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# The Implementation of a Leave System for Prisoners Release in State Detention Center Class Ii B Barru Regency

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**Abstract**: This study aims to describe Implementation of the Leave System Towards Prisoners Release at the Class II B State Detention Center, BarruRegency,research approach using descriptive qualitative. Data collection techniques were through observation, interviews, and documentation. Informants in this study were 10 people that selected purposively. The data analysis technique used interactive miles model. "The results of this study indicate thatImplementation of the Leave System for Prisoners Release at the Class II B State Detention Center, BarruRegency."Through 4 stages, namely: 1) Substant requirements for the CMB period, namely prisoners who have met the requirements, among others, have served a sentence of at least 2/3 (two thirds). 2) Administrative Requirements, namely the process of collecting files such as a copy of the WBP family card, a copy of the identity card and the family card of the guarantor, and a stamp of Rp. 6000 ". 3) Guidance policy process guides the convict to repent, educate them so that they become a useful citizen member of the Indonesian society. 4). The aim of the policy is to provide a holistic education that connects the moral dimension with the social realm in the life of students as a foundation for the formation of a quality generation capable of living independently and having the principle of an accountable truth. "

**Keywords:** Implementation of Leave System

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## I. PRELIMINARY

The implementation of the leave system prior to prisoner release is a policy made by the government, especially within the scope of the Ministry of Law and Human Rights, where this provision has been regulated in the Regulation of the Minister of Law and Human Rights Number 3 of 2018 concerning Terms and Procedures for Granting Remissions, Assimilation, Family Visiting Leave, Parole, Near-Release Leave, and Parole. The elucidation of the regulation implies that the criminal function is as mandated by the criminal function mandated by Law No. 12 of 1995 concerning Corrections is no longer just a deterrent, but is an effort to rehabilitate and reintegrate the social rehabilitation and reintegration of prisoners carried out in an integrated manner between the coaches, those who are fostered, and the community to improve the quality of the prisoners in order to realize their mistakes, improve themselves, and not repeat the action future crimes. One of the guidance in the correctional system is giving leave before being released.

One of the fulfillment of the rights of prisoners apart from getting remission, leave system, and parole they are also entitled to get leave before being released, based on the explanation of article 14 of Law Number 12 of 1995 concerning Corrections it is explained that "pre-release leave is leave given after the prisoner. has served more than 2/3 (two thirds) of his / her criminal term, provided that they must be of good behavior and the time limit is the same as the amount of the last remission and is no longer than 6 (six) months.

Leave before release is the right of the prisoner after carrying out his sentence obligation as long as the prisoner has good behavior as regulated by the provisions of the applicable regulations. In connection with that the implementation of this policy is something very important given to prisoners as part of the correctional process before they truly return to society. Leave before being released is one of the correctional efforts by a convict before being released.

According to Charles O. Jones, there are 4 indicators, namely 1). Substantive Requirements 2) Administrative Requirements, 3). Policy process 4), Policy objectives According to Charles O. Jones in Winarno (2007: 16) the term policy is used in daily practice but is used to replace activities or decisions that are very different. These terms are often interchanged with goals, programs, decisions, standards, proposals and grand designs.

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William N. Dunn mentions the term public policy in his book entitled Public Policy Analysis, meaning the following: "Public Policy is a complex pattern of dependence on interdependent collective choices, including decisions not to act, which created by a government agency or office "(Dunn, 2003: 132)

Utami, 2018 from some of the definitions above, the researcher concludes that public policy is a government decision to do something or not to do something useful for life together to achieve the goals to be achieved.

