The Narcotics Abuse Rehabilitation for Police Members by the National Narcotics Agency (BNN)

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Article Abstract. The implementation of the existing rehabilitation so far has been going quite well, although there are still shortcomings to ensure rehabilitation which is influenced by several factors. Factors that affect rehabilitation come from internal as well as from external, including the understanding of investigators and judges related to rehabilitation and narcotics crime, deviations that occur in the implementation of rehabilitation. The purpose of this paper is to describe the rehabilitation carried out by the Lido Narcotics Agency for members of the police. Those caught with narcotics can return to their functions. The research method used a qualitative method which was intended to obtain data regarding the effectiveness of the rehabilitation program carried out by the Lido National Narcotics Agency for members of the Indonesian National Police who were caught with narcotics.

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1. Introduction

Along with the rapid development of Indonesian society, society needs regulation as a reference or guideline to control the development of society in a positive direction. When a regulation is made to regulate people's lives, there are still some people who do not comply with these rules and this is referred to as a crime, the crime that has received the most attention in recent years in Indonesia is the crime of using narcotics. However, drugs are used for negative things, in the medical world narcotics are widely used, especially in the anesthetic process before the patient is operated on. Along with the times, someone who was initially unfamiliar with narcotics turned into an addict who is difficult to escape from dependence. Implementing police and law enforcement have the task of maintaining state security.

The Republic of Indonesia has the authority to prevent and eradicate criminal acts. The police as the spearhead in the initial position of implementing the justice system are obliged to carry out their duties and authorities as law enforcers, there are police officers who are involved in the administration of narcotics and psychotropic

1 Akmal Hawi, Remaja Pecandu Narkoba: Studi tentang Rehabilitasi Integratif di Panti Rehabilitasi Narkoba Pondok Pesantren Ar-Rahman Palembang, Tadrib, Vol. IV, No.1, June 2018;
2 Imam Syafe'i, Pondok Pesantren: Lembaga Pendidikan Pembentukan Karakter, Al-Tadzkiyyah: Jurnal Pendidikan Islam, Vol 8, No 1 2017;
substances, both as users and dealers. This affects public trust in the police to provide legal certainty and protection for the community to the police to provide legal certainty and protection for the community. A member of the police has regulations, both regarding discipline and a code of ethics.

Indonesian National Police Headquarters (POLRI HQ). In 2010, there were 5,437 (five thousand four hundred and thirty-seven) cases of disciplinary violations against members of the National Police. In addition to disciplinary violations, the Police have given sanctions for officers who violate the professional code of ethics as many as 215 (two hundred and fifteen) people, the police received criminal sanctions in 2010 as many as 628 (six hundred and twenty eight) people. The National Police carried out Disrespectful Dismissal (PTDH) on 294 (two hundred and ninety four) officers who violated the law. Details, Middle Officers (PAMEN) 6 (six) people, First Officers (PAMA) 12 (twelve), NCO 272 (two hundred and seventy two) people and TAMTAMA 4 (four) people.

In 2011, a total of 267 (two hundred and sixty-seven) members of the National Police were dishonorably dismissed (PTDH). Furthermore, as many as 3,429 (three thousand four hundred and twenty-nine) members of the National Police were sentenced to disciplinary sanctions and 12,987 (twelve thousand nine hundred and eighty-seven) members of the National Police violated the rules. General Timur Pradopo, who at that time served as Chief of the Indonesian National Police (KAPOLRI), explained that most of those who were fired were members of the National Police who committed criminal acts. In 2012, the Police dishonorably dismissed (PTDH) 595 (five hundred and ninety five) members. This number increased from the previous year which was only 267 (two hundred and sixty seven) members or an increase of 55.12 (fifty five point twelve) percent. For disciplinary violations there are 6. 017 (six thousand and seventeen) cases and an increase of 43 (forty three) percent from 2011. This figure was successfully completed by the National Police as many as 4,154 (four thousand one hundred fifty four) cases or 69 (sixty nine) percent. Meanwhile, for professional ethics, there were 651 (six hundred and fifty-one) cases and 449 (four hundred and forty-nine) cases had been resolved. This number also increased by 42.24 (forty two point twenty four) percent from the previous year. Meanwhile, for professional ethics, there were 651 (six hundred and fifty-one) cases and 449 (four hundred and forty-nine) cases had been resolved. This number also increased by 42.24 (forty two point twenty four) percent from the previous year. Meanwhile, for professional ethics, there were 651 (six

