

## The Governance of State Confiscated Goods & State Loot in the Storage House of State Confiscated Goods Class I Yogyakarta

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**Abstract.** *The protection of property rights in Indonesia is regulated in the 1945 Constitution article 28H paragraph 4. Confiscated goods and state loot confiscated or taken over by the authorities in the investigation process must be stored in the State Confiscated Goods Storage House (RUPBASAN). However, the governance of confiscated goods and loot at the Class I RUPBASAN Yogyakarta faces various problems that require more attention. Problem Formulation from this study What are the problems in the management of confiscated goods and loot in the Class I RUPBASAN Yogyakarta and how the role of the RUPBASAN is in line with the current goals of the Correctional Service. The purpose of this study is to find out and analyze the problems in the governance of confiscated goods and loot in the Class I RUPBASAN Yogyakarta as well as to provide recommendations for improvement and analyze how the role of the RUPBASAN position is in line with the current Correctional Objectives. Methods This research uses a qualitative approach with a descriptive research design of analysis. Data was obtained through in-depth interviews, observations, and document analysis. The results of this study show that several main problems were found in the governance of confiscated goods and confiscated goods in the Class I RUPBASAN Yogyakarta, including limited infrastructure, lack of human resources, and overlapping regulations. The role and position of the RUPBASAN in the Indonesian correctional system shows that although the RUPBASAN is not explicitly regulated in the Indonesian Law No. 22 of 2022 concerning Corrections, the presence of the RUPBASAN still has an important role in supporting the enforcement of human rights and must still be maintained at the Directorate General of Corrections. Recommendations for improvement include increased warehouse capacity, staff training, and clearer and more detailed policy revisions.*

**Keywords:** *Basan; Baran; Governance; RUPBASAN.*

### 1. INTRODUCTION

According to data from the Central Statistics Agency in 2023 regarding the Community Crime index, the Province of the Special Region of Yogyakarta is currently ranked fifth

lowest with a total of 2,938 reported cases, this has an impact on the absence of *overcapacity* in all Technical Implementation Units of Correctional Institutions and Detention Houses, which of course refers to the amount of evidence as well as confiscated goods and state loot in the region which is assumed to be manage it well.

Items seized by the state, whether from criminal offences or other legal offences, are important assets that must be managed properly.<sup>1 2</sup> Effective governance ensures that these items can be reused by the state or sold to generate additional revenue for the national treasury. Good governance includes secure storage, accurate record-keeping and a transparent auction process. That way, confiscated goods can be optimally utilised for the public good or sold at a fair price, increasing state revenue that can be used for various development programmes.<sup>3</sup>

The Technical Implementation Unit of the Class I Yogyakarta *RUPBASAN* is one of the parts of the technical implementation unit under the responsibility of the Regional Office of the Ministry of Law and Human Rights of the Special Region of Yogyakarta. Established in 1985 with an address at Jalan Taman Siswa No. 8 Yogyakarta. In the implementation of daily performance, there are several challenges and obstacles faced from the management of correctional business processes to the management of Human Resources.

Currently, the condition of the Class I *RUPBASAN* Yogyakarta is not optimal in providing an information system for *Basan Baran* owners in the "AJENG" innovation service which is expected to be a solution to optimize the management of *Basan Baran* administratively. The official website (<https://RUPBASAN-jogja.kemenkumham.go.id/>) cannot be accessed on February 20, 2024 and information about the status of the case in the Correctional Data Base System is not available.

Furthermore, the Class I Yogyakarta *RUPBASAN* has several obstacles in the field of Human Resources such as the lack of security personnel, the absence of a Guard Commander Functional Position, the lack of experts in assessing and interpreting the price of certified goods, and the uneven distribution of Graduates of the Academy of Correctional Sciences and the Polytechnic of Correctional Sciences at the Class I Yogyakarta *RUPBASAN*.

Not only that, employees at the Class I *RUPBASAN* Yogyakarta also do not have certified experts in interpreting and valuing the price of *Basan Baran*. Lack of technical guidance obtained by employees and the existence of employees who receive *double job* in order to fulfill the duties and functions of the organization. Currently, of course,

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<sup>1</sup> Shanti Dwi Kartika and Noverdi Puja Saputra, *Tanggung Jawab Negara Dalam Penanganan Aset Tindak Pidana* (Publica Indonesia Utama, 2021).

<sup>2</sup> MAULANA FAJAR BAGASKARA, "PROSES PENGELOLAAN BARANG BUKTI DALAM PERKARA TINDAK PIDANA DI KEJAKSAAN NEGERI KOTA SEMARANG" (Universitas Islam Sultan Agung Semarang, 2024).