The basis of the public policy process according to Nugroho (2008) includes the following (1) Policy Issues, (2) policy formulation, (3) policy implementation; (4) policy evaluation. Policy issues, which are fundamental in nature which involve many people, cannotcompleted by only one person, and can be long-term, and must be done. This issue was raised as a political agenda to be resolved. Then with this policy issue, the government moved to formulate public policies in order to solve the problem. This policy formulation will become law for all countries and their citizens, including the leadership of the State

AfanGaffar in Nirwana, 2015). According to Mazmanian and Sabatier's opinion in Perdana (2017), policy implementation is as: "Implementation of basic policy decisions, usually in the form of laws, but can also be in the form of judicial decisions, or important executive decisions or orders. Typically, the decision identifies the problem to be achieved, and the various ways to structure or organize the implementation process. Meter and Horn in Suaib (2016) define policy implementation as actions taken or carried out by individuals (and groups) of government and private that are directed at achieving predetermined goals and objectives.

In the book Solihin Abdul Wahab (2008: 65), says that: "implementation is understanding what actually happens after a program is declared valid or formulated is a focus of attention to policy implementation, namely events and activities that arise after the legalization of the guidelines for State policy, which includes both efforts to administer them and to have real influence on society or events. From several definitions of experts, it can be concluded that policy implementation is a policy implementation process carried out by implementers to achieve predetermined goals.

Jones analyzes the problem of policy implementation in a schematic manner, based on the concept of functional activities. Jones, presents several dimensions of government implementation regarding the programs that are legalized, then determines their implementation. Discusses the actors involved by focusing on the bureaucracy as the primary implementing agency (Jones, 1991).

Agustino, 2018 Organization Policy implementation requires clear and firm orders from superiors, and needs to provide sanctions for officers who violate, as Jones argues the leader to give the necessary orders to be accountable for these obligations and then share them in a fixed and strictly limited manner by rules relating to coercion and the like, which will be subject to sanctions in the form of dismissal or discharge for officials who do (Jones, 1994: 306). Every activity requires a bureaucracy that is able to communicate with those who make policies and with those who implement policies.

George C. Edward III developed a policy implementation model with a top down perspective in implementing his public policy implementation with Direct and Indirect Impact on Implementation. The following can be seen a chart of the policy implementation model from George C. Edward III.

## 1. Communication.

Effective implementation occurs when decision makers already know what they are going to do. This will work if communication is also going well, the policies communicated must be precise, accurate and consistent. Indicators to determine the success of communication variables are transmission, clarity and consistency.

# 2. Resource

Resource success indicators are staff, and information, authority and facilities. To be successful, policy implementation must be carried out by adequate and competent staff, with clear information on how to implement the policy. Authority must be formal in order for orders to be carried out and supporting facilities must be adequate for policy implementation to be successful.

### 3. The disposition or attitude of the policy implementer.

Policy implementation will be effective if policy implementers must not only know what they have to do but also have the ability to implement it. The thing that needs to be considered in this variable is the appointment of bureaucrats, where the selection and appointment of policy implementing personnel must be people who are dedicated to the established policies. Furthermore, incentives, by means of increasing profits for policy implementers, will encourage them to implement policies well.

## 4. Bureaucratic structure

Such complex policies require the cooperation of many people, therefore a conducive bureaucratic structure is needed so as not to obstruct the course of policy. The bureaucracy as a policy implementer must be able to support policies that have been decided politically by coordinating well. Two characteristics that can boost the performance of the bureaucratic structure are Standard Operating Procedures (SOP) and implementing fragmentation.

According to Mazmanian and Sabatier's model (Nugroho, 2008: 440), the policy implementation process can be divided into three variables, namely:

- 1) The intervening variable is the variable of the policy's ability to structure the implementation process with indicators of consistency of objectives and clarity, use of causal theory, provision of allocation of sources of funds, attitudes and constituent risks, support from higher officials, recruitment of executive officers and openness to outsiders, hierarchical integration in among implementing agencies, implementing regulations from implementing agencies, and variables outside of policies that affect the implementation process with regard to indicators of socioeconomic and technological conditions, public support, as well as commitment and leadership quality of executing officials.
- 2) The independent variable is whether or not the problem is easy to control related to the indicators of the object diversity problem, technical implementation, and theoretical problems, as well as changes as desired.
- 3) The dependent variable, namely the stages in the implementation process with 5 stages of understanding from the implementing agency / agency in the form of implementing an implementing policy, acceptance of the real results, real results, object compliance, and finally leading to revisions to the policies made and implemented or the entire policy, which is fundamental.

according to S. Van Meter and Carl E. Van Horn because the variables developed by Meter and Horn are important variables that greatly influence the implementation of policies which generally include and already represent the opinions of other experts.

