



Optimizing the Granting of Conditional Rights to Prisoners to Overcome Overcapacity in Correctional Institutions

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Abstract

Overcapacity in correctional institutions is a serious problem in the criminal justice system in Indonesia, including in Class IIB Gunung Sugih Correctional Facility. This condition has an impact on the fulfillment of prisoners' rights and the effectiveness of the coaching program. This research aims to analyze the optimization of conditional rights as a solution to overcoming overcapacity in Class IIB Gunung Sugih Correctional Facility. The research method used is empirical research with a qualitative approach through observation and interviews. The results showed that the policy of granting conditional rights such as remission assimilation, conditional leave, and parole is an effective strategy for reducing prison overcapacity. However, the implementation of this policy still face obstacles such as the lack of understanding of prisoners about the procedures for applying for conditional procedures for applying for conditional rights and limited resources in prisons. Therefore, optimization efforts are needed through increased socialization of transparency in granting conditional rights and strengthening the rehabilitation-based correctional system.

Keywords: *Over Capacity; Correctional Institution; Conditional Rights of Prisoners; Social Reintegration*

Introduction

Law is a collection of rules that contain norms and sanctions with the aim of regulating human behavior in social life. The main function of law is to maintain order, uphold justice, and prevent chaos. In practice, the law provides certainty for every individual, ensuring that everyone receives protection and defense according to the applicable provisions. The rule of law can be written or unwritten, which acts as a guide in social life and provides consequences for violations.¹ The law plays a crucial role in avoiding conflicts of interest between individuals who have different wants or needs. If not properly regulated, such conflicts have the potential to lead to violations of the law or criminal acts. Criminality itself is behavior that is against the law and can be committed by anyone, regardless of gender or social status and has a negative impact on the stability of society. Perpetrators of criminal acts will be subject to legal

¹ Satjipto Rahardjo, Ilmu Hukum, Bandung, Citra Aditya Bakti, 2000, hlm.15.

sanctions in accordance with applicable regulations, where the type of punishment is determined based on the judge's decision.² Based on Article 10 of the Criminal Code (KUHP), a person who commits a crime may be subject to criminal punishment, either in the form of principal punishment or additional punishment. One of the main types of punishment in the Indonesian criminal law system is imprisonment. This punishment is often imposed as the main sanction for criminals in the criminal justice system. The purpose of imprisonment is to limit the freedom of the convict, provide a deterrent effect, and support the process of rehabilitation and social reintegration. The implementation of imprisonment is carried out in correctional institutions in accordance with applicable regulations.

Correctional institutions (Lapas) are part of the criminal justice system that plays a role in carrying out prison sentences as well as fostering prisoners. Before the term *lapas* was used, this place was known as a prison. *Lapas* functions as a technical implementation unit under the Directorate General of Corrections of the Ministry of Law and Human Rights. Law No. 22 of 2022 on Corrections states that the purpose of punishment is to make convicts and criminals regret their actions and return them to become good members of society by obeying the law and upholding moral, social, and religious values. That way, the community can live safely, orderly, and peacefully. Coaching in prisons not only aims to make prisoners realize their mistakes but also serves as an educational tool to shape a better character. After serving their sentence, they are expected to become individuals with positive characters who are able to blend back into society.³ However, in its implementation, the goal of inmate development in correctional institutions often faces various obstacles, which causes the function of correctional facilities as a place of development to not run optimally and even risk failure. One of the main problems that is very real is the overcapacity of prisoners in almost all prisons in Indonesia.

Based on data from the Directorate General of Corrections, 76 percent or 401 out of 526 Correctional Technical Service Units (UPT) in 33 Regional Offices (Kanwil) in Indonesia experience overcapacity. In fact, 217 UPTs or 41 percent face excess occupants of more than 100 percent. Similar conditions occur in the Class IIB Gunung Sugih correctional institution, which is the location of this research. In 2024, the official capacity of this prison was only 350 people, but it was occupied by 717 prisoners, so the level of overcapacity reached 105 percent. This situation shows that the class IIB Gunung Sugih prison is experiencing overcapacity, which has an impact on the fulfillment of prisoners' rights.

