

Handling of Narcotics Child Victims in Child Special Coaching Institutions Class I Tanjung Gusta, Medan

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Abstract: *Handling of Narcotics Child Victims in Child Special Coaching Institutions Class I Tanjung Gusta, Medan based on Law No. 23 of 2002 concerning Child Protection which is to provide supervision, direct for worship, equip in the field of formal education and skills training, and provide adequate facilities to children who commit narcotics crime. That is a way to make a criminal child free from narcotics goods, so that when a child who commits a narcotics crime out of a development institution has the skills and soul to re-socialize with the community. The problems discussed in this study are how the legal rules governing the handling of child victims of narcotic crime in prison in dealing with narcotics crime committed by children of Tanjung Gusta Medan and How are the factors causing the occurrence of narcotics abuse committed by children of Tanjung Gusta Medan, as well as how the efforts to tackle the crime of drug abuse committed by children of Tanjung Gusta Medan. The method used in this writing is empirical juridical namely reviewing the applicable legal provisions and what happens in the reality of society. The data collection techniques are carried out through library research (liberary research) and also field research (field research), namely by conducting direct interviews of studies at the Penitentiary Special Class I Tanjung Gusta Medan.*

Keywords: *Narcotics child victims; child special coaching institutions; Tanjung Gusta.*

I. Introduction

Indonesia is a country based on law as regulated in the 1945 Constitution article 1 paragraph 3 which reads "The State of Indonesia is a State of Law". The inclusion of this provision in the section of the 1945 Constitution shows the strength of the legal basis and the mandate of the State, that the State of Indonesia is a State of Law. Thus it can be said that Indonesia is a country that aims to maintain law and order to realize public welfare, forming a just and prosperous society. (Rozak, 2009: 121)

Within the scope of the law, if someone commits a crime, then that person must comply with the positive legal procedures. Anticipation of these crimes include functioning of legal instruments effectively through law enforcement. Through the instrument, efforts to break unlawful behavior are prevented or repressive, propose before the court and subsequently criminal prosecution for community members proven to have committed a criminal act, is a repressive act.

In connection with fostering inmates, the types of coaching conducted by LPKA Class I Tanjung Gusta Medan include:

- a. Personality Development consists of the first three activities of religious awareness in the form of the Garden of Introduction to the Qur'an, prayer and congregation services.
- b. Second, national and state awareness in the form of Scout activities. Third, physical and spiritual freshness in the form of gymnastics, sports, counseling and health checks.

Narcotics abuse is an endemic disease in society, especially in people who do not have strong faith.

Narcotics crime cases in general are not only committed individually but are also carried out together, in fact almost all cases are carried out by well-organized syndicates, and

are very secretive. So the police as the spearhead of the State in eradicating narcotics crimes remain consistent in every existing case, meaning that in uncovering narcotics cases, investigators and investigators, in cases must be swift and intensive in this case. If it meets both formal and material requirements, the case must be thoroughly processed. (Taufik, 2002: 5)

Based on the background description above, the authors are interested in conducting research with the title " Handling of Narcotics Child Victims in Child Special Coaching Institutions Class I Tanjung Gusta, Medan " and Implementation. (Research study in LPKA Class I Tanjung Gusta Medan)

II. Research Method

In implementing the Role of Handling of Narcotics Child Victims in Child Special Coaching Institutions Class I Tanjung Gusta, Medan, the money research method used is empirical juridical, which can be referred to as field research, namely reviewing applicable legal provisions and what happens in the reality of the community. The nature of the research is descriptive analysis, which is to describe to provide as much detailed data as possible, namely describing the results of the interview, based on the source of the relevant research study, about the Role of Community Development Institutions specifically in the first class of children in Tanjung Gusta Medan.

