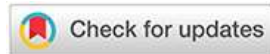


IMPLEMENTATION OF THE CAR WASH INDEPENDENCE DEVELOPMENT PROGRAM IN AN EFFORT TO FULFILL THE RIGHTS OF INMATES IN THE CORRECTIONAL INSTITUTION



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ABSTRACT

The purpose of this article is to understand the importance of the independence development program as an effort to fulfill the rights of prisoners while serving their criminal term in a correctional institution. Fulfilling the rights of prisoners is an effort to uphold the human rights that humans have. This research examines previous research on the subject and available literature using qualitative research methods with a literature review strategy. The results show a number of difficulties in implementing self-sufficiency programs, including inadequate funding, poor inmate engagement, low-quality facilities, and a lack of trained personnel. As a result, the way independence programs are implemented in correctional institutions is not yet ideal. To overcome these challenges, one must use calculated and intelligent moves.

Keywords: *Development of Independence; Human Rights; Correctional Institutions.*



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INTRODUCTION

In the Indonesian legal system, a person who commits an offense that can harm others can be prosecuted under criminal law. Furthermore, if that person has been convicted and sentenced to imprisonment by a judge in court, their status elevates to a convict, and they will become a prisoner once they enter a correctional facility. Prisoners during their time in the correctional facility are entitled to receive independent development programs. These programs are designed to equip inmates with essential skills and knowledge that can aid in their rehabilitation and reintegration into society. Independent development initiatives may include vocational training, educational courses, and personal development workshops that focus on enhancing life skills. Such programs not only promote personal growth but also aim to reduce the likelihood of recidivism by preparing inmates for successful re-entry into the workforce and community. Ultimately, these initiatives reflect the belief that every individual has the potential for change and deserves the opportunity to rebuild their lives post-incarceration.

Referring to Law Number 22 of 2022 on Corrections, Article 7 letter c states that prisoners have the right to receive education, teaching, recreational activities, and opportunities to develop their potential. Therefore, prisoners have the right to choose independent development programs that can enhance their potential. Additionally, Law Number 22 of 2022 on Corrections, Articles 4 and 11 emphasize that correctional facilities are responsible for providing development programs that align with the interests and talents of prisoners so they can develop themselves while in the facility and contribute to national progress after their release. As Sihombing (2021) stated, “effective development programs are crucial for preparing prisoners to reintegrate into society with adequate skills.”

There are several types of independent development in correctional facilities. There are two types of development programs within these facilities: personality development and independent development. Personality development focuses on enhancing prisoners’ relationships with God through religious and spiritual activities as well as legal and citizenship education. Independent development, on the other hand, focuses on improving prisoners’ relationships with their social lives and jobs. It is hoped that independent training can help prisoners acquire the necessary skills for life after release, as many of them enter correctional facilities due to economic issues and lack stable employment. According to Haris (2020), “the independence of prisoners post-release is heavily influenced by the skills they acquire during their sentence.”

In fulfilling prisoners' rights to obtain independent development, various obstacles exist. The conditions of each correctional facility in Indonesia vary. These conditions include social, economic, and resource-related aspects within the correctional facilities. The prisoners within these facilities come from diverse backgrounds and possess varied characteristics. This is what needs to be considered by staff and officials so that prisoners can participate in the independent development programs available at each correctional facility. “Flexibility in the approach to independent development programs is essential to ensure prisoner participation,” writes Santoso (2019).

The purpose of this research is to understand the implementation of prisoner independence programs in correctional facilities from a human rights perspective and to identify the challenges faced during the implementation of these programs. This research is expected to benefit the community by providing an understanding of the role of corrections, specifically regarding independent development programs in the context of human rights. Furthermore, this research aims to contribute knowledge to correctional facilities throughout Indonesia. The discussion in this research focuses on the process of

implementing independent development programs for prisoners in correctional facilities through a human rights approach carried out by correctional staff.

LITERATURE REVIEW

This research employs the theory of policy implementation, specifically the Top-Down Implementation Model as described by George C. Edwards III. Policy implementation can be understood as the actions taken by certain bodies aimed at achieving the objectives outlined in a policy (Tjilen, 2020). In his theory, Edwards identifies four key variables that influence the success of policy implementation.

The first variable is policy communication. Clear and precise communication of policy information between policymakers and implementers is crucial. If the messages or policy instructions are not conveyed effectively, there is a significant risk of misunderstandings or misinterpretations, which can obstruct the implementation process. Edwards emphasizes that "effective communication ensures that all parties are aligned with the goals and procedures of the policy" (Edwards, 2010).

The second variable pertains to resources. To implement policies effectively, sufficient resources are essential. This includes human resources, financial backing, and necessary supporting facilities. Without adequate resources, even well-designed policies will struggle to be executed. As Tjilen (2020) points out, "the lack of financial and human resources is often a primary barrier to the successful implementation of public policies."

