



## Breaking the Cycle: Rethinking Rehabilitation for Repeat Offenders in State Prisons

Ardiyanti Aris<sup>1</sup>; Dewi Ayu Lestari<sup>2</sup>

<sup>1</sup> Faculty of Law, Andi Sapada Institute of Social and Business Sciences, Parepare-Indonesia

<sup>2</sup> Faculty of Law, Muslim University of Indonesia, Makassar-Indonesia

<http://dx.doi.org/10.18415/ijmmu.v11i8.5961>

---

### **Abstract**

This study aims to analyze the effectiveness of fostering recidivist inmates in Detention Homes (RUTAN) in an effort to prevent the recurrence of criminal acts. Using normative research methods with a qualitative approach, this study examines the implementation of coaching programs, the differences in coaching between recidivist and non-recidivist inmates, and the obstacles faced. The results of the study show that the coaching of recidivist inmates in prisons has not been fully effective in preventing recidivism. Factors such as population density, lack of individualized rehabilitation programs, limited resources, social stigma, and weak coordination between institutions are major challenges. Even though it has a strong legal foundation, its implementation still faces various obstacles. A more comprehensive and integrated approach is needed, including improving programs in RUTAN, strengthening post-release support, and increasing the role of the community in the reintegration process to increase the effectiveness of training recidivist inmates.

**Keywords:** *Prisoner Development; Recidivist; Routine; Effectiveness; Social Reintegration*

### **Introduction**

Crimes or criminal acts committed repeatedly by someone who has been sentenced to a crime (recidivist) are still a big challenge for the correctional system in Indonesia. The high recidivism rate shows that there is a gap between the goals of rehabilitation in the correctional system and the reality that occurs in the field.<sup>1</sup> This indicates that the development of prisoners, especially recidivists, has not been carried out effectively as expected.

The Indonesian government has established various policies and regulations aimed at rehabilitating inmates and reducing recidivism rates. Undang-Undang Nomor 22 Tahun 2022 tentang Pemasyarakatan emphasizing the importance of rehabilitation and social reintegration as the main goal of the penitentiary system. In addition, the Correctional Blueprint also outlines a vision for inmate development that focuses

---

<sup>1</sup> Failin, F. (2023). *Rekonstruksi Regulasi Perlindungan Hukum Bagi Narapidana Residivis Perempuan Dalam Pembinaan Di Lembaga Pemasyarakatan Berbasis Nilai Keadilan* (Doctoral dissertation, Universitas Islam Sultan Agung).

on behavior correction, self-development, and increased social responsibility.<sup>2</sup> However, the implementation of these policies still faces various challenges in the field.

One of the main problems hindering rehabilitation efforts is overcapacity in Indonesian correctional institutions. A few years ago, the prison occupancy rate in Indonesia reached 223%, far exceeding the capacity it should have. This overcrowding condition results in poor living conditions, limited access to rehabilitation programs, and increased tensions between inmates.<sup>3</sup> The reality of overcrowded prisons is very contrary to regulations that require adequate facilities and resources for the rehabilitation of inmates.

Furthermore, there is often a shortage of rehabilitation programs that are tailored to the specific needs and risk factors of each inmate. Although regulations require personalized interventions, in practice many correctional institutions still rely on public programs that fail to meet the diverse needs of the inmate population. This "one-size-fits-all" approach is not in line with evidence-based practices for effective rehabilitation.

The transition from prison back to society is also another critical point. The regulations emphasize the importance of pre-release preparation and post-release support. However, many former inmates receive minimal assistance in terms of housing, employment, or overcoming other reintegration challenges. This lack of comprehensive reintegration support leaves many former inmates vulnerable to reoffending, despite policies intended to facilitate their successful reintegration.

In addition, there is often inadequate coordination between rehabilitation programs in prisons and community-based services. Although policies encourage continuity of care, in reality there is often a discontinuity between prison-based interventions and post-release support services.<sup>4</sup> This lack of continuity weakens the long-term effectiveness of rehabilitation efforts.

Stigma and discrimination against former inmates also pose further barriers to rehabilitation and reintegration. Although the regulations prohibit discrimination, in practice many former inmates face significant barriers to finding work, housing, and social acceptance.<sup>5</sup> This community rejection is contrary to policies that aim to support the reintegration of violators as productive members of society.