<sup>3</sup> Pratama Ronaldo Galang, "Implementasi Perampasan Harta Hasil Korupsi Sebagai Upaya Pengembalian Kerugian Keuangan Negara (Studi Di Kejaksaan Negeri Kabupaten Lampung Barat)," 2023.

human resources and labor are needed that certainly meet various standards of competence, ability, and skills<sup>4 5 6</sup>

Furthermore, the uneven distribution of Graduates of the Academy of Correctional Sciences and Graduates of the Polytechnic of Correctional Sciences in the Technical Implementation Unit of the *RUPBASAN* in the Region of the Ministry of Law and Human Rights of Yogyakarta, according to field observation data, there is only one Alumni of the Academy of Marketing Sciences who serves in the *RUPBASAN* Yogyakarta. This is a reference in the VISION and MISSION, Duties and Functions that exist at the Correctional Science Polytechnic, especially in the Correctional Engineering Study Program, which is a Study Program that emphasizes a Vocational Education-based curriculum.

What is meant in this case is in the form of technical implementation of Correctional Duties and Functions both in Correctional Institutions, State Prisons and *RUPBASAN* which of course in the teaching and learning process there are courses that learn about the Governance of *RUPBASAN* and its role and position in the learning process of Level 2 and Level 3 Cadets. In addition, in the Correctional Management Study Program, the cadets are also equipped with self-managerial knowledge and organizations that in the future are considered to be able to lead an organization with the right decision-making, the right function, and the right use of the budget.

Then in the structure of the institutional *RUPBASAN* led by the head with echelon IVa, in this case, of course, it is very unsupportive in the implementation of daily official duties. For the Provincial Equivalent Level, for example, the head of the *RUPBASAN* will find it difficult to coordinate with the Head of the State Jekasaan whose level is higher than his. This will certainly affect less than optimal performance in professional institutional function tasks.<sup>7</sup>

As in the example, the Class I Yogyakarta *RUPBASAN* is often late in receiving excerpts of decisions related to the legal status of confiscated goods and letters of introduction to the minutes of the custody of evidence, often arriving late even until the goods are issued with a letter of introduction and minutes of custody from the District Attorney's Office.<sup>8</sup>

The governance used in the management process of this *RUPBASAN* is not only related to the maintenance of goods and can store supplies, but must improve everything related to the facilitative part and how to carry out concrete actions to improve the surrounding problems.

In the process of implementing the core business of the *RUPBASAN*, there are several things that are obstacles in the field, namely the number of *RUPBASAN* UPTs in the

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<sup>4</sup> Nur Cahyadi et al., *Manajemen Sumber Daya Manusia* (CV Rey Media Grafika, 2023).

<sup>5</sup> R Sabrina, *Manajemen Sumber Daya Manusia*, vol. 1 (umsu press, 2021).

<sup>6</sup> Vincentius Andhika Wijaya, "Analisis Kesalahan Tata Kelola Rupbasan," *Literacy* 2, no. 2 (2020): 88–100.

<sup>7</sup> Henry Donald Lbn Toruan, "Efektivitas Hukum Penyimpanan Barang Sitaan Di Rupbasan," *Jurnal Ilmiah Kebijakan Hukum* 14, no. 2 (2020): 285–311.

<sup>8</sup> R Sugiharto, "Sistem Peradilan Pidana Indonesia" (Semarang: Unissula Press, 2012).

Working Area of the Regional Office of the Ministry of Law and Law of Yogyakarta is not built evenly throughout cities and districts. Meanwhile, the Prosecutor's Office has its own storage warehouses spread across all District Attorney's offices in each City and Regency of Yogyakarta. so that the Sleman District Prosecutor's Office takes the role and function of the *RUPBASAN* which should be the responsibility of the State Confiscation and Confiscation House RUPASAN Class I YOGYAKARTA with existing facilities and infrastructure.

In the 2022 and 2023 *Basan* and *Baran* expenditure data above, it can be seen in the 2023 data that the number of *basan* and *baran* decreased significantly in the first quarter because the Sleman District Attorney's Office already has its own Warehouse with evidence, thus the Class I Yogyakarta *RUPBASAN* only accepts *basan* and *baran* custody from the jurisdiction of the city of Yogyakarta. Meanwhile, if you look at the data on the number of building areas or storage warehouses of Class I *RUPBASAN* Yogyakarta is considered capable of accommodating and has equipment to maintain goods that are considered sufficient.

Of the various obstacles that exist, of course, a quality apparatus and Human Resource Management function is needed the need to optimize the role and function of the position of the AGM which must be supported by an effort to revitalize an organization.<sup>9</sup> According to Gouillart (1995), Organizational Revitalization is a change that is intended for an organization to be able to grow and develop so that it is balanced and in harmony with its environment<sup>10</sup> Revitalization must include changes both substantially but still relevant to the system, structure and system that has existed for a long time in the organization.<sup>11</sup> <sup>12</sup> The *RUPBASAN* should be considered as part of the Correctional Institution assets considering that it has been clearly stated in the Criminal Procedure Code, so the Correctional Service must see that the *RUPBASAN* has a central role in the criminal procedural legal system in Indonesia.

The optimal role of revitalization is one of them by carrying out an organizational development or in this case, *Organization development (OD)*. Organizational development can also be interpreted as a system that involves the values of collaboration, the improvement of a strategy, process, structural system, human resources and cultural harmony that will lead to the improvement of an effective and efficient organization <sup>13</sup>

Revitalization through organizational development is considered necessary and must be realized immediately, because the world of technology and environmental development is getting more and more rapid. The variety of crime levels and resources owned by

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<sup>9</sup> Hayat Hayat, "Peningkatan Kualitas Sumber Daya Manusia Aparatur Pelayanan Publik Dalam Kerangka Undang Undang Nomor 5 Tahun 2014 Tentang Aparatur Sipil Negara," *Jurnal Kebijakan Dan Manajemen PNS* 8, no. 1 June (2014).