According to Harsono (2016: 340), the development of prisoners themselves must use the principles of guiding prisoners, namely themselves, their families, communities and government officials. Guidance for assisted residents or prisoners is carried out continuously since the inmates entered the Penitentiary. The correctional system is a process of fostering the assisted citizens as God's creatures, individuals and as a society. In fostering the assisted residents, their physical, spiritual and social conditions are developed and related elements are also needed to support success in coaching. These elements are institutions that are related to the development of all aspects of the life of the assisted citizens and coaches who are quite capable and full of a sense of service.

The purpose of development in correctional facilities (Puspitasari, 2017: 30) is divided into three things, namely:

- 1) After leaving the correctional facility, he/she no longer commits a criminal act.
- 2) Become a great human being, play an active and creative role in building the nation and country.
- 3) Able to get closer to the God and get blessedboth in the world and in the hereafter.

According to Thoha, coaching is defined as an action, process, result, or statement to be better. In this case, it shows the progress, increase, growth, evolution, of various possibilities, developing, or increasing something. Here there are two elements of understanding, namely coaching from a goal and secondly, coaching can show improvement on something

Jerome Hall made a detailed description of conviction, including: 121. Criminalization is the loss of things that are necessary in life 2. Violent forced punishment 3. Criminalization is given in the name of the state or "authorized" 4. Criminalization requires the existence of regulations, 5. Criminalization is given to offenders who have committed a crime, and this requires a set of values referring to them, the crime and punishment are ethically significant. 6. The level or type of punishment is related to the crime and be aggravated or alleviated by looking at the personality (personality) of the offender, his motives and drives.

According to Hugo de Groot: 37 In this relationshippassionis (quod infligitur) propter malum actionis, which means that evil suffering befell due to evil deeds.

According to Gresham Sykes: The result of imprisonment provides physical and psychological pain to inmates. This pain can be divided into five types namely:

- 1. Loss of liberty, the first frustration caused by the transition concerning his existence from free humans in the free world to non-free humans to the non-free nature can bring pain that may exceed bodily pain
- 2. Loss of self-determination (loss of outonomy) All provisions that apply in the correctional institution are under the authority of the officer and not determined by the prisoner.
- 3. Loss of hetero sexual relationship during carrying out a crime, prisoners cannot have sexual relations with the opposite sex so that same-sex deviations often appear in their life in prisons.
- 4. Loss of goods and services, when you are outside the correctional facility, you are able to have all your needs and are accustomed to being served properly and perfectly. However, after carrying out a crime, all needs are limited according to the number and interests that exist based on the number of prisoners so that the distribution of services runs out fairly and evenly.
- 5. Loss of security

According to Harsono, development of prisoners is a system. Therefore, the development of prisoners has several components that are interrelated and work together with one another to achieve a goal.

According to Adi Sujatno, several principles were stated to guide and provide guidance for inmates, including:

- 1 People who are lost must be protected by providing provisions to live as good and useful citizens in society.
- 2 The imposition of a crime is not an act of retaliation from the State.
- 3 The feeling of repentance cannot be achieved by doing torture, but by guidance.
- 4 The state has no right to make a prisoner worse than before he/she entered the institution
- 5 During the loss of freedom of movement, prisoners must be introduced to the community and must not be isolated from the community.
- The work given to prisoners must not be time-consuming or only intended for the interests of the institution or the state, the work given must be shown for the development of the country.
- 7 Guidance and education must be based on the principles of Pancasila. Any guidance and education given to prisoners must be based on the norms contained in Pancasila.
- 8 Everyone is a human being and must be treated as a human even though he has strayed and should not be shown to inmates that he is a criminal.
- 9 The prisoner was only sentenced to lose his independence.
- 10 The current physical facilities for community institutions are one of the obstacles in the implementation of the correctional system.

