



## Utilizing Prisoner Assimilation in the Midst of the Covid-19 Pandemic

Andi Armansyah Akbar

Hasanuddin University Faculty of Law, Indonesia. Correspondence E-mail: [andiarmansyahakbar@yahoo.com](mailto:andiarmansyahakbar@yahoo.com)

### **Abstract:**

*The purpose of this study is to find out more about how to utilize the assimilation of prisoners in the midst of the Covid-19 pandemic. The research method used is normative legal research using a statutory approach. The results of the research in this study are that the assimilation of prisoners in the midst of the Covid-19 pandemic is a step by the government in this case the Minister of Law and Human Rights in an effort to prevent the spread of the covid-19 virus in prisons en masse. In addition, it provides utility for prisoners and the government in terms of comfort and security in LAPAS due to the reduction in occupant capacity from 99% overcapacity to 79% so that there are also budget savings from the state in terms of care and health more specifically food ingredients for prisoners.*

**Keywords:** Prisoners; Assimilation; Covid-19.

### How to cite (Chicago Manual Style):

Akbar, Andi Armansyah, 2024. " Utilizing Prisoner Assimilation in the Midst of the Covid-19 Pandemic "Damhil Law Journal 4 (1): 65-81

© 2024- Akbar, Andi Armansyah.  
the license CC BY-SA 4.0

## Introduction

Coronaviruses are a group of viruses that can cause disease in animals and humans. Several types of coronaviruses are known to cause respiratory infections in humans ranging from cold coughs to more serious ones such as Middle East Respiratory Syndrome (MERS) and Severe Acute Respiratory Syndrome (SARS). A new type of coronavirus was found to cause Covid-19 disease (Yuzar 2020). Covid-19 is an infectious disease caused by a newly discovered type of coronavirus. This new virus and the new disease it causes were unknown before the outbreak in Wuhan, China, in December 2019. Covid-19 is now a pandemic that occurs in many countries around the world (Amalia and Hiola 2020).

Corona Virus Disease (COVID-19) has become an international pandemic as announced by WHO (World Health Organization) on March 11, 2020. Based on this,



all countries responded by doing various ways to prevent and treat the corona virus pandemic. Various countries do Lock Down, which is to stop various kinds of social activities in the public space of citizens so that citizens can only do activities at home, Lockdown is one of the strategies for entering and leaving the population to limit or slow down the movement of the corona virus pandemic carried by humans, but many also do not lockdown, each country has a different strategy (K. RI 2020). However, self-isolation and physical distancing are carried out as the covid-19 health protocol published by WHO and is the standard international health protocol for dealing with the rapid spread of the corona virus by human interaction. For Indonesia itself, the government issued a regulation PP No.21 of 2020 concerning Large-Scale Social Restrictions in the Context of Accelerating Covid-19 Handling.

Based on PP No.21 of 2020 concerning Large-Scale Social Restrictions in the Context of Accelerating Covid-19 Handling, what is meant by large-scale social restrictions is the restriction of certain activities of residents in an area suspected of being infected with Corona Virus Diseases 2019 (COVID-19) (B. RI, Lt, and Subroto 2020). The mechanism carried out in large-scale social restrictions or hereinafter referred to as PSBB through the approval of the minister who organizes government affairs in the health sector, local governments can carry out PSBB on the movement of people and goods for a particular province or district. The PSBB as intended must be based on epidemiological considerations, the magnitude of the threat, effectiveness, resource support, technical operations, political, economic, social, cultural, defense and security considerations.

The Covid-19 pandemic has also affected the dynamics of state administration in terms of regulations on the correctional system. The concept of correctional itself at the beginning of its establishment as stipulated in Law Number 12 of 1995 concerning Corrections, namely as a manifestation of a shift in the function of punishment which is no longer just a deterrent, but also an effort to rehabilitate and social reintegration of correctional prisoners (WBP). Corrections are directed to restore WBP as good citizens while protecting the community against the possibility of repetition of criminal acts by WBP, and is an application and an inseparable part of the values contained in Pancasila. As for what is meant by WBP is prisoners, correctional students, or correctional clients are entitled to get spiritual and physical guidance and guaranteed their rights to carry out their worship, relate to outside



parties both families and other parties, obtain information both through print and electronic media, obtain proper education and so forth (Fitriani 2022).