<sup>10</sup> Rusli Z A Nasution, "Reformasi Birokrasi Polri Dalam Meningkatkan Kualitas Pelayanan Publik (Studi Kasus Pada Kepolisian Daerah Jawa Barat)" (UNPAS, 2017).

<sup>11</sup> Ali WARDANA, Indi DJASTUTI, and Syuhada Sufian, "IMPLEMENTASI PROGRAM REVITALISASI POLRI (STUDI PADA POLRESTABES SEMARANG)" (Diponegoro University, 2014).

<sup>12</sup> Urip Widodo and M Si MM, "Kebijakan Reformasi Kepolisian Demokratis Mewujudkan Strive For Excellence Polri," *Url: Shorturl. at/JyVWX*, n.d.

<sup>13</sup> (Parakas, 2009)

the *RUPBASAN* requires all elements to be able to provide optimal services in terms of handling *basan* and *baran*, as well as social, economic and security changes.

The purpose of the study is to determine the suitability and understand the role of the Management of State Confiscated Goods and State Spoils in the Class I Yogyakarta *RUPBASAN*. It can be used as the development of literature studies and reports to find out the governance of confiscated goods and state loot.

## 2. RESEARCH METHODS

This study combines a qualitative approach in a scientific framework that collects, analyzes and interprets data, this is done with the aim of answering the research questions asked. Through a mature research design, the preparation of this research also aims to always contribute, especially to existing science by producing objective, valid, and reliable findings.<sup>14</sup> The primary data source in this study is from 1 key informant, namely the Employee of the Class I Yogyakarta State Confiscated Goods and Confiscation Storage House. The Main Informant consists of 3 employees, namely the management of evidence and loot of the Sleman District Attorney's Office to obtain information on the authority to manage *Basan* and *Baran* at the Prosecutor's Level, Employees of the Regional Office of the Ministry of Law and Human Rights of the Special Region of Yogyakarta, Employees of the Directorate of Prisoner Care and Evidence of the Special Region of Yogyakarta Police to obtain information about the management of *Basan Baran* at the Police Level. Meanwhile, 1 additional informant, namely Academics/Experts in Criminal Procedure Law in the Performance Area of the Ministry of Law and Human Rights of the Republic of Indonesia as a source of information and science about the problem to be researched.

In the implementation process, I used Purposive sampling, in this case the researcher already understood who would be interviewed. Meanwhile, Secondary data consists of sources such as books, magazines, or articles that are classified as secondary sources of information because the information contained in them is not obtained directly or uniquely. Then, it is added with a Literature Study and data in the form of existing and applicable laws and regulations and SOPs. Data collection techniques consist of observation, structured, semi-structured, and unstructured interviews, then documentation tests are carried out

## 3. RESULTS AND DISCUSSION

### 3.1 Analysis and Discussion of the Management Process of *Basan* and *Baran* at the Class I *RUPBASAN* Yogyakarta

a. The Management Process of Confiscated Goods and State Confiscated Goods at the Class I *RUPBASAN* Yogyakarta at the Pre-Adjudication stage and the Adjudication stage

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<sup>14</sup> Elia Ardyan et al., *Metode Penelitian Kualitatif Dan Kuantitatif: Pendekatan Metode Kualitatif Dan Kuantitatif Di Berbagai Bidang* (PT. Sonpedia Publishing Indonesia, 2023).

The State Confiscated Goods Depository, which acts as the Technical Implementation Unit, has the main task of managing the storage and maintenance of confiscated goods and state loot. In carrying out their activities.<sup>15 16 17</sup>

The management of state confiscated goods and state loot in the *RUPBASAN* has been regulated in the Regulation of the Minister of Justice of the Republic of Indonesia No. M.05.UM.01.06 of 1983 concerning the Management of State Confiscated Goods and State Loot in the State Confiscated Goods Storage House. The implementation guidelines are regulated in the Decree of the Director General of Corrections Number: E1.35.PK.03.10 of 2002 concerning Implementation Guidelines and Technical Guidelines for the Management of State Confiscated Goods and State Loot in the State Confiscated Goods Storage House.<sup>18 19</sup> The implementation of the management of confiscated goods and state spoils at the Class I *RUPBASAN* Yogyakarta is as follows:

#### 1) Receipt of Confiscated Goods and State Confiscation

The receipt of confiscated objects and state loot at the Class I Yogyakarta *RUPBASAN* is carried out by guard squad officers according to a predetermined schedule. Officers who receive confiscated objects and entrusted state loot must have a letter of introduction from the custodial agency, such as the prosecutor's office, which is equipped with a minutes of confiscation of evidence and a confiscation permit. After that, they must get the minutes of the handover of custody by signing the minutes of receipt of evidence.