# According to YeniWidowati, et al, the meaning of parole is

1 Parole is the process of fostering criminal inmates and children outside the correctional institutions after serving at least 2/3 (two thirds) of their minimum sentence of 9 (nine) months. The purpose of conditional release is to make it easier for prisoners to return to society (resocialization), and to encourage inmates to behave in good behavior during their sentence in prison. Basically, parole provides an opportunity for inmates to mingle more quickly with society by serving the remaining time of their sentence outside. Correctional Institution

According to Dewanto (2010: 99)The provisions regarding conditional release are generally regulated in Article 15 and Article 16 of the Criminal Code, conditional exemption can only be granted with a number of conditions, including

- a. Only be given to those who are sentenced to prison and not a sentence of imprisonment.
- b. 2/3 (two thirds) or at least the sentence has been served for 9 (nine) months.
- c. Exemption is carried out by agreement.
- d. If a prisoner who is undergoing parole violates the agreement he has made, then he is withdrawn back into prison to complete his sentence and the period of parole that has been served is not counted as serving a sentence.

According to Suswanto Zaid, there are several substantive conditions given to prisoners and children who are in prison

- a. Has shown awareness and remorse or wrongdoing which led to being convicted.
- b. Has shown a positive character and moral development.
- c. Successfully following the program of activities for the development of prisoners and children concerned.
- d. The public can receive a program of activities for the development of prisoners and children concerned.
- e. Have good behavior while serving a sentence and have never received a disciplinary sentence for Leaving Prior to Release for at least the last 9 (nine) months, and f. The criminal period that has served for Leaving Near-Free is 2/3 (two-thirds) of the sentence., and the period of leave is the same as the last remission of not more than 6 (six) months provided that if during his leave he commits a new crime, then while outside the correctional facility it is not counted as a period of serving a sentence.

According to Harsono (2016: 340), the development of prisoners themselves must use the principles of guiding prisoners, namely themselves, their families, communities and government officials. Guidance for assisted residents or prisoners is carried out continuously since the inmates entered the Penitentiary. The correctional system is a process of fostering the assisted citizens as Allah creatures, individuals and as a society. In fostering the assisted residents, their physical, spiritual and social conditions are developed and related elements are also needed to support success in coaching. These elements are institutions that are associated with the development of all aspects of the life of the assisted citizens and coaches who are quite capable and full of a sense of dedication.

Merilee S. Grindle. This model corresponds to the topic of research undertaken to analyze policy implementation from an administrative process point of view. Which is the implementation of policies in terms of implementing Regulation of the Minister of Law and Human Rights Number 3 of 2018 concerning

Requirements and Procedures for Granting Remissions, Assimilation, Family Visiting Leave, Parole, Leaving Towards Free, and Conditional Leave. This model focuses on the attitudes, behavior and performance of actors or policy implementers. The model can describe the implementation of policies that provide benefits to the community or prisoners assisted by prisons.

#### II. RESEARCH METHOD

According to Sugiyono (2013), the research method is basically a scientific way to obtain data with specific purposes and uses. This research was conducted at Class II B State Detention Center in Barru Regency. Case study research was intended with the aim of investigating complex activities or processes that were not easily separated from the social context in which they had occurred. According to Merriam and Tisdell (2015) a case study is a description and in-depth analysis of the bounded system, qualitative research, meaning a type of research that seeks to provide an explanation with an overview of the various types of data that have been collected from the object of research related to the implementation of pre-release leave at the Class II B detention center in the city of Barru.