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5 Andri Winjaya Laksana, Tinjauan Hukum Pemidanaan Terhadap Pelaku Penyalahguna Narkotika Dengan Sistem Rehabilitasi, Jurnal Pembaharuan Hukum, Volume II No.1 January - April 2015; Andri Winjaya Laksana, Social Analysis of Narcotics Abuse Prevention Women, Jurnal Pembaharuan Hukum, Volume VI No.3 September-December 2019; see to Andri Winjaya Laksana, Sociological Analysis of Narcotics Circulation Treatment on Students, Jurnal Pembaharuan Hukum, Volume 8 No.1 January-April 2021
6 Arif Efendi, Peran Strategis Lembaga Pendidikan Berbasis Islam di Indonesia, El-Tabarwi Jurnal Pendidikan Islam, Vol 1 No 1 2008;
hundred and fifty-one) cases and 449 (four hundred and forty-nine) cases had been resolved. This number also increased by 42.24 (forty two point twenty four) percent from the previous year. Meanwhile, the number of members of the Indonesian National Police who are users of narcotics and drugs from year to year has increased. This fact refers to data collected by the National Police’s Professional and Security Division (Propam) from 2018 to 2019. In detail, in 2018 there were 125 police officers involved in drugs. Consists of 110 cases of methamphetamine, 7 members of ecstasy, and 8 members of marijuana. The role of the perpetrators, 11 dealers and 114 users. Meanwhile, for 2019, until August, there were 130 police officers involved in drugs. There were 115 methamphetamine cases and 5 cases of ecstasy and 10 cases of marijuana. For 2019, 10 police officers were registered as dealers and the remaining 120 were only users.

Deviations in the behavior of police officers are a violation of the disciplinary regulations of POLRI members as regulated in the Government Regulation of the Republic of Indonesia Number 2 of 2003 concerning Disciplinary Regulations for POLRI Members. Efforts to enforce discipline and the Police’s code of ethics are very much needed in order to realize the implementation of the assigned tasks and achieve the professionalism of the Police. It is very unlikely that law enforcement can run well, if the law enforcers themselves are undisciplined and unprofessional. The task of the police in the field of law enforcement is to carry out investigations and investigations, especially against criminal acts of narcotics abuse, both as dealers and as users. In eradicating narcotics crime, it is good.

Based on the results of observations in the field, the author interviewed a police officer named Gunawan, stating that "Unfortunately, members of the National Police who should serve as state law enforcement tools in eradicating criminal acts, especially the abuse of narcotics and psychotropic substances, are very unfortunate if this noble profession is injured by the actions of its members which are contrary to the law duties he must do as a member of the police. Reviewing the concept of law enforcement, every citizen is obliged to uphold the law. A person who violates the law must be held accountable for his actions before the law.

Meanwhile, whether the rehabilitation is directly given to the police by waiting for the court's decision first, the answer is yes, waiting for the court's decision first. This is because the judge's decision that determines whether the person concerned is undergoing rehabilitation or not is based on whether or not the crime committed is proven or not. Abusers can be proven or proven as victims of Narcotics abuse, the abusers are obliged to undergo medical rehabilitation and social rehabilitation. In addition, to determine whether the abuser is sentenced to prison or not, the judge must pay attention to the provisions of the article on rehabilitation. Seeing the consequences caused by these drug abusers, the government turns out to have a high commitment in efforts to prevent, eradicate, abuse and illicit drug trafficking with the establishment of the National Narcotics Agency (BNN) in 2002 based on Presidential Decree No. 17 of

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2002 concerning the National Narcotics Agency. The Presidential Decree explains that one of the main tasks of the National Narcotics Agency is to coordinate relevant government agencies in formulating policies and their implementation in the fields of availability, prevention, eradication, abuse and illicit drug trafficking. From these main tasks, related to the consequences of drug abuse, the National Narcotics Agency has set one of its missions, namely to improve therapy and rehabilitation methods in rehabilitating drug abusers\(^9\).