#### 2) Research and Assessment of Confiscated Goods and State Spoils

The results of this research are recorded in the research minutes and handover minutes which will later be registered for the storage process of confiscated objects in the Class I Yogyakarta *RUPBASAN* warehouse according to their type. The research report is signed by the research officer. made in duplicate 4 (four) :

- a) The first sheet is for the officer who makes the handover.
- b) The second sheet is for the officer who conducts the admission.

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<sup>15</sup> Dian Ekawaty Ismail, Novendri Nggilu, and Mohamad Rivaldi Moha, "Management System of the State Confiscated Objects in Disruption Era 4.0," *J. Legal Ethical & Regul. Issues* 25 (2022): 1.

<sup>16</sup> Rachmatika Lestari, Nila Trisna, and Dara Quthni Effida, "Tanggung Jawab Rumah Penyimpanan Benda Sitaan Negara Dalam Pengelolaan Benda Sitaan Dan Barang Rampasan Hasil Tindak Pidana," *Ius Civile: Refleksi Penegakan Hukum Dan Keadilan* 4, no. 2 (2020).

<sup>17</sup> Rezky Noor Khadafy, Marwan Mas, and Zulkifli Makkawaru, "Penanganan Benda Sitaan Dan Barang Rampasan Negara Di Rumah Penyimpanan Benda Sitaan Negara Kelas I Makassar," *Jurnal Paradigma Administrasi Negara* 3, no. 2 (2021): 89–97.

<sup>18</sup> A Rahmah and Amiruddin Pabbu, "Pelaksanaan Pengelolaan Benda Sitaan Negara Dan Barang Rampasan Negara Di Rumah Penyimpanan Benda Sitaan Negara (RUPBASAN) Klas Ia Makassar.," *PETITUM* 7, no. 1 April (2019): 21–38.

<sup>19</sup> Vadli Akhrijulian and Padmono Wibowo, "PENGELOLAAN BENDA SITAAN DAN BARANG RAMPASAN NEGARA DI RUMAH PENYIMPANAN BENDA SITAAN NEGARA (RUPBASAN) KELAS I BENGKULU," *Jurnal Pendidikan Kewarganegaraan Undiksha* 10, no. 1 (2022): 376–84.

- c) The third sheet is for the officer in charge of storage.
- d) The fourth sheet is for officers who conduct research or assessments.

The handover minutes are signed by the officer who receives and the officer who makes the handover, arranged in four copies.

### 3) Registration of Confiscated Goods and State Confiscation

Registration is the activity of recording in the registration book, administrative preparation, and documentation of confiscated goods and state loot deposited at the Class I Yogyakarta *RUPBASAN*. Aspects that need to be considered in the registration of confiscated goods and state loot include the adjustment of documents to the goods submitted to the registration officer. Furthermore, these goods are categorized according to the type of storage, because the registration process is directly related to the storage of confiscated goods and state loot.

The registration process at the Class I *RUPBASAN* Yogyakarta has been in accordance with the provisions of the technical instructions in the implementation of the registration of confiscated goods and state loot, which will then be continued with the storage of confiscated goods and state loot that are entrusted.

### 4) Storage of Confiscated Goods and State Confiscation

The storage of confiscated goods is an advanced stage of the registration process. After the confiscated goods are registered administratively, the confiscated goods and state spoils will be stored according to their type, accompanied by the handover minutes and research minutes. The storage of confiscated goods and state loot must be in accordance with the type of goods entrusted.

### 5) Maintenance of Confiscated Goods and State Spoils

In the implementation of maintenance, a maintenance book is needed to record when confiscated objects and state loot are maintained, as well as an inspection book to record when and who conducts periodic inspections or at any time. Confiscated and confiscated goods in the form of motor vehicles with fuel oil often show signs of damage such as faded paint, rusty parts, flat tires, cracked glass, leaking gas tanks, peeled wires, difficult to start engines, low battery power, and lights off.

The implementation of maintenance at the Class I *RUPBASAN* Yogyakarta has not been maximized. According to technical regulations, motorized vehicles are supposed to be turned on every morning, but at the Class I *RUPBASAN* Yogyakarta it is only done once a week. Vehicle wheels are also supposed to be based on wooden boards, but this is often overlooked.

### 6) Disposal of Confiscated Goods and State Confiscation

Termination is the activity of transferring confiscated goods and state loot, both administratively and physically, for the purposes of the judicial process in accordance

with the level of examination. Administrative mutations of confiscated goods and state spoils in the judicial process are recorded with changes in the level of examination, such as confiscated goods and state spoils borrowed by investigators or public prosecutors for the purposes of the judicial process are recorded in the Mutation Book of Submission of the Mutation Book Register model (RBM.3), or confiscated goods and state spoils whose cases have gained legal force are still recorded in the RBM.5 model book.

#### 7) Issuance or Removal, Destruction of Confiscated Objects and State Confiscation

Expenditure or elimination is a series of activities to issue confiscated objects and state loot carried out by the Class I Yogyakarta *RUPBASAN*, both before and after the issuance of a court decision with permanent legal force. The process of issuing confiscated and state confiscated goods at the Class I *RUPBASAN* Yogyakarta is not complicated; The applicant only needs to bring a letter of introduction from the prosecutor's office and a copy of the ID card as a complementary document, although the provisions do not mention that the applicant's ID card must be included.

