, providing valuable insights for recommendations. However, there are concerns about the potential influence of personal emotions on decision-making, although this is recognized as a rare occurrence.

In practice, two types of hearings are conducted: formal hearings and informal hearings. Informal hearings are more frequently used for urgent disciplinary violations, but they have drawbacks, such as a lack of direct discussions among team members. The final decisions rest with the head of the unit, who has the authority to revise recommendations provided by the TPP.

Overall, the analysis shows that the team's ability to separate personal issues, experience, and decision-making skills is at a good level. Despite challenges, the strict implementation of SOPs and extensive experience is expected to enhance the quality and fairness of disciplinary punishments at the Class IIB Kota Agung Detention Center.

Facilities and Infrastructure

Facilities and infrastructure are essential components supporting the activities of the Correctional Observation Team (TPP) hearings. This analysis focuses on the availability and condition of the facilities at the Class IIB Kota Agung Detention Center.

The availability of facilities such as hearing rooms and supporting equipment is crucial for the smooth conduct of hearings. The team leader indicated that the basic requirements for hearings, including space and tables, are generally met. However, some team members noted that the current hearing location is a corridor under a prayer room and is used for various activities, making it less suitable for formal hearings.

The head of the detention center acknowledged that the TPP hearing space is minimal and not ideal, but emphasized that this does not affect the team's performance in making assessments in accordance with existing regulations. Despite the inadequate space, team members can still perform their duties effectively.

In addition to the physical space, the completeness of documents is also a concern. The team requires essential documents such as reports of examination, invitations, and hearing books to conduct disciplinary hearings. Informants mentioned that all necessary documents are available and easily accessible.

From the analysis, it can be concluded that the availability of facilities at the Class IIB Kota Agung Detention Center is not fully sufficient. Nevertheless, staff are able to maximize the functions of existing facilities. While the condition of facilities is acceptable, some items should be replaced soon.

Overall, despite challenges related to facilities, the Correctional Observation Team members can still perform their duties well. This indicates that the team's ability to address limitations in facilities is commendable, although there remains room for improvement.

Human Resources

The quantity of human resources (HR) encompasses the individual potential that supports the organization based on each member's skills. This analysis focuses on the completeness of the members of the Correctional Observation Team and their capacity to fulfill their functions, which is vital for assessing the quality of human resources.

At the Class IIB Kota Agung Detention Center, there is a significant disparity between the number of staff and inmates. While TPP members feel that their numbers are adequate for the disciplinary process, there is a shortage of community guides and correctional observers.

The completeness of the team does not fully align with regulations, which should involve the presence of observers and community guides in hearings. This gap is attributed to insufficient socialization from the Directorate General of Corrections regarding the roles of each team member.

Misconceptions also arise regarding the types of hearings, where disciplinary hearings and remission hearings are viewed as the same, despite their differing objectives. This highlights the need for better clarification of regulations.

Overall, despite some shortcomings, TPP members continue to carry out their responsibilities effectively, indicating that the human resources within this team are adequate, although there is potential for further improvement.

Information Technology

Information technology includes tools that aid in the processing and management of information. This analysis focuses on the regulatory basis for decision-making, supporting data needed, and the data verification process, all of which are important for assessing the quality of information technology within the Correctional Observation Team.

The information used in hearings is derived from case data collection and archives that help determine recommendations. Key supporting data includes the recap of inmate development programs, which indicates whether inmates are entitled to their rights based on their behavior during rehabilitation.

In addition to recaps, the results of examination reports (BAP) are also critical data. This process involves verifying data by staff before it is submitted to the Correctional

Observation Team. BAP serves as an official document in the hearing process, which must adhere to specific procedures.

TPP hearings are conducted similarly to court trials, where inmates are present to offer their defense. The imposition of disciplinary actions based on hearing decisions is regulated by the Minister of Law and Human Rights, which categorizes types of punishments into light, moderate, and severe.