According to Grindle it is the research data was obtained directly in the field from informants who were determined on purpose (purposive).

According to LevantoThe types and sources of data in this study were each obtained from:

- 1. Primary data is data obtained directly from the research location which is collected by the researcher through several data collection methods, namely:
- a. In-depth interviews, in this case the interviewees are the leaders and staff of the Class II B BarruState Prison, some prisoners who have applied for and obtained leave rights prior to release and some prisoners who have not yet obtained the right to leave before being released, and people who is a convict family.
- b. Field observations, direct observations are made of the performance of employees in providing services to prisoners, especially administrative staff employees related to the prisoner rights process.

Secondary data is data obtained indirectly or through a second party by conducting document studies or literature literature related to the one under study. Data collection is done through:

- a. Documentation Study, which is studying and analyzing related documents such as laws, government regulations, and other government decisions.
- b. Literature study, believes in collecting data from various literatures (books, articles, papers, bulletin, journals), especially those that discuss and have something to do with research topics

According to Patton (Moleong, 2000: 103) is the process of arranging the sequence of data, organizing them into a pattern, categorization, and basic unit description. According to Bogdan and Biklen (Moleong, 2007: 248) data analysis is an effort made by working with data, organizing data, sorting it into manageable units, synthesizing it, looking for and finding patterns, finding what is important and what is learned, and decide what can be told to others. The data analysis technique used in this study refers to the concept of Milles & Huberman (1992: 20), namely an interactive model that classifies data analysis in three steps, namely:

- 1. Data reduction (Data Reduction) Data reduction is a process of sorting, focusing on simplifying, abstracting and transforming raw data that emerges from written records in the field.
- 2. Data presentation (Display Data) This data is structured in such a way as to provide the possibility of drawing conclusions and taking action. The form commonly used in previous qualitative data is in the form of narrative text, and data is displayed in the form of images and charts.
- 3. Conclusions (Verification) In this study, the meaning of the data collected will be revealed. From these data, conclusions will be obtained that are tentative, vague, rigid and dubious, so that these conclusions need to be verified. Verification is done by looking back at the data reduction and data display so that the conclusions drawn do not deviate.

According to Sugiyono (200522) Validation of data in research is planned to use qualitative research validation techniques through triangulation, namely:

- 1. Source triangulation is done by checking the data that has been obtained through several sources. In this case, the researcher collects and examines the data that has been obtained through observations, interviews, and existing documents. Then the researchers compared the results of observations with interviews, and compared the results of the interviews with existing documentation. In other words, source triangulation is the first step to re-checking the data obtained from the informant by asking the truth of the data or information.
- 2. Technical triangulation is done by checking data on the same source and different techniques. In this case the data obtained by interview, then checked against the results of observations and documents. If the three techniques of testing the credibility of the data and producing different data or information, therefore the researcher needs to have a deeper discussion on the related data sources, and to ascertain which information or data is considered correct, or there is a possibility that all of them are correct because based on their point of view.

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3. Triangulation of time uses this technique because time always affects the credibility of the data. Data obtained through interview techniques in the morning, when the source is still fresh, and does not have many problems, the source will provide more valid data or information to make it more credible. And in order to test the credibility of the data, it can be done again by checking interviews, observations and other techniques in different times and situations. If the results of the tests carried out are different, then it is repeated repeatedly so that data can be found for certainty. And triangulation can also be done by checking the results of research, as well as from other researchers who are given the task of carrying out data collection.