Based on Law Number 22 Year 2022 Article 10 Paragraph (1), every prisoner is entitled to remission, assimilation, leave to visit or receive family visits, conditional leave, pre-release leave, parole, and other rights regulated in laws and regulations. These rights can be granted if during the coaching period the inmate shows good behavior and has served at least two-thirds of the criminal period, with a minimum requirement of serving a sentence of nine months.⁴ The Director General of Corrections established a policy of granting conditional rights as an effort to overcome the problem of overcapacity in correctional institutions. This policy is considered a strategic step in reducing the level of overcapacity. Through the granting of conditional rights, the negative impact on prisoners who have just served their criminal period can be minimized. In addition, prisoners with sentences of less than one year are sought to be released immediately to avoid the bad influence of the prison environment. The Ministry of Law and Human Rights (Kemenkumham) also considers that regulations regarding the granting of conditional

² Humaira Afdini dan Ahmad Sudiro, "Urgensi Penanggulangan Over Capacity Lapas sebagai Upaya Pemenuhan Hak Bagi Narapidana", *Jurnal Hukum*, Vol. 8 No. 11, November, 2023.

³ Perkasa, Risang Achmad Putra. (2020) "Organisasi Pembinaan Narapidana dalam Upaya Mengurangi Overcapacity Lembaga Pemasyarakatan", *Wajah Hukum*, 4(1), 108.

⁴ Ardiansyah, A., & Subroto, M. (2022). "Implementasi Pemberian Pembebasan Bersyarat Kepada Narapidana Umum Pada Masa Pandemi Covid-19 Di Lembaga Pemasyarakatan Kelas IIA Bengkulu", *Jurnal Pendidikan Kewarganegaraan*, 462-465.

rights for prisoners can be a fairly effective solution in dealing with the problem of overcapacity in correctional institutions.⁵

Most prisoners still do not clearly understand the purpose of their existence in correctional institutions, whether it is simply to serve their sentence, correct their mistakes, or prepare themselves to return to society. This ignorance results in a lack of understanding of the rights and obligations that must be fulfilled while serving their sentence. In addition, the assumption that the procedure for applying for conditional rights is too complicated causes prisoners to be reluctant to apply for it so their rights are not optimally fulfilled. This condition has implications for not achieving the main goal of correctional institutions, which is to foster prisoners so that they can better integrate back into society. The problem of overcapacity in correctional institutions is also a significant challenge, where the number of inmates far exceeds the available capacity. This overcrowding is not only caused by the high crime rate but also by a punishment system that is still limited in applying alternatives to imprisonment. Efforts to accelerate coaching programs are not an effective solution to reducing overcrowding in prisons. Therefore, a more comprehensive strategy is needed to overcome this problem, one of which is by optimizing the granting of conditional rights for prisoners who have met the requirements. The implementation of this policy is expected to reduce the number of prison inmates without overriding the principles of justice and the main objectives of the correctional system. principles of justice and the main objectives of the correctional system in the process of rehabilitation and social reintegration. social reintegration.

Optimizing the Granting of Conditional Rights for Prisoners to Overcome Overcapacity in Correctional Institutions