#### 8) Rescue and Security of Confiscated Goods and State Confiscation

In the Class I *RUPBASAN* Yogyakarta, the implementation of security and rescue is carried out by dividing picket duties to guard confiscated objects, so that the security of confiscated objects is more guaranteed. The picket hour for securing confiscated objects starts from 08.00 WIB to 17.00 WIB, followed by the implementation of routine pickets that have been scheduled from 08.00 WIB to 02.00 WIB in the early morning. This is done so that the confiscated objects remain safe.

#### 9) Reporting of Confiscated Goods and State Confiscation

In order to maintain administrative order, supervision, monitoring, and control of the task of managing confiscated objects and state loot in the Class I *RUPBASAN* Yogyakarta, complete information is needed and sent quickly, precisely, and accurately. All activities are reported in writing to superiors hierarchically on a monthly, quarterly, mid-yearly, and yearly basis. These reports include:

- a) Recapitulation of all administrative activities for the management of confiscated objects and state loot.
- b) Reports on mutations of confiscated objects and state loot are also sent to relevant agencies.

Basically, the storage of confiscated objects and state loot at the Class I Yogyakarta *RUPBASAN* is in accordance with the implementation instructions and technical instructions. However, there are still some aspects that have not been maximized, especially in terms of the maintenance of confiscated objects and state loot. Maintenance is the activity of supervising and maintaining confiscated objects and state loot that are stored or deposited at the Class I Yogyakarta *RUPBASAN* during the legal process. However, in practice, there are still discrepancies with the applicable



technical instructions. This is due to several factors, including limited human resources (HR) and the budget for maintenance.

The implementation of organizational revitalization as explained in the discussion above, is very much in line with the dimensions outlined in the revitalization theory by Gouillart and Kelly (1995). Achieving targets is one of the key elements underlying the success of revitalization. This focus includes a deep understanding of the needs of service users and the organization's ability to meet those needs efficiently. Thus, the organization can achieve optimal alignment with the external and internal environment, ensuring that short-term and long-term goals are well achieved.<sup>20</sup>

The use of information technology is also an important dimension in revitalization theory. Technology plays a crucial role in improving operational efficiency and management effectiveness. In the context of revitalization implementation, the integration of information technology allows organizations to automate processes, improve data accuracy, and provide information faster and timelier. This not only supports the achievement of targets, but also facilitates a better evaluation of performance and the need for strategy changes.<sup>21</sup>

Evaluation and strategy changes are vital aspects in maintaining the sustainability of organizational transformation. This process includes replanning and identifying areas that need further improvement or development. Risk minimization is also a top priority to ensure the smooth and sustainable operation.<sup>22</sup> By integrating these approaches, organizations can not only achieve effective transformation in the short term but also ensure that the changes made are sustainable and adaptive to changes in the external and internal environment.

Through holistic and well-planned revitalization, organizations can create significant and sustainable added value. The Class I Yogyakarta *RUPBASAN* has an important role in the judicial system, especially in terms of storing evidence that will be used in the investigation, prosecution, and examination process at court hearings. Therefore, a clear solution is needed regarding the implementation of the management of state confiscated objects, especially in terms of maintenance. It is hoped that with this solution, the management of confiscated objects and state loot can run well in accordance with applicable regulations.

### **3.2 Analysis of the Role of the State Confiscated Goods Storage House (*RUPBASAN*) at the Pre-Adjudication stage and the Adjudication stage**

The role and function of the *RUPBASAN* in the post-adjudication stage is to manage the loot that already has permanent legal force, so that the mention changes from

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<sup>20</sup> Djadja Saefullah, Erlis Karnesih, and Herijanto Beki, "Reframing on Organization Transforming at PT. Kereta Api Indonesia," in *International Conference on Democratisation in Southeast Asia (ICDeSA 2019)* (Atlantis Press, 2019), 83–88.

<sup>21</sup> Yuni Sri Dwijayanti and Iqraq Sulhin, "Sistem Informasi Pemasyarakatan: Urgensi Dan Tantangan Dalam Pengembangan (Dalam Perspektif Teori Transisi Ruang)," *Journal of Correctional Issues* 2, no. 1 (2019).

<sup>22</sup> Falih Suaedi, *Dinamika Manajemen Strategis Sektor Publik Di Era Perubahan* (Airlangga University Press, 2019).

confiscated objects (*basan*) to loot (*baran*). At this stage, there is a change in status from confiscated goods to confiscated goods, which are recorded and transferred to the list of confiscated goods (*baran*). Furthermore, the items are grouped by type, stored, maintained, and mutated or removed when the criminal term has ended, to be returned to the owner who has the right in accordance with the Judge's decision, or destroyed or auctioned.