## III. RESEARCH RESULTS AND DISCUSSION

Implementation of the Leave System Towards Prisoner's Release at the Class II B State Detention Center, Barru Regency. Described in several points, namely:

1. Substant requirement for leave period is the same as the last remission

Regulations regarding conditional release as the right of prisoners under the UUP are only regulated in 1 (one) article paragraph, namely: Article 14 paragraph (1) letter k which states that, "Prisoners have the right to get exemption from leave before being released". Further regulation, the implementation is regulated in the government regulation of the Republic of Indonesia No. 32 of 1999 concerning Terms and Procedures for the Implementation of the Rights of Correctional Assistants (hereinafter referred to as PP No. 32 of 1999) which was later refined by the Government of the Republic of Indonesia Regulation No. 99 of 2012 concerning the Terms and Procedures for the Implementation of the Rights of the Correctional Assistants (hereinafter referred to as PP No. 99 of 2012). Every prisoner who can be given CMB has met the requirements, among others have served a sentence of at least 2/3 (two thirds), provided that 2/3 the criminal period is not less than 9 (nine) months., Have good behavior during the criminal period of at least 9 (nine) months, calculated before the 2/3 (two thirds) of the criminal period, while in detention facilities, give a positive side where the prisoner has shown awareness and remorse for the wrongdoing that led to being convicted. Besides causing pain to the convicted person because of the loss of freedom of movement, guiding the convict to repent, educating the convict so that he becomes a useful member of the Indonesian socialist society. In short, the purpose of the crime is social. So, here it is clear that in the implementation of imprisonment it is not only intended as retaliation but must also be accompanied by guidance for the convicted and this guidance is the most important thing for orientation towardsIn addition to causing pain to the convicted person because of the loss of freedom of movement, guiding the convict to repent, educating him to become a useful member of the Indonesian socialist society. In short, the purpose of the crime is social. So, here it is clear that the implementation of imprisonment is not only intended as retaliation but must also be accompanied by guidance for the convicted and this guidance is the most important thing for future orientation.

### **2.** Administrative Requirements

Each prisoner can be given conditional leave if he/she meets the requirements 1) Has served a sentence of at least 2/3 (two thirds) provided that 2/3 (two thirds) of the sentence is not less than 9 (nine) months whether during the criminal period for at least the last 9 (nine) months, calculated before the date of 2/3 (two-thirds) of the sentence.) Community reports made by the Community Guidance or reports on the development of prison inmates and correctional students made by the Correctional Guardian. Notification letter to the District Attorney regarding the plan to provide assimilation, parole, leave before, One of the conditions for getting the CMB program is the assisted residents who have already served 2/3 of the criminal period after which we make a written application letter from the family attached with a letter of guarantee and a letter of need to apply for leave to visit the family supported by information known by the local village head. live (domicile) of the prisoner Every prisoner who submits CMB requirements must have requirements and documents for file equipment such as having served at least 2/3 (two thirds) of the criminal period, provided that 2/3 (two thirds) of the sentence is not less than 9 (nine) months, 1) Copies of court decisions (extracts of verdicts) and Minutes of Implementation of Court Decisions Reports on development progress made by correctional guardians or results of risk assessments and needs assessments conducted by assessors 2) Community research reports (Litmas) from BAPAS regarding families who will receive Prisoners and Criminal Children, the condition of the surrounding community and other parties related to the Prisoners and Criminal Children 3) Notification letter to the district attorney regarding the plan to grant CMB to the prisoners and the criminal child concerned 4) Copy (List of Letter F) a list containing violations of order committed by prisoners and children who are convicted while serving the criminal period from the head of a penitentiary

# 3. Policy Process

In the context of realizing the correctional guidance system, the efforts taken are the implementation of conditional release, leave before release and conditional leave, which are part of the rights of the prisoners in prison. The implementation of the rights of correctional assisted citizens is regulated in Law Number 12 of 1995

concerning Corrections and this is based on Government Regulation Number 32 of 1999 concerning Terms and Procedures for the Implementation of the Rights of Correctional Assisted Citizens, Government Regulation No. 28 of 2006 concerning Amendments to Government Regulation Number 32 of 1999 concerning Terms and Procedures for the Implementation of the Rights of Correctional Assistants, Government Regulation No. 99 of 2012 concerning the Second Amendment to Government Regulation No.causing pain to the convicted person because of the loss of freedom of movement, guiding the convict to repent, educating the convict so that he becomes a useful member of the Indonesian socialist society. In short, the purpose of the crime is social. So, here it is clear that the implementation of imprisonment is not only intended as retaliation but must also be accompanied by guidance for the convicted and this guidance is the most important thing for future orientation. 4. Policy Objectives