After 22 (twenty-two) years of enactment of Law No. 12 of 1995 on Corrections, the implementation of the correctional has developed considerably. Corrections, whose scope of role was originally limited to the adjudication phase, has now developed to the pre-adjudication phase and the post-adjudication phase, which is manifested in state detention centers (rutan), state confiscated object storage houses (rupbasan), correctional centers (bapas) and correctional institutions (lapas). Corrections is present not only as a guarantee of protection for the person but also covers the property attached to it. However, the various developments of these roles in terms of regulation are regulated separately so that they are not integrated (DERMAWAN 2023).

Correctional Institution, hereinafter referred to as LAPAS, is a place to carry out guidance for prisoners and correctional students. The coaching referred to in the context of corrections is prisoners and correctional students following the correctional program in terms of coaching which consists of 2 (two) categories, namely spiritual and physical coaching. Spiritual development is related to improving the quality of spirituality and personality through religious activities and character guidance. While the physical program is related to improving skills or abilities that will later become the provision of prisoners to be developed in meeting their economic needs through training in agriculture, animal husbandry, handicraft making, making certain products.

On March 31, 2020, the date of the enactment of PP No.21 of 2020 concerning Large-Scale Social Restrictions in the Context of Accelerating the Handling of Covid-19, we can see data on the number of residents of prisons throughout Indonesia, totaling 202,933 people of adult age with an overcapacity level of 99% as described in the following table.

No.	Prisoners	Total	Prisoners	Total	Total	Capacity	
-----	-----------	-------	-----------	-------	-------	----------	--



	Adult Male	Female Adult		Adult Male	Female Adult				% Over Capacity
1	61.315	3.538	64.853	191.959	10.974	202.933	267.786	135.705	99

Source : <http://smslap.ditjenpas.go.id/>

The highest level of overcapacity is found in LAPAS / RUTAN under the scope of the East Kalimantan Regional Office with a percentage of overcapacity of 25%, which actually only has a capacity or capacity of 3,586 people but is inhabited by 12,619 people. The high level of overcapacity is one of the considerations for the birth of the Decree of the Minister of Law and Human Rights of the Republic of Indonesia Number M.HH-19.Pk.01.04.04 of 2020 concerning the Release and Release of Prisoners and Children through Assimilation and Integration in the Context of Preventing and Combating the Spread of Covid-19, hereinafter referred to as KEPMENKUMHAM. No. M.HH-19.Pk.01.04.04 of 2020 and also Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 10 of 2020 concerning Conditions for Granting Assimilation and Integration Rights for Prisoners and Children in the Context of Preventing and Combating the Spread of Covid-19, hereinafter referred to as PP MENKUMHAM No.10 of 2020. Both regulations explain in their considerations that making efforts to save prisoners and children who are in Correctional Institutions, Special Development Institutions for Children, and State Detention Centers, it is necessary to release and release through assimilation and integration for the prevention and control of the spread of Covid-19. Basically, looking at the data on the number of residents of LAPAS / RUTAN throughout Indonesia, it cannot be said that this policy was issued to overcome the problem of overcapacity alone. Talking about the problem of overcapacity that occurs in correctional facilities must be sought at the root of the problem. This can certainly be seen from how the criminal justice system in Indonesia both in terms of rules, law enforcement officials to the support of local governments and the community because the correctional is the final part of the system.

## Method

This research is normative legal research using a statutory approach, the nature of the research that the author uses in this research is analytical. The



analytical nature of the problem discussed is the assimilation of prisoners in the midst of the covid-19 pandemic in terms of economic analysis of law (Juliardi et al. 2023).

## Discussion

### 1. Assimilation of Prisoners

Based on Article 1 paragraph (6) and paragraph (7) of Law No.12 of 1995 concerning Corrections, it explains that a prisoner is a person convicted based on a court decision that has obtained permanent legal force who is serving a sentence of loss of independence in a correctional facility. While assimilation based on the explanation of Article 6 paragraph (1) explains that assimilation is extramural coaching or outside LAPAS but still within the scope of LAPAS, the process of fostering prisoners who have met certain requirements by integrating them into community life (Jufri and Anisariza 2017). The terms and procedures for the implementation of assimilation undergo changes and dynamics in government regulations. Soerjono Soekanto interprets assimilation as a social process characterized by efforts to reduce the differences that exist between individuals or groups and also includes efforts to increase the unity of actions, attitudes and mental processes with regard to common interests, goals (Haryono 2018). Here are some regulations governing the assimilation of prisoners:

Government Regulation Number 32 Year 1999

#### *Article 37*

*(1) "Prisoners and Correctional Students shall receive assimilation as referred to in Article 36 with the following provisions:*