Police officers who tested positive for narcotics abuse were rehabilitated at the State Police Education School in Lido, West Java, and were placed on a strict watch list. Not only undergoing rehabilitation, the police are obliged to follow the coaching. They are given coaching such as physical, spiritual development and an understanding of the dangers of narcotics. In addition, like the general public who abuse narcotics, the police are also being rehabilitated at the BNN Rehabilitation Center. The police who were positive for using narcotics were rehabilitated at the BNN Rehabilitation Center, Lido, Sukabumi. Head of the BNN Rehabilitation Center, Commissioner. Yolan explained that the police who used narcotics were police from all regions in Indonesia, mostly from Sumatra. All handling is the same, nothing is different\(^{10}\).

In this case, the Rehabilitation Center has provided both outpatient and inpatient rehabilitation. The methods provided by BNN in overcoming narcotics abuse are: Medical rehabilitation. Detoxification, intoxication, outpatient care, health checks, investigations, treatment of ill-advised drugs, psychotherapy, dual diagnosis treatment. Social rehabilitation based on Therapeutic Community. Spiritual activities in the form of mental and spiritual guidance (BinTal). Ability enhancement. Computer, foreign language, multimedia (audio, video, radio). Family Therapy (Family Support Group, Family Counseling). Psychological Therapy. Recreation (Family Outing, Static Outing). Drug use rehabilitation programs are often very helpful and can reduce the risk of relapse. But the risk of addiction cannot be eliminated.

2. Research Methods

The method used in this study. As the purpose of this research was to find out and analyze the perspective of rehabilitation based on national legal instruments in Indonesia in criminal acts of narcotics abuse, understanding of state apparatus who use narcotics, especially members of the National Police, and knowing the rehabilitation system by the Lido National Narcotics Agency for perpetrators of state apparatus (members of the National Narcotics Agency) who commit criminal acts of drug abuse. The research method used a qualitative method which was intended to obtain data regarding the effectiveness of the rehabilitation program carried out by the Lido BNN Center for members of the Indonesian National Police who were caught with narcotics.

\(^9\) Fathur Rohman, Pendidikan Spiritual Berbasis Tarekat bagi Pecandu Narkoba (Studi Kasus di Pondok Pesantren As-Stressiyah Darul Ubudiyah Sejati Sejomulyo Juwana Pati), *Jurnal Pendidikan Agama Islam (Journal of Islamic Education Studies)*, Vol. 5 No. 2 2017;

\(^{10}\) Ibid.
3. Results and Discussion

Related to assessing the factors that cause state officials to use narcotics, the author assesses that they can use rational choice theory, which is based on three assumptions: hedonism, rationality, and free will. More specifically, hedonism refers to the belief that officers choose to use narcotics based on a rational calculation of the risk of pain versus the potential pleasure derived from the act. Rationality refers to the capacity of the apparatus to make judgments based on logic. Free will refers to the apparatus' ability to consider various courses of action and then choose the one that is most desirable or in its best interest.11

The client data for members of the National Police from the Lido Tire Rehabilitation Center and its sub-sectors are as follows:12

<table>
<thead>
<tr>
<th>Table 3.1</th>
<th>Client Data for Members of the National Police for the 2016 BNN Rehabilitation Center for Elementary School 13 October 2020</th>
</tr>
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<tbody>
<tr>
<td><strong>No</strong></td>
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<td>January-13 October</td>
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<th>Table 3.2</th>
<th>Client Data for Members of the Indonesian National Police for the 2016 Tanah Merah BNN Rehabilitation Center, 13 October 2020</th>
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</thead>
<tbody>
<tr>
<td><strong>No</strong></td>
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<td>2018</td>
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<tr>
<td>4</td>
<td>2019</td>
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</tbody>
</table>

12 BNN data
Table 3.3
Client Data of POLRI Members, Batam BNN Rehabilitation Center in 2016 to 13 October 2020

<table>
<thead>
<tr>
<th>No</th>
<th>Year</th>
<th>Compulsory</th>
<th>Volunteer</th>
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<td>4</td>
<td>2019</td>
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<td>January-13 October</td>
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<tr>
<td>Total</td>
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<td>11</td>
<td>13</td>
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</tbody>
</table>

Table 3.4
Client Data of POLRI Batam of Baddoka’s BNN Rehabilitation Center in 2016 to 13 October 2020

<table>
<thead>
<tr>
<th>No</th>
<th>Year</th>
<th>Compulsory</th>
<th>Volunteer</th>
<th>Total</th>
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From the data above, the number of POLRI members participating in the rehabilitation program in each BNN unit is different in 2016-2020 there are about 15% of members, all of whom have undergone the Rehabilitation process. Meanwhile, for members who are still undergoing criminal proceedings at the Correctional Institution, the same will be done after being released.