Finally, there is still a need for stricter evaluation and evidence-based improvements to rehabilitation programs. Although policies emphasize effectiveness, many programs do not have a systematic assessment of their impact on recidivism levels.<sup>6</sup> The gap between policy intent and programme evaluation limits the ability to identify and scale up truly effective interventions.

By highlighting these gaps between rehabilitative policy and realities on the ground, it becomes clear that much work remains to be done to align Indonesia's correctional practices with the stated goals in terms of prisoner rehabilitation and recidivism reduction. Addressing these disparities will be crucial to developing more effective approaches to breaking the cycle of crime repetition.

## Research Methods

This study uses a normative method with a case study approach to evaluate the effectiveness of coaching recidivist inmates in Detention Houses (RUTAN). The qualitative method was chosen because it

---

<sup>2</sup> Mufti, E. A., & Riyanto, O. S. (2023). Peran Lembaga Pemasyarakatan Dalam Upaya Rehabilitasi Narapidana Untuk Mengurangi Tingkat Residivis. *AL-MANHAJ: Jurnal Hukum Dan Pranata Sosial Islam*, 5(2), 2425-2438.

<sup>3</sup> Adnan, Y. H., Sugiarto, A. A., Simbolon, H., Rubianto, I. R., Amukti, I. T., Rochman, K., ... & Rafi'illah, M. A. (2023). Menyoal Lapas Mewah bagi Pelaku Tindak Pidana Korupsi dalam Perspektif Keadilan. *Jurnal Anti Korupsi*, 13(2), 16-29.

<sup>4</sup> Fanani, Z. (2017). *Pembangunan Sumber Daya Berkelanjutan* (Vol. 1). UMMPress.

<sup>5</sup> Juliansyah, E. R. (2022). *Efektivitas Pembinaan Narapidana Narkotika (Studi di LAPAS Narkotika Kelas II A Langkat)* (Doctoral dissertation, Pascasarjana).

<sup>6</sup> Yunus, A. S. (2021). *Restorative Justice Di Indonesia*. Guepedia.

allows researchers to gain an in-depth understanding of the complexity of the coaching process and the experiences of recidivist inmates. The case study approach allows for an intensive focus on one or a few specific prisons, thus resulting in a comprehensive analysis of the coaching practices applied and their impact on recidivist inmates.<sup>7</sup>

## **Results and Discussion**

### **Implementation of Recidivist Prisoner Development in Detention Homes (RUTAN)**

Based on the results of the research, the implementation of recidivist inmate coaching in Detention Houses (RUTAN) still faces various challenges and is not fully effective in preventing the repetition of criminal acts. Although there have been various regulations and policies that regulate the development of inmates, their implementation in the field still faces obstacles.

Undang-Undang Nomor 22 Tahun 2022 tentang Pemasyarakatan emphasizing the importance of rehabilitation and social reintegration as an integral part of the penitentiary system. Pasal 2 Undang-Undang This Law states that the correctional system is organized in order to foster and guide the Assisted Citizens to become full human beings, realize their mistakes, improve themselves, do not repeat criminal acts, and can be accepted back by the community. Further, Pasal 3 underlining that the functions of correctional services include service, coaching, community guidance, care, security, and observation. The vision of inmate development that focuses on behavior correction, self-development, and increased social responsibility is reflected in various coaching programs regulated in this Law, including personality and independence development as mentioned in Pasal 84.<sup>8</sup>

However, the implementation of the Undang-Undang Pemasyarakatan In the context of fostering recidivist inmates, it is still not optimal. Research shows that coaching programs implemented in correctional facilities are often general in nature and are not specifically designed to address the specific needs of recidivist inmates. Whereas, Keputusan Menteri Kehakiman RI Nomor M.02.PK.04.10 Tahun 1990 tentang Pola Pembinaan Narapidana/Tahanan mandates a distinction in treatment in fostering recidivist inmates.<sup>9</sup>

One of the main challenges in the development of recidivist inmates is overcrowding in correctional institutions. Data shows that the prison occupancy rate in Indonesia reaches 223%, far exceeding the capacity it should have. This excess capacity condition has a significant impact on the quality of coaching that can be provided. Pasal 12 Undang-Undang Pemasyarakatan stated that in the context of coaching inmates in prisons, classification is carried out based on age, gender, length of sentence sentenced, type of crime, and other criteria according to the needs or development of coaching. However, overcrowding makes this classification difficult to implement effectively.