Basic concept of the State Confiscated Goods Storage House (*RUPBASAN*) is to ensure that the confiscated objects are maintained in an integrated unit, so as to facilitate maintenance and there are special officials responsible for the confiscated objects.<sup>23</sup> However, according to the provisions of the Criminal Procedure Code, the official who has the highest authority to supervise is the Investigating Officer. This employee has a great interest in the confiscated objects for the purpose of proof in the Court.<sup>24</sup>

Based on this thought, it can be concluded that there are two functions of officials in the management of confiscated objects. The first is the supervisory function held by the investigating official, while the second is the management function, which is carried out by the official in charge of maintaining the confiscated object so that in time the object can be used according to its needs. In accordance with the orders of the Law contained in the articles in the Criminal Procedure Code and its implementation rules, this management function is handed over to *RUPBASAN*.

Based on the provisions of article 44 paragraph (1) of Law Number 8 of 1981 concerning the Criminal Procedure Code which states that "confiscated objects are stored in the State Confiscated Goods Storage House (*RUPBASAN*)," but in practice, the establishment of *RUPBASAN* within the Directorate General of Corrections (Ditjenpas) is considered a bit late. As a result, other law enforcement agencies such as the Police, Prosecutor's Office, and Courts that have places where confiscated objects are stored, issue regulations on the storage of State Confiscated Objects in accordance with their respective authorities.

Therefore, in practice, the confiscated object will only be handed over to the *RUPBASAN* after the object has permanent legal force and changes its status to State Confiscated Goods (*Baran*). During the investigation process at the Police, Prosecutor's Office, and Courts, confiscated objects, both as evidence and as problematic, remain in each of these agencies. This is done with the reason that the case settlement process runs quickly, simply, and at a low cost, and remains free, honest, and impartial, as mandated by the Criminal Procedure Code.

#### a. Investigation Stage (POLDA DIY)

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<sup>23</sup> Genny Pratama, "PENGELOLAAN KENDARAAN BERMOTOR DI RUMAH PENYIMPANAN BENDA SITAAN NEGARA (RUPBASAN) KELAS I PEKANBARU MENURUT PERATURAN MENTERI HUKUM DAN HAK ASASI MANUSIA NOMOR 16 TAHUN 2014" (UNIVERSITAS ISLAM NEGERI SULTAN SYARIF KASIM RIAU, 2020).

<sup>24</sup> Elrica Debora Mosal, "PROSEDUR PELAKSANAAN LELANG BARANG SITAAN KEJAKSAAN PASCA PUTUSAN HAKIM YANG MEMPUNYAI KEKUATAN HUKUM TETAP," *LEX PRIVATUM* 11, no. 1 (2023).

The informant from this study emphasized that *RUPBASAN* carries out the mandate of the law by maintaining the integrity of evidence throughout the pre-adjudication, adjudication, and post-adjudication processes. Even so, several obstacles in the implementation of the role of *RUPBASAN* were identified.

Overall, this analysis reveals that although there are several obstacles in the management of evidence at the investigation stage, the role and function of the *RUPBASAN* and coordination between related agencies have been running well. Improvements in infrastructure aspects and evidence maintenance budgets are needed to ensure more efficient and effective management. Thus, the investigation process can support fair and transparent law enforcement in accordance with applicable legal principles.

b. Prosecution Stage (DIY District Attorney's Office)

Furthermore, in the context of evidence management, the prosecutor's office has a policy not to entrust evidence to the *RUPBASAN* except in special conditions that require it, such as goods with low economic value or that require additional storage space. This information shows that the prosecutor's office considers efficiency and resource management in the process.

Overall, the management of evidence and loot in Indonesia presents challenges and complexities that require good coordination between relevant institutions. Efforts to improve efficiency, transparency, and accountability in the legal process are key to maintaining the integrity of the country's criminal justice system. Strategic steps are needed, such as improving human resource competence, careful handling of the economic value of evidence, and strengthening cross-agency cooperation to achieve these goals.

c. Auction Stage (KPKNL Yogyakarta)

In the context of managing the evidence warehouse, both at the *RUPBASAN* and in the Yogyakarta District Attorney's warehouse, it needs to be properly regulated to ensure security and open access for the public. That during the auction process, the public can see the goods directly with strict supervision from the officers. This underscores the importance of accurate and complete administration in ensuring transparency and fairness in the auction process of confiscated goods.

Overall, this analysis highlights the importance of interagency collaboration in the management of state evidence and loot to improve efficiency, transparency, and justice in the criminal justice system. Improvements in the process of managing and supervising confiscated goods will bring great benefits in supporting fair and effective law enforcement in Indonesia.

### **3.3 Analysis of the Role of the State Confiscated Goods Storage House (*RUPBASAN*) at the Post Adjudication Stage**

Loot in the *Rubbasan* warehouse, after going through the stages of receipt, research, registration, storage, maintenance, and security, can be destroyed.

Based on the results of the research, the confiscated goods (*Baran*) in the *RUPBASAN* warehouse are loot that has been confiscated for the State and is still temporarily stored in *RUPBASAN* because it is still needed as evidence in other cases. As a result, the economic value of these goods is not profitable and does not receive further treatment because it is considered to have low economic value.