Rehabilitation as a substitute for imprisonment is considered effective in overcoming drug abuse. The author considers that imprisonment is not always effective
in improving individual perpetrators for the better. This statement is reinforced in the article China is accused of denying treatment to illicit drug users by Jane Parry (2010), in fact the detention process carried out by the Chinese government resulted in inhumane actions such as physical violence, sexual harassment, discrimination or increasing HIV transmission which actually Mandatory detention imposed by the Chinese government is not always effective in improving individual offenders for the better.

This Rehabilitation Center is part of the theory of treatment because this rehabilitation for narcotics addicts is an integrated treatment activity to free narcotics users from their dependence. Plus, addiction is a natural characteristic of people with drug addiction, which is a disease, the community must offer care and treatment, not judgment, namely through the Rehabilitation Center. This is based on the purpose of punishment according to treatment theory, namely providing coaching actions for punishment, where the users are sick people so they need coaching actions in making recovery and repairs.  

People with different understandings when giving the definition of rehabilitation, especially in the narcotics sector, describe this rehabilitation as an attempt to restore a state where it has been damaged so that it can function again as it was when it was not damaged. dr. Diah and dr. Hatyanto explained that this rehabilitation is a transformational behavior or to try again for the narcotic addict so that he can be productive again, physically, mentally, medically, and socially before using it.

Rehabilitation provides services or programs for addicts to be free or return from their addiction problems. dr. Diah said the rehabilitation program was to give the abuser an opportunity to recover and return to the way it was before using it.  

There are many methods and facilities in rehab institutions, so the effort to recover as a way to solve addiction problems is mainly for addicts and their abusers. Ed Leuw (1991) understands that the problem with narcotics addicts and abusers is seen in the consequences they get, their reactions, or social consequences and what is serious about this narcotics problem, as well as the function of public policy for narcotics users. If you look at the reactions and policies on narcotics rehabilitation in the current situation, the problem of addiction is similar to the iceberg phenomenon, where there are few shortcuts but when focused there are many problems. The existence of a rehabilitation institution is something they need who do not want to be separated from their influence or are addicted to narcotics.

Police officers as addicts or victims are decided for rehabilitation according to the court’s decision. Rehabilitation sites have tasks including increasing the capacity of their medical and social rehabilitation institutions for narcotics addicts, who are the organizers of the government or the community. They are given guidance such as physical, spiritual, or knowledge about the dangers of narcotics. The punishment given

14 Interview Results Dr. Diah Setia Utami on April 5, 2021 in the Deputy for Rehabilitation of the National Narcotics Agency.  
by the police if they commit a criminal act of using narcotics, that is, punishment processing can be carried out if the police apparatus commits narcotics abuse, namely dismissing them. Violations of the disciplinary rules and code of ethics will be examined, if it can be proven, sanctions will be given. The provision of disciplinary sanctions for violations committed does not eliminate the criminal charges against the members concerned. When convicting the perpetrators, police investigators will coordinate with the National Narcotics Agency and in punishing the perpetrators, investigators will experience many obstacles. Barriers to implementing rehabilitation do not only arise from internal, but also from external.

Police officers who are addicts or victims who abuse narcotics are decided to be rehabilitated according to the court's decision. There are 6 rehabilitation facilities owned by BNN in Indonesia, namely the Lido Great Hall, Badokka Rehabilitation Center, Tanah Merah Rehabilitation Center, Batam Rehabilitation Workshop, Lampung Rehabilitation Workshop and Deli Serdang Rehabilitation Workshop. And the addicts are placed according to the conditions of the rehabilitation place or the addicts can also apply for the rehabilitation place. Addicts who have received a judge's decision to be rehabilitated will be placed based on the judge's decision, then they will be placed in a house provided to participate in the program provided by the rehabilitation center/loka.