Conditional rights for prisoners are rights granted to those who have fulfilled certain conditions to obtain early release or leniency in serving a sentence. This mechanism aims to facilitate the adaptation of former prisoners and reduce the possibility of recidivism through various forms of guidance and support. The state has guaranteed this right as an effort to help prisoners to return to play a positive role in society. Based on Article 10 of Law Number 22 of 2022 concerning Corrections, every eligible prisoner without exception is entitled to various rights, such as remission, assimilation, leave to visit or receive family visits, conditional leave, leave before release, parole, and other rights regulated in laws and regulations. The fulfillment of these rights is in line with the policies implemented by the Directorate General of Corrections (Ditjenpas) in an effort to overcome the problem of overcapacity, which is still a major challenge in correctional institutions in Indonesia. One of the main strategies in the policy is the provision of certain rights for prisoners, which not only aims to reduce the level of prison overcrowding but also ensure that the correctional system in Indonesia can run more effectively and based on humanitarian principles. The following is a further development of these policies in tackling the problem of overcapacity in correctional institutions:

1. Remission

Remission is a reduction in the period of punishment given to prisoners and criminals who show good behavior. The purpose of remission is to motivate prisoners to behave positively and encourage them to adapt more quickly and return to life in the community.⁶ This policy is one of the effective strategies for reducing the level of overcapacity in correctional institutions in Indonesia. Overcapacity conditions often have an impact on the decline in the quality of guidance and suboptimal services, which ultimately worsen the situation in prison. The provision of targeted remission can help reduce the number

⁵ Putu Dea Anggitayani dan Juwita Pratiwi Lukmana, (2024). "Efektifitas Kebijakan Pemberian Hak Integrasi di Setiap Lembaga Pemasyarakatan Kantor Wilayah Kementerian Hukum dan HAM Provinsi Bali", *Socio-political Communication and Policy Review*, Vol. 1 No. 4, 83.

⁶ Monica, Dona Raisa, dan Diah Gustiniati, *Pengantar Hukum Penitensier dan Sistem Pemasyarakatan Indonesia* (Bandar Lampung: Anugerah Utama Raharja, 2018), hlm. 87.

of prisoners without overriding the principles of justice and rehabilitation. Based on Article 14 of Law Number 22 of 2022 concerning Corrections, remission is given to prisoners who show good behavior and actively participate in coaching programs, such as skills training and education. With a transparent system of granting remission based on objective evaluation, it is hoped that the process of reintegrating prisoners into society can be accelerated, especially for those who have a low risk of recidivism, so that they can return to contribute positively after completing their sentence. The application for remission for prisoners is not given just like that but must fulfill several predetermined requirements. These requirements are regulated in the 2018 Minister of Law and Human Rights Regulation in Article 5, namely:

- a. Good behavior; and
- b. Has served a criminal period of more than 6 (six) months.

The requirement of good behavior is proven by:

- a. Not undergoing disciplinary punishment within the last 6 (six) months, calculated before the date of granting Remission; and
- b. Has participated in the coaching program organized by the Correctional Institution with a good predicate.

Class IIB Gunung Sugih Correctional Institution, the granting of remission is carried out periodically in accordance with applicable regulations. Every year, remission is given to prisoners who meet the criteria, especially on the commemoration of national holidays such as Independence Day of the Republic of Indonesia and Religious Holidays. Prisoners who show positive behavioral changes, participate in coaching programs and do not commit disciplinary violations while serving their sentence are entitled to remission in accordance with applicable regulations. In addition to contributing to reducing the number of prison inmates, the remission policy at Gunung Sugih Correctional Facility also aims to motivate prisoners to be active in rehabilitation programs and skills training. With an objective assessment system and strict supervision, the remission policy at Gunung Sugih Correctional Facility is designed to ensure that only prisoners who truly meet the requirements obtain a reduction in the criminal period. Thus, this policy can be applied fairly and transparently and remains in line with the main objectives of correctional services.

2. Assimilation

Assimilation is a policy that allows prisoners to serve the rest of their sentence outside the prison with supervision, aiming to accelerate the process of social reintegration and reduce overcrowding in correctional institutions. In accordance with the Minister of Law and Human Rights Regulation No. 3/2018 in article 44, the conditions that must be met by prisoners to obtain assimilation are as follows:

- a. Good behavior with no disciplinary punishment within 6 months.
- b. Actively follow the guidance properly and correctly.
- c. Has served $\frac{1}{2}$ of the criminal period.