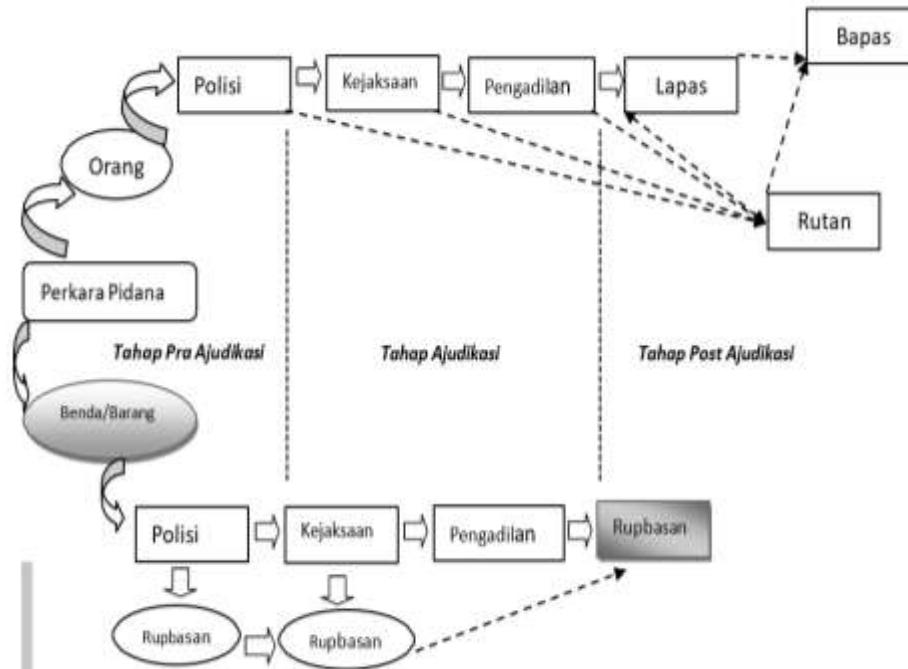


Figure 3. The Role Path of *RUPBASAN* in the Criminal Justice System at the Pre-Adjudication, Adjudication and Post Adjudication stages (Conditions that occur)

Source : Prepared by the Author

This figure illustrates the importance of the Criminal Justice System (SPP) where confiscated goods (*basan*) must be processed in accordance with the provisions listed in the Criminal Procedure Code, namely Article 44 and Article 39 of Government Regulation Number 27 of 1983. According to the regulation, investigators and public prosecutors are required to deposit evidence or confiscated goods from a case at the *RUPBASAN* of the Ministry of Law and Human Rights of the Republic of Indonesia.

This image also reflects the crucial role of *RUPBASAN* in the justice system by providing facilities that support a simple, fast, and affordable judicial process. The management of confiscated goods (*basan*) is closely related to the interests of investigation, prosecution, and trial in court.

### 3.4 Analysis of Strategies to Improve the Role of State Confiscated Goods Storage Houses (*RUPBASAN*) in the Management of State Confiscated Goods (*Basan*) and State Confiscated Goods (*Baran*)

#### a. External Strategy

In the context of the external strategy of revitalizing the role of *RUPBASAN* in the management of *basan* and *baran*, there are several things that should be done by the

Directorate General of Corrections of the Ministry of Law and Human Rights of the Republic of Indonesia in general and the Technical Implementation Unit (UPT) of *RUPBASAN* in particular, namely:

- 1) The Directorate General of Corrections of the Ministry of Law and Human Rights of the Republic of Indonesia and *RUPBASAN* jointly prepared a budget for socialization to related parties about the existence and role of *RUPBASAN*.
- 2) Like other Technical Implementation Units such as Rutan, Prison, and Bapas which are each under the auspices of their respective directors, *RUPBASAN* should also have its own director.
- 3) The socialization program must be well planned and included in the Annual Budget Item (MAT) of the Directorate General of Parks and *RUPBASAN*, so as not to interfere with other budget allocations.
- 4) The Directorate General of Corrections of the Ministry of Law and Human Rights of the Republic of Indonesia and *RUPBASAN* need to make a breakthrough with massive promotion, both through print and electronic media, about the existence and role of *RUPBASAN*. The role of public relations of the Directorate General of Marketing is expected to actively contribute to the role and position of the existence of the *RUPBASAN* through positive news.

b. Internal strategy

In an organization, the role of human resources is very important in running the wheels of the organization and is the lifeblood of the organization. Human resources are needed who, although small in number, have high quality to run the organization and face the challenges and obstacles that exist.<sup>25</sup>

Based on the results of interviews with each informant, it can be concluded that the activities carried out in order to improve the role and function of *RUPBASAN* are still limited to socialization that is not well planned and programmed. Some of the efforts that have been made by the *RUPBASAN* in this regard include:

- 1) Maximize the use of existing storage warehouses by expanding or improving the quality of warehouse buildings.
- 2) Provide special training and education for officers to improve the quality of their work.
- 3) Requesting the addition of special personnel or experts.
- 4) Socialize about the role of *RUPBASAN* to related agencies.
- 5) Proposing a higher level of echelonization through higher academic review to

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<sup>25</sup> Monica Belcourt et al., *Managing Human Resources 10CE* (Cengage Canada, 2022).