- a. for Prisoners and Criminal Children after serving 1/2 (one-half) of the criminal period;*
- b. for State Children and Civil Children after serving the first 6 (six) months of education in a juvenile correctional facility;*
- c. can follow the coaching program well; and*
- d. good behavior.*

- (2) *Assimilation as referred to in paragraph (1) may be revoked if the Prisoners and Correctional Students violate the provisions of assimilation.*

*Article 38*

- (1) *To Prisoners and Correctional Students who are carrying out assimilation, coaching and or mentoring shall be carried out with the following provisions:*
- a. *for educational activities, skills training, social activities, and other guidance outside the LAPAS, carried out by LAPAS Officers;*
  - b. *for third-party work, self-employment, and placement in open prisons are carried out by LAPAS and BAPAS officers.*
- (2) *The implementation of the activities as referred to in paragraph (1) letter b shall be notified in writing to the Regional Government, the Police, and the local Supervising and Observing Judge.*

*Article 39*

*In the event that assimilation for Prisoners and Correctional Students is revoked as referred to in Article 37 paragraph (2), then:*

- a. *For Prisoners and Criminal Children, for the first year after the revocation, remission, assimilation, parole, leave before release, and leave to visit family cannot be granted;*
- b. *In the case of convicts and juvenile offenders whose assimilation is revoked for the second time, they shall not be granted the right to assimilation, parole, pre-release leave, and leave to visit family;*
- c. *For State Children and Civil Children, for the first 6 (six) months after the revocation of their assimilation, they cannot participate in assimilation activities.*

*Government Regulation Number 28 Year 2006*

*Article 36*



*Every Prisoner and Correctional Student is entitled to assimilation.*

### *Article 37*

- (1) *Prisoners and Correctional Students shall receive assimilation as referred to in Article 36 with the following provisions:*
  - a. *for Prisoners and Criminal Children after serving 1/2 (one-half) of the criminal period;*
  - b. *for State Children and Civil Children after serving the first 6 (six) months of education in a juvenile correctional facility;*
  - c. *can follow the coaching program well; and*
  - d. *good behavior.*
- (2) *Assimilation as referred to in paragraph (1) may be revoked if the Prisoners and Correctional Students violate the provisions of assimilation.*

### *Article 38*

- (1) *To Prisoners and Correctional Students who are carrying out assimilation, coaching and or mentoring shall be carried out with the following provisions:*
  - a. *for educational activities, skills training, social activities, and other guidance outside the LAPAS, carried out by LAPAS Officers;*
  - b. *for third-party employment, self-employment, and placement in open prisons are carried out by LAPAS and BAPAS officers.*
- (2) *The implementation of the activities as referred to in paragraph (1) letter b shall be notified in writing to the Regional Government, the Police, and the local Supervising and Observing Judge."*



*Government Regulation of the Republic of Indonesia Number 99  
Year 2012*

*Article 36*

- (1) *“Every Prisoner and Correctional Student is entitled to receive Assimilation.*
- (2) *Assimilation as referred to in paragraph (1) shall be granted to*
- a. Prisoners and Correctional Students who have fulfilled the following requirements:*
- 1. good behavior;*
  - 2. actively participate in the coaching program well; and*
  - 3. has served 1/2 (one-half) of the criminal period.*
- b. State Children and Civil Children, after undergoing the education period at LAPAS Anak for the first 6 (six) months.*
- c. Prisoners convicted for committing criminal offense as referred to in Article 34A paragraph (1), after fulfilling the following requirements:*
- 1. good behavior;*
  - 2. actively participates in the coaching program well; and*
  - 3. has served 2/3 (two-thirds) of the criminal period.*
  - 4. actively participate in the coaching program well; and*
  - 5. has served 2/3 (two-thirds) of the criminal period.”*

Based on the above, it can be seen that the requirements and procedures for the implementation of assimilation have changed some of the content material of these changes, namely confirming that assimilation is the right of prisoners, meaning that LAPAS is obliged to provide an assimilation program for prisoners who meet the conditions of assimilation, besides that it also opens space for prisoners convicted of terrorism, narcotics and narcotics precursors, psychotropics, corruption, serious human rights crimes are entitled to assimilation under the conditions set by Government Regulation of the Republic of Indonesia Number 99 of 2012 (Megawati





and Kurniawan 2019). In addition, it is also emphasized that the procedures for further implementation of assimilation will be regulated by Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 03 of 2018 concerning Terms and Procedures for Granting Remission, Assimilation, Leave to Visit Family, Conditional Release, Leave Ahead of Release, And Conditional Leave and Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 18 of 2019 concerning Amendments to Regulation of the Minister of Law and Human Rights Number 3 of 2018 concerning Terms and Procedures for Granting Remission, Assimilation, Leave to Visit Family, Conditional Release, Leave Ahead of Release, and Conditional Leave.