The coaching program carried out in the Detention Center generally consists of personality development and independence coaching, as regulated in the Peraturan Pemerintah Nomor 31 Tahun 1999 tentang Pembinaan dan Pembimbingan Warga Binaan Pemasyarakatan. Personality development includes fostering religious, national and state awareness, intellectuals, and legal awareness.<sup>10</sup> Meanwhile, the development of independence is realized through skills programs to support independent businesses,

---

<sup>7</sup> Juliardi, B., Runtunuwu, Y. B., Musthofa, M. H., TL, A. D., Asriyani, A., Hazmi, R. M., ... & Samara, M. R. (2023). *Metode penelitian hukum*. CV. Gita Lentera.

<sup>8</sup> *Vide* Pasal 5 Undang-Undang Nomor 12 Tahun 1995 tentang Pemasyarakatan

<sup>9</sup> *Vide* Keputusan Menteri Kehakiman RI Nomor M.02.PK.04.10 Tahun 1990 tentang Pola Pembinaan Narapidana/Tahanan

<sup>10</sup> Syahril, M. A. F., & Ambarwati, A. (2023). Pengaruh Aturan Asimilasi di Rumah dalam Menekan Laju Penyebaran Covid 19 Terhadap Narapidana di Lapas Kelas II A Parepare. *JUSTISI*, 9(1), 1-17.

skills to support small industrial businesses, skills developed according to their respective talents, and skills to support industrial businesses or agricultural activities.<sup>11</sup>

Although these programs have been well designed, their effectiveness in preventing recidivism still needs to be improved. Data shows that the rate of recidivism in Indonesia is still quite high, with an estimate of between 80-94% of prisoners who are released again committing crimes within 3 years. This figure indicates that there is a gap between the goals of coaching as mandated in the Correctional Law and the reality in the field.

One of the factors contributing to the high recidivism rate is the lack of individualized rehabilitation programs. Pasal 12 ayat (1) PP No. 31 Tahun 1999 stated that the assessment of the implementation of the coaching program was given by Tim Pengamat Masyarakat (TPM). However, in practice, these assessments are often not followed by adequate program adjustments to address the specific risk factors that recidivist inmates have.<sup>12</sup>

Another aspect that needs attention is the transition from prison back to society. The Correctional Law regulates the provision of assimilation and integration as part of the coaching process. However, research shows that many former inmates face difficulties in the process of social reintegration, including when it comes to finding work and housing.<sup>13</sup> This indicates the need to strengthen the pre-release preparation program and more comprehensive post-release support.

Social stigma against former inmates is also a significant obstacle to the rehabilitation and reintegration process. Even though Pasal 5 huruf f Undang-Undang Masyarakat emphasizing the principle of the guaranteed right to remain in contact with family and certain people, in practice many former prisoners experience social rejection.<sup>14</sup> This shows the need for further efforts to educate the public and reduce stigma against former inmates.

Limited resources, both in terms of budget and human resources, are also an obstacle in the implementation of effective coaching programs. The ratio between correctional officers and the disproportionate number of inmates makes coaching impossible to carry out intensively.<sup>15</sup> Hal ini bertentangan dengan semangat Pasal 8 Undang-Undang Masyarakat which states that correctional officers are functional law enforcement officials who carry out duties in the field of coaching, security, and guidance of correctional inmates.

Evaluation of the effectiveness of coaching programs also still needs to be improved. Pasal 45 PP No. 31 Tahun 1999 regulates research and development of coaching. However, in practice, systematic evaluation of the impact of coaching programs on recidivism levels is still limited. This makes it difficult to identify and replicate best practices in the coaching of recidivist inmates.<sup>16</sup>

---

<sup>11</sup> Damanik, B. S., & Anwar, U. (2022). Pembinaan kemandirian terhadap narapidana lanjut usia di rumah tahanan kelas IIB kabanjahe (Independence Development Against Elderly Prisoners In The Kabanjahe Class Iib Prison). *Jurnal Pendidikan Kewarganegaraan Undiksha*, 10(2), 236-243.

