

Examining the Effectiveness of Correctional Programs in Suppressing Recidivism

The manhunt for “IS”, 26, a suspect in the murder of Nia Kurnia Sari/NKS (18 years old), a girl who sold fried food around the village, ended on the 11th day. The police cornered and arrested him in the attic of a vacant house in Kayu Tana Pariaman, West Sumatra.

The NKS case is one of many cases of sexual violence resulting in the death of a woman, or “femicide”, confirming the weak deterrence of punishment for perpetrators of crimes. In the case of NKS, the suspect is a recidivist in a case echoing this tragedy. His release from a correctional institution tends to confirm that not all ex-convicts deserve a second chance.

Regarding this repeat offense, forensic psychology Reza Indragiri Amriel questioned the judgment of the Law and Human Rights Ministry (Kemenkumham) and the Security and Public Order Officers (Bhabinkamtibmas) of the Indonesian police, claiming this casts a shadow over the effectiveness of the correctional program, promoted by Kemenkumham, in suppressing the potential for recidivism.

The correctional program for recidivists, created by the Government of Indonesia, provides guidance to

criminals, with the objective of transforming attitudes and behavior of inmates, so that they might be able to more easily adapt to society, after serving their time. The correctional program is a space for educating criminals, encouraging them to change their behavior as preparation for returning to society (“social reintegration”).

The importance of the correctional program as an educational facility for inmates is codified in Corrections Law 12 of 1995. This program was put in place, considering that there is a social stigma that ex-convicts will most probably repeat their criminal behavior.

February 2020 data from the Directorate General of Corrections (DitjenPas) records that of the total 268,001 prisoners and convicts in detention, 18.12% were classified as recidivists. There are different and intertwined definitions of “prisoners”, “convicts” and “recidivists”. According to the online Great Dictionary of the Indonesian Language (KBBI), a prisoner can be defined as “...an individual who is detained for alleged criminal acts, but has not yet been sentenced by a court of law”.

Meanwhile, a convict is a person who is subject to a “Guilty” verdict in

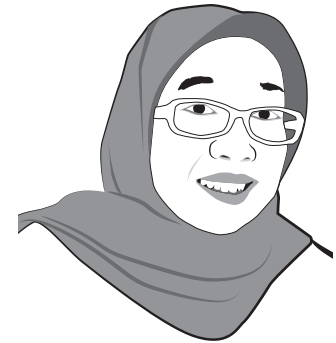
a court of law and is serving a sentence for a criminal act.

Lastly, a “recidivist” refers to a former convict who has committed a criminal act and is discovered to have committed the same or a different type of crime.

DitjenPas lists 204,185 convicts with “recidivist” status. In addition, as of February 2020, 30,000 convicts have undergone “assimilation and social integration”, following the Covid-19 events. This large figure has aroused anxiety throughout the community, also driven by news reports about convicts who have repeated their crimes. In actual fact, the recidivism rate in Indonesia is still within a global ratio range of 14-45%.

The risks of convicts committing repeat offenses may be caused by various factors, intrinsically and extrinsically. An internal factor may derive from an individual’s motivation to commit a crime. This may derive from their interaction with fellow inmates, resulting in a “knowledge transfer” of skills necessary to commit a crime.

The second factor that may influence convicts to repeat their crime is the extrinsic factor, which may result from an unfair attitude in society that a convict’s behavior is impossible to



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change, so that they do not deserve a second chance. Either or both of these two factors can be the cause of repeat offenses.

Therefore, to increase correctional program effectiveness, officers should prepare educational materials containing knowledge about the law and the likely repercussions for repeat crimes. By providing such material, it is hoped that the convicts will be deterred from committing the same or other types of offenses.