The aim is to provide guidance for inmates to be given educational programs that are given to prisoners and correctional students through coaching and mentoring including personality and independence coaching and mentoring activities. Article 3 states that the guidance and guidance of personality and independence as referred to in article 2 includes matters relating to, devotion to God Almighty, awareness of the nation and state, intellect and behavior. Obtaining guidance in the form of religious enlightenment or crafts where we are taught to recite Al Qur'an after every evening prayer where employees provide a special room to gather for the Koran to perform guidance as a stage of determining sanctions and also the stage of imposing sanctions in criminal law.

### IV. CONCLUSION

Based on the results of research and discussion in the previous chapter regarding the implementation of the leave system before the prisoners are released at the Class II State Detention Center in Barru district.

- 1. The Substant requirements for the period of leave are the same as the last remission in the implementation of CMB (Leave Towards Free) Each prisoner who can be granted CMB has met the requirements, including having served a sentence of at least 2/3 (two thirds), provided that 2/3 of the sentence is not less than 9 (nine) months. , have good behavior during the criminal period for at least the last 9 (nine) months, calculated before the date of 2/3 (two thirds) of the criminal period., The length of leave before being released is equal to the last remission, maximum 6 (six) months.
- 2. Administrative implementation in CBM management, each prisoner can be given conditional leave if he meets the requirements 1) Has served a sentence of at least 2/3 (two thirds) provided that 2/3 (two thirds) the sentence is not less than 9 (nine) months. 2) Have good behavior during the sentence of at least 9 (nine) months, counted before the 2/3 (two thirds) of the sentence. 3) The length of conditional leave is equal to the last remission, not more than 6 (six) months.
- 3. The policy process for pre-release leave is a process of guidance outside of prison for inmates who are serving a criminal period or the remaining short sentence is carried out after serving 2/3 of their sentence and the leave period is the same as the last remission for a maximum of 6 (six) months. Conditional release is the process of coaching prisoners outside prisons that are carried out after serving 2/3 of their sentence based on Articles 15 and 16 of the Criminal Code as well as Articles 14, 22 and 29 of Law No. 12 of 1995 concerning Corrections
- 4. Policy objectives to provide guidance to prisoners such ascausing to the convicted person because of the loss of freedom of movement, guiding the convict to repent, educating the convict so that he becomes a useful member of the Indonesian socialist society. Briefly, the purpose of this is in social. So, here it is clear that the implementation of imprisonment is not only intended as retaliation but must also be accompanied by guidance for the convicted and this guidance is the most important thing for future orientation.

#### **Suggestions**

- 1. It is hoped that the implementation of leave prior to leave for prison inmates and correction can be further improved, because this is an alternative to overcapacity or overcrowding, but by taking into account the matters that have been determined based on the substantive conditions contained in Article 6 PerMEn No. M.01.PK.04-10 Year 2007.
- 2. It is expected that the central government can consider that in each area there is a Penitentiary or Detention Center, then in that area a Correctional Center should also be built to facilitate the process of coaching for prisoners in each area and especially in Barru Regency.