<sup>12</sup> Vide Pasal 12 ayat (1) Peraturan Pemerintah Republik Indonesia. Nomor 31 Tahun 1999. Tentang. Pembinaan Dan Pembimbingan Warga Binaan Masyarakat

<sup>13</sup> Rachmat Gumelar, D., Rosidin, U., Abdurrahman, U., & Nasution, M. I. (2020). Kebijakan Asimilasi dan Hak Integrasi Narapidana di Tengah Pandemi COVID-19 Perspektif Hukum Penitensier. *Kebijakan Asimilasi dan Hak Integrasi Narapidana di Tengah Pandemi COVID-19 Perspektif Hukum Penitensier*.

<sup>14</sup> Wiradarma, V. B., & Gultom, P. (2023). Analisis Yuridis Sistem Masyarakat Melalui Pendekatan Indikator Nilai Pancasila. *Jurnal Hukum Al-Hikmah: Media Komunikasi dan Informasi Hukum dan Masyarakat*, 4(3), 688-707.

<sup>15</sup> Nugroho, T. A., & Kavling, J. H. R. R. S. (2019). Analisa Kebutuhan Pembimbing Masyarakat Balai Masyarakat (BAPAS) Bandung. *Jurnal Ilmiah Kebijakan Hukum*, 13(1), 69.

<sup>16</sup> Vide Pasal 45 Peraturan Pemerintah Republik Indonesia. Nomor 31 Tahun 1999. Tentang. Pembinaan Dan Pembimbingan Warga Binaan Masyarakat

Coordination between institutions is also an important factor in the success of fostering recidivist prisoners. The Correctional Law mandates cooperation with relevant government agencies, other community bodies, or individuals whose activities are in line with the implementation of the correctional system. However, in its implementation, this coordination is often not optimal, especially in terms of program continuity from inside the detention center to post-release.

Another important aspect is the fulfillment of the rights of prisoners as stipulated in the Pasal 14 Undang-Undang Pemasyarakatan. These rights include the right to worship in accordance with one's religion or belief, receive spiritual and physical care, education and teaching, proper health and food services, lodge complaints, obtain reading materials and participate in other mass media broadcasts that are not prohibited, as well as other rights. The fulfillment of these rights is an integral part of an effective coaching process.

In the context of fostering recidivist prisoners, there needs to be special attention to the factors that encourage the repetition of criminal acts. This is in line with the principle of individualization of punishment implied in the Correctional Law. Coaching programs need to be designed to address the root causes of a person to commit crimes again, such as drug addiction problems, lack of work skills, or other psychological factors.

The role of the community in the rehabilitation and reintegration process of inmates also needs to be improved. Pasal 9 ayat (1) Undang-Undang Pemasyarakatan stated that in the context of the implementation of coaching and guidance for correctional inmates, the Minister can collaborate with relevant government agencies, other community bodies, or individuals whose activities are in line with the implementation of the correctional system. The implementation of this article needs to be strengthened to create a supportive environment for former inmates to return to society.

The development of a comprehensive aftercare program is also a crucial aspect in preventing recidivism. Although it is not explicitly regulated in the Correctional Law, the spirit of continuous coaching is implied in the entire correctional system. An effective aftercare program can include support in finding a job, ongoing counseling, and assistance in accessing necessary social services.

Increasing the capacity of correctional officers is also an important factor in increasing the effectiveness of fostering recidivist inmates. Pasal 8 Undang-Undang Pemasyarakatan emphasizing the role of correctional officers as functional officials of law enforcement. Therefore, improving the competence of officers, especially in terms of handling recidivist prisoners, needs to be a priority. Finally, there needs to be a comprehensive study to consider updating regulations that specifically regulate the development of recidivist prisoners. Although the Correctional Law has provided a general foundation, the development of the situation and conditions of correctional institutions requires more specific and adaptive rules to the needs of the development of recidivist inmates.

## ***Conclusion***

The development of recidivist inmates in Indonesian Detention Houses (Rutan) is still not fully effective in preventing the repetition of criminal acts. Although there has been a strong legal foundation through the Correctional Law and related regulations, its implementation still faces various challenges such as overcrowding, lack of individualized rehabilitation programs, limited resources, social stigma, and weak coordination between institutions. The high level of recidivism shows that there is a gap between the goals of coaching mandated by law and the reality in the field. To increase the effectiveness of coaching, a more comprehensive and integrated approach is needed, including improving programs in Rutan, strengthening post-release support, increasing the role of the community in the reintegration process, and systematic evaluation of the effectiveness of coaching programs and evidence-based policy

development. Joint efforts from various stakeholders are urgently needed to increase the effectiveness of recidivist prisoner coaching, with the ultimate goal of reducing recidivism rates and supporting successful social reintegration.