In BNN itself there are houses for drug addicts,17 The rehabilitation was immediately given to the police by waiting for the court's decision first, they are still waiting for the court's decision first. This is because the judge's decision that determines whether the person concerned is undergoing rehabilitation or not is based on whether or not the crime committed is proven or not. This means that there is an examination process in court before a judge's decision is made. This is based on Article 103 of the Narcotics Law. The judge can do:

- Decide to order the person concerned to undergo treatment and/or treatment through rehabilitation if the Narcotics Addict is proven guilty of committing a Narcotics crime. Elucidation: This provision confirms that the use of the word decide for a Narcotics Addict who is proven guilty of committing a Narcotics crime implies that the judge's decision is a verdict (punishment) for the Narcotics Addict in question.

- Determine to order the person concerned to undergo treatment or treatment through rehabilitation if the Narcotics Addict is not proven guilty of committing a Narcotics crime. Elucidation: This provision confirms that the use of the word stipulate for narcotics addicts who are not proven guilty of committing a Narcotics crime implies that the judge's determination is not a verdict (punishment) for the Narcotics Addict in question. The stipulation is intended to give an emphasis that the Narcotics Addict, although not proven guilty of committing a Narcotics crime, is still required to undergo treatment and care. The period of undergoing treatment and care for Narcotics Addicts as referred to in paragraph (1) letter a is calculated as a period of serving a sentence.

Criminal responsibility for members of the police who are involved in abusing

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17Interview Results Dr. Diah Setia Utami on April 5, 2021 in the Deputy for Rehabilitation of the National Narcotics Agency.
narcotics can be seen in their actions. The enforcement of criminal law on members who abuse is applied to everyone, namely equal status in the eyes of the law. The process is punishment for the police who carry out criminal acts based on Article 29 Paragraph (1) of Act No. 2 of 2002 concerning the Indonesian National Police. These individuals are required to conduct a hearing on the police code of ethics, and the dismissal of this person is considered, only given disciplinary sanctions or mutilation is carried out in areas far from the drugs or can also be dishonorably discharged by the competent authorities.

The legal process is that if the police officers carry out a criminal act of using narcotics, namely violating disciplinary regulations and the code of ethics, then an examination will be carried out and if it is proven they will be given sanctions. The imposition of this sanction does not remove the criminal charges against the related members. So, if this person uses narcotics, then criminal law processing is carried out even though he has carried out disciplinary sanctions and violates the code of ethics. This person was suspected of using narcotics and carried out an investigation process and deemed innocent until proven through a court decision with legal force (the principle of presumption of innocence).

The punishment given by the police if they commit a criminal act of using narcotics, that is, punishment processing can be carried out if the police apparatus commits narcotics abuse, namely dismissing them. Violations of the disciplinary rules and code of ethics will be examined, if it can be proven, sanctions will be given. The provision of disciplinary sanctions for violations committed does not eliminate the criminal charges against the members concerned. When convicting the perpetrators, police investigators will coordinate with the National Narcotics Agency and in punishing the perpetrators, investigators will experience many obstacles. Barriers to implementing rehabilitation do not only arise from internal, but also from external.

The process is enforcing the code of ethics of the police profession to its members where they are stumbled upon a criminal case of narcotics abuse, an examination will be carried out and if proven, they will be given sanctions. The imposition of disciplinary sanctions and violations of this code of ethics do not eliminate the criminal charges against the members concerned. This person is still being processed by law even though he has carried out disciplinary sanctions and a code of ethics. This person will be processed, the investigation must still be considered innocent until it is proven through a court decision with permanent legal force in accordance with Article 8 paragraph (1) of Act No. 48 of 2009 concerning judicial power. If the fact is that the enforcement of this code of ethics on its members, where the case is criminally abusing narcotics, the implementation is not good, where the police do not immediately take strict action against the related persons, giving the impression that the police are still providing protection for members and it is considered that after the members have been tried in the general court and found guilty of abusing narcotics. This rehabilitation is a facility that provides programs to restore people who are addicted to being able to lead normal lives again. When looking at the case, members of the National Police who commit such deviant acts will be corrected with the program at Lido/rehabilitation sites affiliated with

BNN. This rehabilitation is a facility that provides programs to restore people who are addicted to being able to lead normal lives again. When looking at the case, members of the police who commit such deviant acts will be remedied with the program at Lido/rehabilitation sites affiliated with BNN. This rehabilitation is a facility that provides programs to restore people who are addicted to being able to lead normal lives again. When looking at the case, members of the police who commit such deviant acts will be remedied with the program at Lido/rehabilitation sites affiliated with BNN.