The research location was held at Child Special Coaching Institute Class I Tanjung Gusta, Medan, by visiting and interviewing children who were carrying out narcotics. The data collection tool used is to use a Library Study (Library Research), which is a research system carried out with the intention of obtaining by reading various legal materials such as to complement this research and field research, namely by conducting direct interviews of studies at the Special Coaching for Children Class I Tanjung Gusta Medan. Analysis of the data used is qualitative which is obtained systematically and then the substance is analyzed to obtain answers on the subject matter discussed to get definitive answers and accurate results.

III. Discussion

3.1. Legal Regulations Regarding the Handling of Children Victims of Criminal Acts in Correctional Institutions in Dealing with Narcotics Criminal Acts Committed By Children of Tanjung Gusta Medan

The Ministry of Law and Human Rights has the duty and authority in handling children dealing with the law. The duties and authorities of the Ministry of Law and Human Rights, among others, are to prepare facilities and infrastructure for guidance, guidance for the care of children in the Special Child Development Institute.

Broadly, guidance can be interpreted as a series of professional control efforts towards all Child Special Development Institutions in the Perspectives of the Child Criminal Justice System Research and Development Agency for Law and Human Rights Ministry of Law and Human Rights of the Republic of Indonesia 24 organizational elements so that these elements can function as they should so that plans to achieve goals can be implemented in an efficient and effective manner. (Yuliyanto, 2007: 53)

Within the scope of the law, if someone commits a crime, then that person must comply with the positive legal procedures. Anticipation of these crimes include functioning of legal instruments effectively through law enforcement. Through instruments, unlawful behavior is prevented and repressive measures are pursued, filed before the court and subsequently criminal conviction for community members who are proven to have committed criminal acts, which are repressive actions. While in LPKA children are required to attend a training program organized by LPKA. The coaching that was held in LPKA included the fostering of personality and fostering independence. Specifically regarding the formation of Correctional Students classified as Criminal Children, it has been regulated in Article 20 of Law No. 12 Year 1995 Concerning Correctional Institutions, in the context of fostering children of criminal offenses carried out on the basis of classification of age, sex, length of criminal imposed, type of crime and other criteria.

At first the child commits a Narcotics crime or uses Narcotics caused by:

- a. Friends influence, by means of trial and error to use and want to know the taste of the narcotics.
- b. After that, just buy it yourself.
- c. After that I was dependent on the Narcotics material.
- d. After that I was caught red-handed from the residents of the community and I was driven by the residents to the authorities.

3.2. Factors Causing the Occurrence of Acts of Narcotics Abuse Committed By Tanjung Gusta Medan Children

Law No. 35 of 2009, has set the issue of narcotics use, which is only allowed for medicinal purposes or for scientific (research) purposes. So narcotics is used without the two objectives mentioned above, means it constitutes and includes the abuse or abuse of his use of his property improperly, or arbitrarily,

There are 3 factors (reasons) that can be said as a "trigger" someone in abusing narcotics.

- a. Self-Factor:
 - A great curiosity to try, unknowingly or think long about the consequences in the future.
 - The desire to try because they are curious.
 - The desire to have fun.
 - Desire to be accepted in one group (community) or certain environment.
- b. Environmental factor
 - Troubled family or broken home.
 - Father, mother or both or relatives become users or abusers or even illegal narcotics dealers.
 - Social or community environment where one or more or even all of its members are narcotics abusers or dealers.
 - Frequent visits to entertainment venues (café, discotheque, karaoke, etc.).
 - Have lots of free time, drop out of school or unemployed.
 - Poor / inharmonious family environment.
 - A family environment where there is no love, communication, openness, attention, and mutual respect among members.
 - Authoritarian parents,

c. Narcotics Availability Factor

Narcotics itself is a driving factor for someone to use drugs because:

- Narcotics are more easily obtained and bought.
- The price of narcotics is getting cheaper and is being reached by people's purchasing power.
- Narcotics are increasingly diverse in types, ways of use and packaging.
- The modus operandi of narcotics crime is more difficult to be revealed by law enforcement agencies.
- There are still many illegal narcotics laboratories that have not been revealed.
- Difficult disclosure of computer crime and money laundering that can help the narcotics trafficking business.