The assimilation program is divided into two types: assimilation within the correctional facility and assimilation outside the correctional facility. Assimilation within the facility aims to familiarize inmates with community life by bringing the community into the facility. This program may include educational activities, both formal and informal, provided by instructors, as well as skills training led by expert mentors to foster inmates' independence. Meanwhile, assimilation outside the facility allows inmates to interact directly with the community through various activities such as community service,

skills training, and other rehabilitation programs. In this program, inmates are permitted to leave the facility at designated times with the obligation to return according to the established schedule.⁷

The implementation of this program depends on the type of sentence and the category of the crime committed by the inmate, which determines eligibility and the requirements that must be met. For inmates involved in certain offenses, such as drug-related crimes, terrorism, and corruption, the assimilation process is subject to stricter regulations. The requirements include maintaining good behavior without any disciplinary violations for the past nine months, active participation in rehabilitation programs, and having served at least two-thirds of the sentence, with a minimum of nine months of imprisonment. Specifically for inmates convicted of terrorism-related offenses, there is an additional requirement: participation in a deradicalization program organized by the correctional facility or the National Counterterrorism Agency (BNPT). Furthermore, Indonesian nationals must submit a written pledge of allegiance to the Unitary State of the Republic of Indonesia, while foreign nationals must pledge not to reengage in terrorist activities.⁸

Gunung Sugih Class IIB Correctional Facility implements an assimilation program in an effort to reduce overcrowding and support the social reintegration of inmates. This process begins with a rigorous selection based on behavior, sentence duration, and recommendations from relevant institutions. Inmates who pass the selection process undergo skills training and personality development sessions before participating in assimilation outside the facility under the supervision of the Probation and Parole Office (Bapas). During the assimilation period, they are required to report regularly and undergo strict evaluations. This program has proven effective, with the majority of participants completing assimilation without violations, thereby contributing to a more humane and efficient correctional system.

3. Conditional Leave, Family Visit Leave, Pre-Release Leave.

In an effort to uphold inmates' rights and as part of the rehabilitation process, the Directorate General of Corrections (Ditjenpas) implements accelerated social reintegration through various programs, such as Conditional Leave (CB), Family Visit Leave (CMK), and Pre-Release Leave (CMB). These programs aim to reduce overcrowding in correctional facilities while supporting the rehabilitation process by providing inmates with opportunities to adapt to social life outside prison. Through these programs, inmates are allowed to serve the remainder of their sentences outside the correctional facility under supervision, facilitating their reintegration into society more efficiently.

Conditional Leave (CB) provides inmates with the opportunity to leave the correctional facility temporarily, provided they have served a significant portion of their sentence, demonstrated good behavior, and actively participated in rehabilitation programs. This program not only reduces the inmate population but also allows inmates to adapt to life outside prison, alleviating overcrowding and preparing them for a smoother social reintegration.

Family Visit Leave (CMK) provides inmates who have served a significant portion of their sentence with the opportunity to reunite with their families. This program has a positive psychological impact on both inmates and their families, helping inmates prepare for social life after their sentence and reducing the likelihood of reoffending. CMK also strengthens family bonds, which is a crucial factor in the successful social reintegration of inmates.

Pre-Release Leave (CMB) is a correctional policy that grants inmates who have served a significant portion of their sentence the opportunity to complete the remainder of their sentence under

⁷ Titin Titawati, (2024). "Hak Asimilasi bagi Narapidana di Lembaga Pemasyarakatan," Jurnal Ganec Swara, Vol. 18 No. 3.