## References

- Adnan, Y. H., Sugiarto, A. A., Simbolon, H., Rubianto, I. R., Amukti, I. T., Rochman, K., ... & Rafi'illah, M. A. (2023). Menyoal Lapas Mewah bagi Pelaku Tindak Pidana Korupsi dalam Perspektif Keadilan. *Jurnal Anti Korupsi*, 13(2), 16-29.
- Damanik, B. S., & Anwar, U. (2022). Pembinaan kemandirian terhadap narapidana lanjut usia di rumah tahanan kelas IIB kabanjahe (Independence Development Against Elderly Prisoners in the Kabanjahe Class Iib Prison). *Jurnal Pendidikan Kewarganegaraan Undiksha*, 10(2), 236-243.
- Failin, F. (2023). Rekonstruksi Regulasi Perlindungan Hukum Bagi Narapidana Residivis Perempuan Dalam Pembinaan di Lembaga Masyarakatan Berbasis Nilai Keadilan (Doctoral dissertation, Universitas Islam Sultan Agung).
- Fanani, Z. (2017). *Pembangunan Sumber Daya Berkelanjutan (Vol. 1)*. UMMPress.
- Juliansyah, E. R. (2022). Efektivitas Pembinaan Narapidana Narkotika (Studi di LAPAS Narkotika Kelas II A Langkat) (Doctoral dissertation, Pascasarjana).
- Juliardi, B., Runtuwuwu, Y. B., Musthofa, M. H., TL, A. D., Asriyani, A., Hazmi, R. M., ... & Samara, M. R. (2023). *Metode penelitian hukum*. CV. Gita Lentera.
- Mufti, E. A., & Riyanto, O. S. (2023). Peran Lembaga Masyarakatan Dalam Upaya Rehabilitasi Narapidana Untuk Mengurangi Tingkat Residivis. *AL-MANHAJ: Jurnal Hukum Dan Pranata Sosial Islam*, 5(2), 2425-2438.
- Nugroho, T. A., & Kavling, J. H. R. R. S. (2019). Analisa Kebutuhan Pembimbing Masyarakatan Balai Masyarakatan (BAPAS) Bandung. *Jurnal Ilmiah Kebijakan Hukum*, 13(1), 69.
- Rachmat Gumelar, D., Rosidin, U., Abdurrahman, U., & Nasution, M. I. (2020). Kebijakan Asimilasi dan Hak Integrasi Narapidana di Tengah Pandemi COVID-19 Perspektif Hukum Penitensier. *Kebijakan Asimilasi dan Hak Integrasi Narapidana di Tengah Pandemi COVID-19 Perspektif Hukum Penitensier*.
- Syahril, M. A. F., & Ambarwati, A. (2023). Pengaruh Aturan Asimilasi di Rumah dalam Menekan Laju Penyebaran Covid 19 Terhadap Narapidana di Lapas Kelas II A Parepare. *JUSTISI*, 9(1), 1-17.
- Wiradarma, V. B., & Gultom, P. (2023). Analisis Yuridis Sistem Masyarakatan Melalui Pendekatan Indikator Nilai Pancasila. *Jurnal Hukum Al-Hikmah: Media Komunikasi dan Informasi Hukum dan Masyarakat*, 4(3), 688-707.
- Yunus, A. S. (2021). *Restorative Justice di Indonesia*. Guepedia.
- Undang-Undang Nomor 22 Tahun 2022 tentang Masyarakatan
- Peraturan Pemerintah Republik Indonesia. Nomor 31 Tahun 1999. Tentang. Pembinaan dan Pembimbingan Warga Binaan Masyarakatan
- Keputusan Menteri Kehakiman RI Nomor M.02.PK.04.10 Tahun 1990 tentang Pola Pembinaan Narapidana/Tahanan

## Copyrights

Copyright for this article is retained by the author(s), with first publication rights granted to the journal.

This is an open-access article distributed under the terms and conditions of the Creative Commons Attribution license (<http://creativecommons.org/licenses/by/4.0/>).