Seeing what the *RUPBASAN* is doing, this effort is only the first step in optimizing the role of the *RUPBASAN* so that the results cannot be used as a benchmark for the success of the *RUPBASAN* organization.

Harder and even extreme efforts are needed so that their role is really carried out optimally. In the context of the internal strategy of revitalizing the role of *RUPBASAN* in the management of *basan* and *baran*, there are several strategies that must be carried out, namely:

a) Weakness Analysis

The current condition shows that the existence and function and role of *RUPBASAN* are still questioned by various parties, both from internal and external circles such as the Police, Prosecutor's Office, Courts, and the community. *RUPBASAN* must really understand this condition. Top management, in this case the Head of *RUPBASAN*, must be a person who has the awareness to advance *RUPBASAN* and not just use the position as a stepping stone to a higher position.

The head of *RUPBASAN* must be able to motivate himself and even more so the officers under him. With the existing limitations, the Head of *RUPBASAN* must work hard to improve the image of *RUPBASAN* both among the Correctional Institution and outside, because research shows that the interest and pride of *RUPBASAN* officers is quite low.

b) Opportunity Analysis

The law has mandated how big the role of *RUPBASAN* is in the management of *basan* and *baran*. If this role is carried out optimally, it can be imagined how the level of public satisfaction with the management of *basan* and *baran* will increase, which has an impact on increasing the popularity of *RUPBASAN* in the eyes of the public. This will raise the image of *RUPBASAN* so that it is no longer underestimated in internal circles and the interest of correctional officers to serve in *RUPBASAN* will increase.

### 3.5 Data findings on the Role and Position of the *RUPBASAN* with Current Correctional Objectives

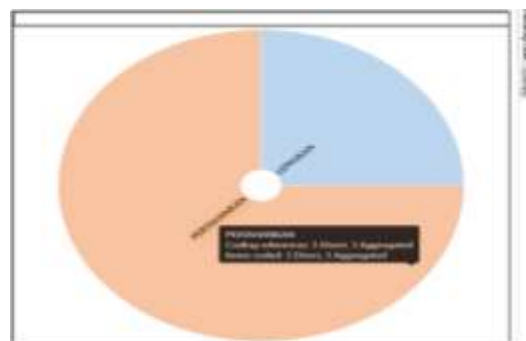


Figure 4. Results of NVIVO Data Processing on Informant Responses

Source : Author data processing using the NVIVO application

The image shows a pie chart divided into two main sections: "Hold" and "Release." The "Keep" section occupies most of the circle and is orange, while the "Retain" section is smaller and blue. In the "Maintain" section, there is additional information stating that there are 3 direct coding references and 3 aggregated coding references. In addition, there are 3 items coded as "Maintain," consisting of 3 direct items and 3 aggregated items.

Overall, this diagram provides a data visualization of the items categorized as "Maintain" and "Release," with greater emphasis on items that need to be retained based on the identified coding references. Overall, despite various challenges, *RUPBASAN* continues to strive to improve the quality of *basan* and *baran* management through various initiatives and capacity building of its officers. This shows the government's commitment to maintaining the integrity and efficiency of the state confiscated goods storage system.

The following are the results of online news media reviews over the past few years to find out, the management of the *BUPBASAN baran* taken through *the website: web.kemenkumham.go.id* first, There is a debate about the most appropriate institution to manage the *basan* and *baran*. Some members of the House of Representatives of the Republic of Indonesia criticized that the *RUPBASAN* under the Ministry of Law and Human Rights only stores goods without execution authority, while some argue that the Prosecutor's Office that manages risks adding to the bureaucratic burden

Then the second, the management of dangerous confiscated goods such as fuel oil requires special attention related to the risk of fire and deterioration of the quality of goods during storage. This requires special regulations to avoid these risks. Third, the Ministry of Law and Human Rights through the Directorate General of Law and Human Rights periodically conducts evaluations and supervision to improve the quality of management in the *RUPBASAN*. Initiatives such as technical training and improved storage facilities are carried out to maintain the security and condition of the confiscated goods.

The management of the *RUPBASAN* faces obstacles such as the limited number of *RUPBASAN* and the issue of maintaining goods that require high costs. Various steps have been taken to address this problem, including improving management and strengthening the capacity of officers. Lastly, the importance of a check and balance mechanism between the Ministry of Law and Human Rights and the Prosecutor's Office was emphasized to prevent abuse of authority and ensure a more transparent and accountable management of the *basan* and *baran*.

#### **4. CONCLUSION**

The management of State Confiscated Goods (*Basan*) and State Confiscated Goods (*Baran*) at the Class I State Confiscated Goods Storage House (*RUPBASAN*) Yogyakarta is not optimal and still has several significant challenges that need to be overcome to achieve the goals of the Correctional System. During the pre-adjudication to post-adjudication stage, obstacles were found both in management and technical. In addition, the lack of understanding and awareness of the importance of effective management of *Basan* and *Baran* among law enforcement officials also affects the

efficiency and effectiveness of the implementation of duties in *RUPBASAN*. In the context of the revitalization of *RUPBASAN*, it is necessary to increase the capacity and quality of human resources through continuous training and education, as well as the addition of adequate facilities to support operational activities.

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