The next variable is the disposition of implementers. The individuals responsible for carrying out the policy (e.g., officials or employees involved) must possess a positive attitude and a clear understanding of the policy's goals. If they do not support or comprehend the policy, it poses a significant obstacle to successful implementation. Edwards notes, "the attitudes and beliefs of implementers play a pivotal role in how policies are executed in practice" (Edwards, 2010).

The final variable is bureaucratic structure. A supportive bureaucratic structure is vital in ensuring that policies can be executed effectively. This includes clear procedures, structured communication channels, and a hierarchy that facilitates decision-making and policy execution. According to Edwards, "failure in policy implementation is often attributed to a lack of attention to one or more of these four variables" (Edwards, 2010). This model provides a systematic approach to analyzing and addressing implementation challenges, focusing on how policies can be effectively applied at the operational level.

In conclusion, by understanding and addressing these key variables, the implementation of independent development programs within correctional facilities can be optimized to better meet the needs of prisoners and enhance their potential for reintegration into society.

METHOD

This study employs a qualitative research method with a literature review approach. This method is chosen because it allows researchers to delve deeper into the understanding of the phenomenon being investigated, particularly in the context of the implementation of independent development programs in correctional facilities. The literature review involves examining relevant literature to understand current developments, identify gaps in knowledge, and gain a comprehensive understanding of the research topic. As stated by Moleong (2017), "qualitative methods are a way to understand social reality by exploring the meanings of the phenomena being studied." In this context, the researcher seeks to explore various aspects related to prisoners' rights and the impact of independent development programs on their social reintegration.

The data collected consists of secondary data from research reports, scientific journals, books, government statistics, and other information sources. The collection of secondary data is crucial to obtaining a comprehensive picture of the situations and conditions faced by prisoners in the process of independent development. According to Creswell (2014), "secondary data allows researchers to analyze and summarize existing information, thus providing a strong foundation for further analysis." This way, the research not only focuses on conceptual understanding but also aims to map out the challenges and opportunities present in independent development programs.

Furthermore, this qualitative approach is essential in highlighting the nuanced experiences of prisoners and the effectiveness of existing programs. As noted by Denzin and Lincoln (2011), "qualitative research provides a framework for understanding complex social phenomena, allowing for rich descriptions that can inform policy and practice." By examining various sources and perspectives, the study aims to uncover relevant recommendations to enhance the effectiveness of existing development programs. Therefore, through this qualitative approach, it is hoped that significant insights will be gained to improve the implementation of independent development programs and better fulfill the rights of prisoners.

RESULTS AND DISCUSSION

Objectives of the Independent Development Program

Based on Article 1, Paragraph 3 of the 1945 Constitution, it is emphasized that "the State of Indonesia is a law-based state." This implies that the entire framework of national, social, and governmental life is founded on the rule of law. Therefore, Indonesia must fulfill the essential elements of a rule of law state as articulated by Julius Stahl, which include the protection of human rights, separation of powers, and governance based on law. Human rights are inherent entitlements that every individual possesses, without exception, from the moment of conception until death. The principle of human rights is inherent in every individual, regardless of age, culture, belief, ethnicity, race, gender, sexual orientation, language, ability, or social class. Consequently, every person must have their rights respected and honored, including those who are incarcerated.

As part of Indonesia, prisoners are entitled to the fulfillment of their human rights through independent development programs. The state should ensure the fulfillment of human rights for its citizens, and prisoners, regardless of their citizenship status (including foreign nationals), have the right to equal treatment and access to these rights.

The primary goal of the independent development program for prisoners is to focus on skill development and attitudes that enable them to achieve independence upon their release (Tjilen, 2021). This program is designed to assist prisoners in several key aspects. The first benefit of participating in the independent development program is the enhancement of employability skills. This program often includes training in technical or vocational skills, such as crafts, workshop skills, agriculture, cooking, or other skills that can be utilized for employment or entrepreneurship after release from the correctional facility. The ultimate goal is to equip prisoners with practical abilities that can be applied in the workforce, reducing their financial dependence on others.

Another benefit of participating in this program is preparing prisoners for economic reintegration. The program assists prisoners in preparing to actively participate in the economy after their release. With the skills acquired, they are expected to secure employment or start their own businesses, thus avoiding future criminal acts that might stem from economic difficulties.

Participating in the independent development program also aims to reduce dependency. One of the critical objectives is to minimize prisoners' reliance on others after leaving the correctional facility. By providing practical skills and instilling confidence, prisoners can become more self-sufficient in facing life's challenges and securing a decent livelihood.