⁸ Fahressy, Muhammad Hisyam. & Subroto, Mitro, "Pelaksanaan Pemberian Asimilasi dalam Upaya Mengurangi Overkapasitas di dalam lapas", Jurnal Pendidikan Kewarganegaraan Undiksha, Vol. 10 No. 2, 367.

supervision outside the correctional facility. This program aims to prepare inmates for post-release social life by allowing them to adapt outside the prison before fully reintegrating into society. Eligible inmates, such as those who have served two-thirds of their sentence and demonstrated good behavior, may be granted this opportunity. In addition to reducing the inmate population, CMB helps alleviate overcrowding issues and promotes social reintegration by reducing stigma and providing inmates with a chance for self-improvement. With strict supervision, this program has the potential to lower recidivism rates and ensure that inmates are well-prepared for successful reintegration while maintaining public safety and order.

The implementation of social reintegration through the granting of **Conditional Leave (CB)**, **Family Visit Leave (CMK)**, and **Pre-Release Leave (CMB)** follows the principles of government administration and development. This process is based on the principles of guidance, equal treatment and services, education, mentoring, and respect for human dignity. In this context, the loss of freedom serves as the sole form of punishment for inmates, while their right to maintain contact with family and certain individuals remains protected. Furthermore, the implementation of CB, CMK, and CMB must align with public interests and must not conflict with society's sense of justice.⁹ These three programs complement each other in addressing overcrowding in correctional facilities while providing inmates with opportunities to adapt and rebuild their social lives. Proper implementation of these programs can enhance the efficiency of the correctional system, alleviate overcrowding issues, and support the achievement of more effective rehabilitation goals.

4. Parole

Parole (PB) is a form of social reintegration within the correctional system, where inmates who meet specific requirements are granted the opportunity to serve the remainder of their sentence outside the correctional facility. This process aims to help inmates gradually adapt to their family and community environments while preparing them to lead more productive and responsible lives after completing their sentences. Parole is granted to inmates after they have served at least two-thirds of their sentence, provided that the remaining sentence is no less than nine months.¹⁰

Gunung Sugih Class IIB Correctional Facility implements a parole program as part of its correctional policy to reduce overcrowding and support the social reintegration of inmates. The process begins with administrative verification by correctional officers to ensure that inmates meet the eligibility criteria outlined in the Correctional Law, including having served two-thirds of their sentence and demonstrating good behavior. The case files are then submitted to the Probation and Parole Office (Bapas) for a community assessment (Litmas) to evaluate the inmate's readiness to reintegrate into society. If approved, inmates undergo pre-release preparation, which includes skills training and social guidance. After their release, they are required to report to Bapas and comply with regular supervision until their sentence is fully completed. This program has successfully helped many inmates reintegrate into society more effectively while also alleviating overcrowding at Gunung Sugih Correctional Facility.

The Director of Inmate Development and Production Work Training at Ditjenpas, Thurman Saud Marojahan Hutapea, stated that optimizing the granting of sentence reductions (remissions) is a crucial step in reducing the inmate population in correctional facilities. Various types of remissions are provided, including general remission, special remission, elderly remission, permanent illness remission, and decennial remission for general crimes. Through this policy, inmates' rights are upheld as long as they meet the requirements stipulated in the regulations. In addition to remissions, Ditjenpas also seeks to

⁹ Utiyafina Mardhati Hazhin, "Pemberian Cuti Bersyarat (CB) dan Cuti Menjelang Bebas (CMB) sebagai Kewenangan Kantor Wilayah Kementerian Hukum dan HAM dalam Upaya Penanganan Over Kapasitas Lapas di Provinsi Daerah Istimewa Yogyakarta", *Recidive*, Vol. 3, No. 1, Januari–April 2014.

¹⁰ Aldi Romadani, Mahmuzar, dan Irfan Ridha, "Pembebasan Bersyarat terhadap Narapidana Lembaga Pemasyarakatan," *Journal of Sharia and Law*, Vol. 2, No. 1, Januari 2023, 337.

reduce prison overcrowding through parole, conditional leave, pre-release leave, and home assimilation. These initiatives allow eligible inmates to serve the remainder of their sentence outside the correctional facility, either at home or in the community, significantly easing the burden on correctional institutions.