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#### **BIBLIOGRAPHY**

- [1]. Abidin, Said Zainal. (2002). Public policy. Revised Edition. Pancur Siwah Foundation, Jakarta.
- [2]. Agustino, Leo. (2012). Public Policy Basics. Alfabeta, Bandung.
- [3]. Andika, Bryan Jodi. (2015). Leaving Towards Free as Fulfillment of the Rights of Prisoners (Study of Penitentiary Class II B of Pasuruan City), <a href="http://hukum.studentjournal.ub.ac.id/">http://hukum.studentjournal.ub.ac.id/</a>
- [4]. Basir, Nurul Farida (2013). Implementation of parole, leave nearing release and parole in Mamuju Class II State Detention Center. Thesis. Hasanuddin University Law Faculty Postgraduate Program. Makassar.
- [5]. Bulo, Natas George. (2013). Fulfillment of the Right to Leave Towards Free (CMB) for Prisoners in Class II B State Detention Center Tanah Toraja Regency. Essay. Department of Law, Faculty of Law, Hasanuddin University. Makassar.
- [6]. Creswell, John W. (2013). Research Design Approaches to Qualitative, Quantitative, and Mixed. Student Library, Yogyakarta.
- [7]. Dahlan, MY AI-Barry. (2003). Master Dictionary of Intellectual Series Scientific Terms. Target Press, Surabaya.
- [8]. Davidson, Scott. (1994). Human Rights, History, Theory and Practice in International Relations. Grafiti, Jakarta.
- [9]. Department of Education and Culture. (2002). Indonesia Dictionary. 3rd edition. BalaiPustaka, Jakarta.
- [10]. Dunn, William N. (2003). Public Policy Analysis. Gadjah Mada University Press, Yogyakarta.
- [11]. Edward III, (1980). Implementation Public Policy. Congresional Quarter Press, Washington DC.
- [12]. Grindle, Merilee S. (1980). Politics and Policy Implementation in The Third World. Princeton University Press, New Jersey.
- [13]. Hamzah, Andi (1994). Indonesia's Criminal and Criminal System From Retribution on Reform. Pradaya Paramita, Jakarta.
- [14]. Ministry of Law and Human Rights. Regulation of the Minister of Law and Human Rights Number 3 of 2018 concerning Requirements and Procedures for Granting Remissions, Assimilation, Family Visiting Leave, Parole, Leaving Towards Free, and Conditional Leave.
- [15]. Lubis, Muhammad Salim Fauzi. (2018). Prisoners who want leave before their release and the criminal law in the Class II A LabuhanRuku Prison. The Pioneer Journal of the Asahan University LPPM. 2 (4).
- [16]. Merriam, SB, &Tisdel, EJ (2015). Qualitative research: A guide to design and implementation. Fourth edition. San Francisco: Jossey-Bass.
- [17]. Miles, MB, and Huberman, AM (1994). Qualitative Data Analysis: A Sourcebook of New Methods. Sage, Thousand Oaks, CA.
- [18]. Moleong, Lexy J. (2002). Qualitative Research Methods. Youth RosdaKarya, Bandung.
- [19]. Prihatsanti, Unika, et al. (2018). Using Case Studies as a Scientific Method in Psychology. Psychology Bulletin, 26 (2).
- [20]. Sugiyono. (2013). Research Methods: Quantitative, Qualitative, and R & D Approaches, Cet. 20. Alfabate, Bandung.
- [21]. Sujatno, Adi (2003). Indonesian Correctional System Builds Human Self. Directorate General of Corrections, Ministry of Law and Human Rights RI. Jakarta.
- [22]. Suyatni, Dewi, and Muh Mufti M. Djafat. (2019). Fulfilling the Rights of the Development of Prisoners in Ternate City. De Jure Scientific Journal of Law, Khairun University Law Faculty, 1 (1).
- [23]. Syahruddin. (2010). Fulfillment of the Human Rights of Correctional Assistance in Conducting Biological Relationships between Husband and Wife, Dissertation, Postgraduate Program, Faculty of Law, Hasanuddin University. Makassar.
- [24]. Van Meter, DS, & Van Horn, CE (1975). The policy implementation process: A conceptual framework. Administration & Society, 6 (4), 445-488.
- [25]. Widodo, Joko. (2008). Public Policy Analysis, Jakarta: Bayumedia.
- [26]. Winarno, Budi. (2012). Public Policy Theory, Process, and Case Studies. Yogyakarta: CAPS.

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