The primary advantage for both the state and the prisoners is the reduction of recidivism. Independent development plays a crucial role in preventing prisoners from reoffending after their release. By acquiring stable skills and income, prisoners are expected to steer clear of their previous criminal behaviors. Economic independence is a vital factor in the success of their reintegration into society.

Furthermore, this program assists prisoners in developing their personalities and positive attitudes. Beyond technical skills, the independent development program also aims to cultivate positive attitudes and a sense of responsibility, such as discipline, hard work, and a strong work ethic. Prisoners are encouraged to adopt a more constructive outlook on life, focusing on independent and sustainable solutions.

The main objective of the independent development program within correctional facilities is to prepare prisoners to live autonomously after their release. This program aims to provide the necessary skills to seek lawful and dignified livelihoods, particularly through car wash skills, thereby reducing the likelihood of reoffending. Some specific goals of this program include:

1. **Enhancing Skills and Knowledge:** Through training and educational programs, prisoners are expected to acquire new skills that improve their employability prospects upon release.
2. **Social and Economic Rehabilitation:** This program assists prisoners in readjusting to society and the workforce, while also mitigating the negative stigma often associated with former inmates.
3. **Reducing Recidivism Rates:** By equipping prisoners with adequate skills and employment opportunities, the program aims to decrease the rate of reoffending among former prisoners.

In conclusion, the independent development program serves not only as a means of skill acquisition but also as a pathway for prisoners to reintegrate into society as productive and responsible citizens. By addressing the multifaceted challenges faced by inmates, this initiative plays a crucial role in upholding human rights and promoting a safer, more inclusive society for all.

The Role of the Independent Development Program in Correctional Facilities

The existence of the independent development program within correctional facilities helps prevent boredom among prisoners. It provides them with positive activities that are beneficial for their personal growth. These positive activities aim to reduce stress levels among prisoners and steer them away from deviant behaviors. Additionally, this program encourages prisoners to engage in more physical activities rather than being sedentary, which helps maintain their health and reduces the likelihood of illness. The independent development program offers numerous benefits and goals that are useful for the prisoners.

Challenges in Implementing the Independent Development Program

Although the objectives of the independent development program are commendable, its implementation in the field does not always go smoothly. Several challenges and obstacles are faced, such as limited facilities and resources. Many correctional institutions lack

adequate facilities to implement the independent development program. The scarcity of training tools and materials often poses a significant hurdle. Moreover, limited budgets further impede the provision of necessary facilities and materials.

Obstacles in implementing the independent development program for prisoners can arise from various aspects, including policy issues, resource limitations, and the individual conditions of the prisoners themselves. A lack of resources is one of the primary challenges often encountered. Development programs frequently face constraints regarding financial resources, facilities, and competent trainers. These limitations lead to suboptimal training and mentoring quality for prisoners, making it difficult to achieve the goals of the independent development program.

Additionally, there is insufficient support from government policies that consistently relate to the rehabilitation and reintegration of prisoners. Some programs may not be accompanied by thorough planning or supportive regulations, leading to ineffective implementation. After their release, many former prisoners face stigma from society, which hinders their ability to seek employment or start a business. This reduces the effectiveness of the independent development program because even with skills training, their opportunities to apply these skills are still hampered by social acceptance.

Another inhibiting factor is the low participation of prisoners. Not all prisoners have the interest or motivation to participate in development programs. Some prefer to spend their time in other ways, such as resting or engaging in unproductive activities. Many prisoners may also have a negative mindset, feeling that they will not be welcomed back by their communities once they have served their sentences. This sense of hopelessness leads them to choose inactivity during their incarceration. Psychological factors, such as low self-esteem or lack of interest in change, can hinder their involvement in these programs, resulting in suboptimal outcomes. This is compounded by infrastructure limitations within correctional facilities. Many institutions still lack adequate infrastructure or facilities to support development programs, such as training rooms, work equipment, or access to technological resources. This makes it challenging to implement the independent development program on a large or sustainable scale.

To date, the lack of post-release support for prisoners is still considered insufficient. After their release, former prisoners often do not receive adequate support or guidance to apply the skills they have acquired. This leads to difficulties in starting a new life independently and may result in recidivism.

Moreover, the absence of professional personnel can impede the execution of the independent development program, which requires experts with specific skills in certain fields. However, correctional facilities often lack qualified personnel who can provide quality training. Therefore, it is essential to establish relationships and cooperation with relevant parties to facilitate the implementation of the independent development program.

Lastly, the lack of collaboration with external parties can also hinder the effectiveness of the independent development program. Such programs would be more effective if carried out in cooperation with various stakeholders, including the private sector and educational institutions. However, this cooperation is often not well-established. Staff and officials in each correctional facility are required to cultivate good cooperation with other government agencies and relevant stakeholders to maximize the independent development program within correctional facilities.