This initiative not only provides more humane living space for inmates who remain in correctional facilities but also supports the social reintegration process for those granted remission, assimilation, or parole. Inmates who have the opportunity to undergo home assimilation or parole can gradually adapt to society, develop skills, and improve their behavior before fully regaining their freedom. The optimization of remission, assimilation, conditional leave, family visit leave, pre-release leave, and parole is a strategic approach aligned with correctional principles focused on rehabilitation, recovery, and social reintegration. Beyond addressing structural issues in correctional facilities, this policy also enhances inmate rehabilitation efforts, ensuring they can reintegrate into society as responsible and productive individuals.

Challenges in the Implementation of Conditional Rights for Inmates at Gunung Sugih Class IIB Correctional Facility

Challenges can be defined as conditions or events that hinder the smooth implementation of an activity. In other words, challenges represent obstacles or barriers that arise during the execution of a process, potentially slowing down or even preventing the achievement of planned objectives. Obstacles in granting conditional rights to inmates at Gunung Sugih Class IIB Correctional Facility involve various factors that affect the effectiveness of this policy's implementation. One of the primary challenges is the lack of inmate understanding regarding the procedures and requirements needed to obtain conditional rights. Many inmates perceive the application process as overly complicated and bureaucratic, leading to reluctance to submit applications even when they meet the eligibility criteria. This issue is further exacerbated by the limited number of correctional officers available to provide proper socialization and guidance regarding inmates' rights. As a result, many inmates miss the opportunity to obtain conditional rights simply due to a lack of adequate information and understanding.

Administrative factors also pose a significant obstacle in the granting of conditional rights. The verification and approval process often takes a long time due to complex bureaucracy and limited human resources for managing inmate data and documents. Every application for conditional rights must go through a strict administrative procedure, starting from the inmate's submission, document verification by correctional officers, and approval from the relevant authorities. The slow process results in many eligible inmates remaining in the correctional facility longer than necessary. This accumulation of delays contributes to increased overcrowding in prisons, ultimately affecting inmates' living conditions and the effectiveness of rehabilitation programs within the facility.

Societal stigma against inmates who receive conditional rights is another significant challenge that cannot be overlooked. Some members of the public still perceive conditional rights as an unfair leniency, especially for inmates involved in serious offenses. This negative perception is often reinforced by media coverage that tends to highlight controversial cases related to parole or early release. As a result, even when inmates have met all legal requirements, pressure from various parties may arise to delay or even revoke the granting of these rights. Public distrust in the effectiveness of the parole system also poses a challenge to the social reintegration of released inmates. This stigma can make it difficult for them to find employment, receive social support, and rebuild a better life after serving their sentence.

Internal aspects of the correctional facility also contribute to challenges in granting conditional rights. One of the main issues is the limited facilities and monitoring systems for inmates who receive conditional rights. The lack of adequate infrastructure to oversee inmates undergoing parole or assimilation outside the prison hinders effective supervision. Ideally, inmates granted conditional rights should remain under the supervision and guidance of the Correctional Center (Bapas) and other law enforcement agencies. However, poor coordination between the prison, Bapas, and relevant institutions

often results in ineffective monitoring. Weaknesses in supervision increase the risk of violations during the parole period, which can ultimately undermine the credibility and effectiveness of the program.