The analysis indicates that the basis for decisions and supporting data for hearings are well-prepared. The repetitive data verification process also shows that the Correctional Observation Team is capable of making measured decisions in accordance with existing regulations.

Reliability

In this context, reliability refers to the consistency of measurements and data checks by the Correctional Observation Team. This includes the process of re-verifying data, comparing punishments, and considerations made during hearings, all aimed at minimizing errors in decision-making.

Team members routinely recheck files before hearings, ensuring that the information presented during hearings is accurate and relevant. This rechecking process occurs at least three days prior to the hearing, allowing time to review and verify the accuracy of the data to be used.

Before providing punishment recommendations, the team also considers relevant legal bases. This includes the Minister of Law and Human Rights regulations governing the rights and obligations of inmates, which serve as references in formulating measured and fair recommendations.

The hearing mechanism must comply with existing regulations, and the final decision on disciplinary actions is based on recommendations from the team. These recommendations are not only based on violations but also take into account inmates' behavior in rehabilitation activities, allowing for leniency if appropriate.

The analysis indicates that data checking processes, punishment comparisons, and careful considerations have been well executed. This demonstrates that the reliability of the Correctional Observation Team in decision-making is excellent and functions effectively in fulfilling its duties.

CONCLUSION AND SUGGESTION

The findings of this comprehensive study indicate that the officers working at Class IIB Agung Prison, who are integral members of the Correctional Supervisory Team (CST), demonstrate an exceptionally high level of professionalism in their roles, particularly in providing well-informed recommendations for disciplinary actions. The detailed analysis reveals that the team possesses strong capabilities in essential areas such as literacy, effective communication, and situational understanding. Additionally, they excel in the crucial skills of separating complex issues and making informed decisions.

However, despite these strengths, there is a pressing need to enhance the facilities and infrastructure available to them, as well as to increase the number of human resources dedicated to this important work. The team's understanding of information technology and their ability to match data is also rated positively, which is an encouraging sign of their adaptability and competence. Moreover, the reliability of the team is reflected in their thorough data checks and their diligent comparisons of sanctions, which serve to support the recommendations they make in accordance with the applicable regulations.

Nonetheless, the team continues to face significant challenges that could hinder their effectiveness. For instance, they are confronted with limited physical space for conducting disciplinary hearings, which can impede the overall process. Additionally, there is a notable absence of community advisors from Bapas, who could provide much-needed comprehensive considerations regarding the cases of problematic inmates. Addressing these issues is vital for the continued success and professionalism of the Correctional Supervisory Team at Class IIB Agung Prison.

The recommendations arising from this research encompass several critical points that warrant careful consideration. First and foremost, it is suggested that specific training procedures be developed and implemented for disciplinary hearings. These hearings play a pivotal role in determining the rights of inmates, making it essential for the personnel involved to have a comprehensive understanding of the evaluation procedures currently in place. By establishing a structured training program, the knowledge and skills of the staff can be significantly enhanced, leading to more informed decision-making during these critical hearings.

Secondly, there is an urgent need for the construction of new rooms dedicated solely to the hearings conducted by the Correctional Supervisory Team (CST). The existing facilities may not adequately support the requirements of such proceedings, which can hinder the effectiveness of the team's operations. Providing a designated space for these hearings will not only improve the working environment but also facilitate better organization and focus during the proceedings, ultimately contributing to more effective rehabilitation processes within Class IIB Agung Prison.

Lastly, the presence of community supervisors and legal observers in the disciplinary hearing process is highly anticipated and considered vital. Their involvement would bring additional perspectives and expertise, enriching the recommendations that are ultimately presented to the head of Class IIB Agung Prison. Their insights can provide a more holistic view of the inmates' situations and ensure that the decisions made are fair, just, and in alignment with both legal standards and the principles of rehabilitation. Overall, these recommendations aim to foster a more effective and supportive environment for both the correctional staff and the inmates, ultimately enhancing the quality of the rehabilitation process at the prison.

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