The stages that the addict must go through until he recovers are the Intake Process. At this stage the resident will be examined first, both psychological examinations, physical examinations and supporting examinations. Detoxification stage is a follow-up to the Intake process stage. Here the resident will follow the detoxification process to cleanse the effects of addictive substances. Primary Stage At this stage, there are three processes that must be carried out by residents, namely younger members, middle peers, and older members. Program Orientation Stage This stage is the preparation stage for reentry addicts towards a post-rehabilitation program. This stage is intended to provide briefing and introduction to programs according to the types of existing programs and to make residents familiar with environmental conditions. Stages of training and practice, this stage is intended to provide various skills and continue with practice until obtaining the expected results. Stage of Evaluation of Results and Preparation of Field Work Practices This stage is intended to carry out a thorough evaluation and preparation of residents to enter real life armed with the skills that have been possessed during the post-rehabilitation program. This stage is the last stage of post-rehabilitation towards assisted houses. Independent houses are almost the same as assisted houses, at this stage the residents will also live in independent houses with a maximum of 10 residents.

In developing the Center for Rehabilitation, they usually use the Therapeutic Community method, namely using a group approach, a group is created as a medium to change a behavior from bad to good. Dr. Diah Setia Utami as the Deputy for Rehabilitation of the National Narcotics Agency explained that after completing their rehabilitation, they could return to their respective institutions, but the rehabilitation center itself has an after care program that is useful for sharing after leaving rehabilitation because it is not easy to deal with pressures from family, or from the environment. Continuous rehabilitation of drug abuse or addicts begins with the stage of medical rehabilitation which aims to restore physical and mental health, through health services and medical therapy.

Pressure and stigma on members which often lead to re-using narcotics. It is undeniable if the pressure for ex-addicts comes from the family. This pressure on him to be labeled as an ex-addict has the effect of losing his confidence. To resolve the pressure shown to those who have been rehabilitated, there is a program when they are outside the home or mingling in the community, and it is called after care with the aim of sharing problems that exist after leaving the rehabilitation program.

Officials undergoing rehabilitation usually experience changes in both health and psychology. Addicts undergoing rehabilitation are able to control their emotions better and are no longer dependent on narcotics. From a family perspective, there are those who say that rehabilitation has had a positive impact on their family members, but there
are also those who feel ostracized by their family and environment because of their status as a member of the National Police.

Impact on the family after being rehabilitated: the family is happy because I have recovered even though the neighbors are talking because I am a member but instead use drugs. Rehabilitation process to recover from drug addiction: I first arrived in Lido I was checked for health (check urine, blood) after that I was detoxed to get rid of the drugs that were in the body, I often felt nauseous while undergoing detox therapy, while there I did a lot of positive things and was done in groups I did a lot of exercise, socialized with people who were struggling to recover and do therapy to stay away from narcotics, there is also counseling and I also feel closer to God because there is a religious approach.

In dealing with state officials who have been rehabilitated and returned to their units, a separate strategy is needed so that they can run well. The theory in criminology which is used to discuss the following problems is the approach to social control theory. Associated with the following theory, referring to each perspective where the control of human behavior is discussed, the understanding of social control theory refers to the explanation of delinquency and crime which is related to variables that have sociological characteristics; including the family structure, education, and the dominant group.

4. Conclusion

The implementation of the existing rehabilitation so far has been going quite well, although there are still shortcomings in carrying out rehabilitation which are influenced by several factors. Factors that affect rehabilitation come from internal as well as from external, including the understanding of investigators and judges regarding rehabilitation and narcotics crime, deviations that occur in the implementation of rehabilitation, and other external factors that can affect the implementation of rehabilitation. In carrying out rehabilitation-oriented punishments, there are still irregularities that are difficult to eliminate, deviations that still often occur are article transactions to direct punishment to rehabilitation. To date, such deviations still occur and one solution is the birth of legal awareness from law enforcers and awareness of perpetrators as well as strict regulations regarding law enforcement in narcotics crimes. Another external factor that can affect the implementation of rehabilitation is the opportunities and threats experienced by members of the police force.

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