Conclusion

The granting of conditional rights for inmates is a strategic solution to address the issue of overcapacity at Lembaga Pemasyarakatan Kelas IIB Gunung Sugih. This policy not only aims to reduce the prison population but also to promote the rehabilitation and social reintegration of inmates, enabling them to reintegrate into society more effectively. Despite its significant benefits, the implementation of conditional rights still faces various challenges, both internal and external. Internal factors include limited facilities, a lack of human resources, and an inadequate monitoring system. External factors involve societal stigma against former inmates and insufficient coordination between correctional facilities and relevant institutions in overseeing inmates on parole. To optimize the granting of conditional rights, regulatory improvements, enhanced monitoring systems, and broader public and inmate awareness campaigns are essential. Furthermore, synergy between the government, correctional institutions, and social organizations is crucial to developing sustainable rehabilitation programs for inmates before and after receiving conditional rights. Family and community support also play a vital role in ensuring the success of inmate reintegration. With the right efforts and collaboration among various stakeholders, the policy on conditional rights can serve as an effective solution to prison overcapacity, improve inmate rehabilitation quality, and uphold a more humane and just correctional system.

References

- Afdini, Humaira, & Sudiro, Ahmad. (2023). "Urgensi Penanggulangan Over Capacity Lapas sebagai Upaya Pemenuhan Hak Bagi Narapidana." *Jurnal Hukum*, Vol. 8, No. 11, November.
- Anggitayani, Putu Dea, & Lukmana, Juwita Pratiwi. (2024). "Efektivitas Kebijakan Pemberian Hak Integrasi di Setiap Lembaga Pemasyarakatan Kantor Wilayah Kementerian Hukum dan HAM Provinsi Bali." *Socio-political Communication and Policy Review*, Vol. 1, No. 4.
- Ardiansyah, A., & Subroto, M. (2022). "Implementasi Pemberian Pembebasan Bersyarat kepada Narapidana Umum pada Masa Pandemi Covid-19 di Lembaga Pemasyarakatan Kelas IIA Bengkulu." *Jurnal Pendidikan Kewarganegaraan*, 462-465.
- Fahressy, Muhammad Hisyam, & Subroto, Mitro. (2023). "Pelaksanaan Pemberian Asimilasi dalam Upaya Mengurangi Overkapasitas di dalam Lapas." *Jurnal Pendidikan Kewarganegaraan Undiksha*, Vol. 10, No. 2.
- Monica, Dona Raisa, dan Diah Gustiniati. (2018). *Pengantar Hukum Penitensier dan Sistem Pemasyarakatan Indonesia*. Bandar Lampung: Anugerah Utama Raharja.
- Perkasa, Risang Achmad Putra. (2020). "Organisasi Pembinaan Narapidana dalam Upaya Mengurangi Overcapacity Lembaga Pemasyarakatan." *Wajah Hukum*, Vol. 4, No. 1, 108.
- Rahardjo, Satjipto. (2000). *Ilmu Hukum*. Bandung: Citra Aditya Bakti.
- Romadani, Aldi, Mahmuzar, & Ridha, Irfan. (2023). "Pembebasan Bersyarat terhadap Narapidana Lembaga Pemasyarakatan." *Journal of Sharia and Law*, Vol. 2, No. 1, Januari.
- Titin Titawati. (2024). "Hak Asimilasi bagi Narapidana di Lembaga Pemasyarakatan," *Jurnal Ganec Swara*, Vol. 18, No. 3.

Utiyafina Mardhati Hazhin. (2014). "Pemberian Cuti Bersyarat (CB) dan Cuti Menjelang Bebas (CMB) sebagai Kewenangan Kantor Wilayah Kementerian Hukum dan HAM dalam Upaya Penanganan Over Kapasitas Lapas di Provinsi Daerah Istimewa Yogyakarta", *Recidive*, Vol. 3, No. 1.

Undang-Undang Nomor 1 Tahun 1946 Jo. Undang-Undang Nomor 73 Tahun 1958 tentang Kitab Undang-Undang Hukum Pidana.

Undang-Undang Nomor 22 Tahun 2022 tentang Pemasyarakatan.

Peraturan Menteri Hukum dan HAM Nomor 3 Tahun 2018 tentang Syarat dan Tata Cara Pemberian Remisi, Asimilasi, Cuti Mengunjungi Keluarga, Pembebasan Bersyarat, Cuti Menjelang Bebas, dan Cuti Bersyarat.

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