3.3. Efforts to Tackle Narcotics Crime Committed By Children of Tanjung Gusta Medan

Crime management policies when viewed in scope, are very broad and high in complexity. This is reasonable because in essence crime is a human problem and at the same time a social problem that requires its own understanding. Crime as a social problem is a dynamic phenomenon that always grows and is associated with symptoms and other social structures that are very complex, it is a socio-political problem. The need to link efforts to tackle crime (which will later be formulated in a criminal policy) is reasonable because in essence the purpose of the Criminal Policy is Community Welfare, criminal policy is an integral part of the policy to achieve community welfare. Penal and Non-Penal Policies in Narcotics Crime Management Against Children According to the Perspective of Law Number 35 Year 2009.

a. Penal Policy

Application of Criminal Law, Specifically for Child Narcotics Criminals. Criminal policy efforts in tackling child narcotics crime can cover a fairly broad scope, namely the application of criminal law, especially for perpetrators of child narcotics crime, prevention without crime and influencing public views on welfare. In that case, it can be understood that efforts to achieve prosperity through mitigation aspects can be broadly divided into 2 (two) channels, namely, through the penalty (criminal law) and through the non-criminal (outside criminal law). Efforts to tackle crime through the penalty line focus more on the repressive nature (oppression, eradication) after the crime occurs. Whereas the non-penalty line focuses more on the nature of prevention (prevention, deterrence, control) before the crime occurs. It is said to be a gross distinction, because depressive action is essentially a law that can be seen as a preventive measure in the broadest sense.

b. Countermeasures by Self Victim

The self is the most important party against narcotics abuse prevention efforts, because the most able to recognize yourself is the self, and can supervise themselves.

c. Countermeasures by the family

The family plays an important role in shaping the personality of a child, from birth and growing into a teenager, family life is what provides the basic patterns and patterns of

education and in the formation of personality. The family is very important in guiding or fostering a child so as not to fall into negative things, including narcotics abuse, and for the family.

d. Countermeasures through Religious Values

Returning to the understanding of religious values can prevent the occurrence of criminal acts of narcotics abuse, because the understanding of true religion will form a good personality, can discern what is good and bad. Someone who has criticized religious education well will not want to fall prey to doing negative things.

e. Countermeasures by the Government

The government is responsible for the efforts to tackle the problem of narcotics abuse, the government can make several efforts namely:

- Formulating policies regarding criminal acts in the narcotics field.
- Organizing communication, information, education and outreach about narcotics abuse and its dangers, for example through the establishment of a National Narcotics Agency which has a vision to determine national policies in building joint commitments to combat narcotics abuse and illicit trafficking.
- Providing services and care / treatment for victims of narcotics addicts, through designated hospitals, such as services provided by *juwa* hospitals and drug addicted.

IV. Conclusion

Legal Regulations Regarding the Handling of Narcotics Child Victims in Child Special Coaching Institutions Class I Tanjung Gusta, Medan. Children in Handling Narcotics Crimes really help the community in resolving criminal problems against children associated with Law No. 23 of 2002 concerning Child Protection.

Factors causing children to commit narcotic crimes are caused by various other factors including the negative impact of rapid development, the flow of globalization in the field of communication and information, advances in science and technology and changes in the way and style of the environment and changes in the way of life of some parents. . Broadly speaking there are several factors namely environmental factors, individual factors and narcotics factors themselves.

Efforts to tackle narcotics crime carried out by children, find obstacles such as the limited number of personnel and limited operational funds, in tackling narcotics crime committed by children with a shortage, the police are optimistic and work hard by implementing a policy in handling countermeasures such as the application of the law special crime (Penal), and take actions such as prevention, deterrence by working together to embrace the public, other officers such as the National Narcotics Agency, National Disaster Management Agency, Customs, Prosecutors and the Court to work together to eradicate the distribution and perpetrators of narcotics crimes committed by children, and not only that, the police are here protecting the rights of children of narcotics offenders to be fostered well, not in prison but in rehabilitation.

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