Implementation Strategies for the Program

To address various challenges and obstacles, effective implementation strategies are required for independent development programs within correctional facilities. Improving facilities and budget allocation is essential to ensure that these programs can operate successfully. "The government needs to enhance facilities and funding for independent development programs" (Sudirman, 2020). This can be achieved through increased budget allocations and the procurement of adequate training tools and materials. "Even with limited budgets, correctional facilities must maximize available resources" (Tjilen, 2021). This presents a unique challenge for the staff, as they must find innovative solutions to work within existing constraints. A thorough assessment of current resources and needs is crucial for planning.

The next strategy involves the training and recruitment of professionals. "Correctional facilities need to recruit and train professionals with expertise in specific fields" (Raharjo, 2019). The success of these programs heavily relies on having qualified staff who can effectively guide and mentor prisoners. Additionally, collaboration with educational and training institutions should be improved to enhance the quality of training provided. "Establishing good cooperation among agencies and stakeholders can provide professional staff to support the implementation of independent development programs" (Putra, 2022). This collaboration can also lead to the sharing of best practices and resources.

The final strategy focuses on motivation and incentives for prisoners. "To increase prisoners' participation, motivation and incentives should be provided to those who engage in independent development programs" (Sudirman, 2020). Incentives such as sentence reductions, certificate awards, or other rewards can significantly boost participation. "Constructive motivation from staff to prisoners can encourage active participation in programs" (Tjilen, 2021), while additional incentives could take the form of bonuses awarded to prisoners if the independent development program generates revenue. "Effective incentive systems are crucial for fostering a productive environment where prisoners feel valued and motivated" (Hendra, 2021).

Expected Impacts

With effective implementation, the independent development program is expected to have a positive impact, both for prisoners and the broader community, including a reduction in crime rates. "With the skills they acquire, prisoners are expected to earn a living legally and avoid reverting to criminal behavior" (Raharjo, 2019). Correctional facilities can also issue certificates, which can be used to apply for jobs. "The independent development program is anticipated to enhance prisoners' quality of life" (Putra, 2022). With the skills they possess, prisoners can improve their living standards after release and contribute positively to their families and communities.

The independent development program benefits rehabilitation and social reintegration. "This program assists prisoners in readapting to society and the work environment, facilitating a smoother social reintegration process" (Sudirman, 2020). Prisoners are expected to assist with jobs available in the community, enabling them to work alongside others as regular members of society. "Moreover, budget efficiency is a positive outcome of implementing the independent development program in correctional facilities" (Tjilen, 2021). A reduction in recidivism can decrease the financial burden on the state related to incarceration costs, allowing funds to be redirected toward development programs.

CONCLUSION AND SUGGESTION

This study indicates that Personal Growth Initiative (PGI) plays a crucial role in helping recidivist inmates reduce the risk of reoffending. The four dimensions of PGI—readiness for change, planfulness, using resources, and intentional behavior—positively influence the mindset and behavior of inmates towards improvement. Inmates with high PGI are more likely to adapt to life outside prison and avoid criminal behavior. This finding highlights the importance of fostering PGI among incarcerated individuals as a vital component of effective rehabilitation strategies.

However, several barriers exist in this process that can undermine the development of PGI. These include social stigma, which often isolates inmates and prevents them from accessing support networks; lack of social support from family and friends, which is critical for emotional stability and reintegration; limited access to resources, including educational and vocational training; and environmental pressures within the correctional facility that may discourage personal growth. These factors can hinder inmates from fully developing their PGI, ultimately increasing the likelihood of recidivism.

To address these challenges, a comprehensive support system must be established, engaging various stakeholders, including correctional staff, community organizations, and mental health professionals. Collaboration among these parties is essential to create a conducive environment for inmates to thrive. Providing targeted interventions, such as mentoring programs and skills training, can enhance inmates' PGI, equipping them with the tools they need to successfully reintegrate into society.

Moreover, limited access to resources, such as educational and vocational training programs, restricts inmates' opportunities for personal and professional growth. Environmental pressures within the correctional facility, including negative influences from peers and a lack of constructive programming, can also hinder their ability to cultivate PGI.

To counter these challenges, it is essential for support from various parties—including correctional staff, community organizations, and mental health professionals—to be established. By collaborating and implementing targeted interventions, such as mentoring programs and skills training, we can enhance inmates' PGI, equipping them with the tools they need to successfully reintegrate into society. Ultimately, recognizing and addressing these barriers is crucial for maximizing the potential of inmates, fostering their growth, and reducing recidivism rates, thereby contributing to safer and healthier communities.

In conclusion, while PGI offers a promising framework for reducing recidivism among inmates, it is crucial to recognize and address the barriers that may impede its development. By investing in supportive resources and fostering a culture of growth within correctional facilities, we can significantly improve the chances of rehabilitation and reintegration for inmates, ultimately contributing to safer communities.

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