## 2. Assimilation of prisoners in the midst of a pandemic

On March 30, 2020, there were 2 (two) regulations governing the assimilation of prisoners in the midst of a pandemic, namely KEPMENKUMHAM. No. M.HH-19.Pk.01.04.04 of 2020 and PP MENKUMHAM No.10 of 2020. PP MENKUMHAM No.10 of 2020 confirms that the provision of assimilation for prisoners who commit crimes other than crimes of terrorism, narcotics and narcotics precursors, psychotropic drugs, corruption, crimes against state security and serious human rights crimes, as well as transnational organized crimes, foreign nationals do not get assimilation. Article 2 paragraph (1) of PP MENKUMHAM No.10 of 2020 explains that assimilation is carried out at home unlike the assimilation that was carried out before PP MENKUMHAM No.10 of 2020. Assimilation at home is an assimilation program that is relevant to Government Regulation No.21 of 2020 concerning Large-Scale Social Restrictions in the Context of Accelerating Covid-19 Handling, what is meant by Large-Scale Social Restrictions is the restriction of certain activities of residents in an area suspected of being infected with Corona Virus Disease 2019 (COVID-19) which requires physical distancing. However, the assimilation program does need an in-depth study, because the condition of prisoners who are isolated from the outside world should be safer than having to interact with many people outside the prison. It is necessary to think about the humanitarian aspects of prisoners, but what recidivists do is inhumane. The government should also look at the safety factor felt by the community (Marthaningtiyas 2020). Do not let this policy result in a new problem of high crime in the midst of society. So that the solution to releasing prisoners is a patchwork solution where the assimilation program is not accompanied by



a control system for prisoners, just a release to release the responsibility to finance the needs of prisoners.

As is known, repetition of criminal acts or recidivism is not a new thing in the world of law. Which is where the repetition of criminal acts is considered as a continuation of evil intent. This becomes more worrying when in circumstances like today, where when prisoners are released, it does not necessarily guarantee that they will avoid difficulties in meeting their daily needs, one of which is due to the difficulty of finding work so that there is great potential for former prisoners to commit criminal acts again, as for the criminal acts committed vary from theft, violence to becoming drug couriers. However, even though the reason is to fulfill the needs of life, it cannot be used as a justification for former prisoners who have committed these criminal acts (Wurnasari et al. 2020).

There is an issue of the occurrence of criminal acts committed by prisoners who are undergoing assimilation, ranging from stealing cellphones and then being caught by residents to being caught directly by the police when they act. According to the author's data, there are 47 prisoners throughout Indonesia who committed criminal offenses. The number is not too much compared to prisoners who do not commit criminal offenses anymore. Nevertheless, the situation must be used as a joint introspection, the Ministry of Law and Human Rights on behalf of the state as a facilitator and the family on behalf of the prisoner concerned as a user or beneficiary.

### **3. An Economic Analysis of the Law on the Assimilation of Prisoners in the Midst of the Covid-19 Pandemic**

The concept of economic analysis of law begins with the foundation of utilitarianism built by Jeremy Bentham, emphasizing the principle of benefit as the doctrine of law. This thinking is actually a middle ground when faced with two conflicting ideas, namely justice (juscice) and legal certainty (legal certainly). The quality of pleasure or happiness is always the same, what may differ is the quantity (Oudang 2023). Therefore, according to Bentham, this principle of ulitarianism must be quantified. Consequently, it is not only the greatest number that can be calculated, but also the greatest happiness. For this reason, Bentham then developed what he called the hedoninisc or felicific calculus. The felicific calculus theory built by Jeremy Bentham is basically used to predict the level of community satisfaction and suppress misery as a result of the enactment of a legal provision. The consequences of the enactment of a legal provision cause a broad reaction



that can be seen, so that it can be found that the results of the enactment of the legal provisions have an impact on improvement (good/pleasure) or even to misery (pain/evil). Economic analysis of law according to Veljanovski is to use or apply economic theories to examine the formation, structure, process, and impact of law and legal institutions. From the above explanation, it can be concluded that economic analysis of law is a discipline that comes from two major fields of science, namely economics and law. Economics has provided a new understanding of the law to legal scientists. In the perspective of legal science, law is said to be a tool to achieve justice. Meanwhile, in the perspective of economics, law is said to be a stimulus to change human behavior and as a stimulus in order to achieve certain goals (Akbar 2022). Basic concepts of economic analysis of the law:

## 1) The Concept of Rational Choice

The concept of rationality is the main framework for understanding human behavior. Economics assumes that all humans have rationality. Although in reality not all rationality in each individual is the same, human rationality in economics is emphasized on the equality of human desires. This desire is a human effort to meet his needs and achieve satisfaction so that humans are said to be rational maximizers. A choice cannot be separated from the concept of scarcity (Hidayat 2016). Starting from the existence of scarcity forces a person to make choices that can satisfy him. This is in accordance with the classical theory of economics, namely that everyone wants something more than what is available to satisfy himself. Prisoners in this case are someone who is convicted based on a court decision that has obtained permanent legal force who is serving a sentence of loss of independence in LAPAS, thus assimilation carried out at home will be a coveted thing because the prisoner will reunite with his family and this will increase his happiness so that the prisoner will fulfill whatever the conditions of assimilation contained in Article 2 of Permenkumham No. 10 of 2020, namely:

- a. Good behavior as evidenced by not undergoing disciplinary punishment within the last 3 (three) months;
- b. Actively participates in the coaching program well; and
- c. Has served a criminal period of at least 3 (three) months.



Take FB (25), who has undergone coaching at Cilegon Class IIA Correctional Facility. Since the beginning of the program, he has spent his time taking care of his family at home. His 5-year-old daughter is very happy to play with him. His wife's burden is also reduced because while FB is in prison, his little daughter is always fussing for her father to come home soon. FB is now the backbone of the family, selling snacks in the Ciwedus area of Cilegon City. While outside, FB receives supervision and guidance from Community Supervisor (PK) Ali Asari. Periodically, FB informs himself to PK Ali through social media video services (Khrisnawati 2020).

From Cilegon we move on to Labuan Pandeglang to meet RZ (20), a person who has undergone coaching at Class IIB Pandeglang Detention Center. Since morning, he helps his grandfather at the local fish auction. In the afternoon, he will return home to rest and gather with his family. RZ's return made the family happy because previously his mother had to travel from Labuan to Pandeglang once a week to visit RZ at the Class IIB Pandeglang Detention Center. RZ realized that he still had an obligation to regularly conduct self-reporting by meeting face-to-face with PK Tyas through social media video services. RZ really listens to the advice given by PK Tyas so that he always does positive and productive things for the future of himself and his family.

HB (37) hugs his family when he returns home. RZ's tears were a message of the value of freedom. He was thankful to be able to spend Ramadan fasting at home with his family. HB feels like a dream to get this program, he should be free in January 2021. Now, HB is trying to restore his life and livelihood every day, including visiting friends and relatives to find information on jobs or business opportunities as an effort. HB feels that life outside is different from life inside the detention center, at first he only thought about his prison term. However, now that he is out, he must restore his nature as the head of the family. HB promised that he would make the best use of the program provided by the state, especially not misusing it to commit crimes.

Likewise, we can see from the regulator in this case the Minister of Law and Human Rights in making Permenkumham No. 10 of 2020 with the assimilation carried out at home, it can greatly support the process of correctional goals because



prisoners will be motivated to behave well and seriously follow the coaching program at LAPAS.

## 2) Value Concept

According to Posner, a value can be defined as something that is meaningful or important (significance), desire or desire (desirability) for something, both monetarily and non-monetarily, so that the inherent nature of human self-interest achieves satisfaction (Pasaribu 2023). The assimilation of prisoners in the midst of the co-19 pandemic has value (Value) by the prisoners themselves, which is freedom, independence, gathering with family because it is carried out at home. Likewise, from the regulator's side, assimilation carried out at home has the value of preventing the spread of the covid-19 virus in mass quantities in prisons and also handling the problem of overcapacity in prisons.

## 3) Concept of Efficiency

Literally the concept of efficiency is always associated with the notion of savings associated with the economic valuation of a good and/or service. Abdurachaman defines efficiency as the level that can be achieved by maximum production with minimum sacrifice (Sugianto and Hadi 2018). Assimilation in the midst of the covid-19 pandemic is a fairly efficient way to reduce the huge losses from the spread of the covid-19 virus which has a huge impact in terms of health, security and guidance. In addition, the majority of prisons throughout Indonesia are experiencing overcapacity so that when transmission occurs to one of the prisoners there will be a very rapid spread. Assimilation, which is carried out in the midst of a pandemic, is also an efficient way of reducing the number of inmates in prisons that have experienced overcapacity by 99%, which is occupied by 270,466 people throughout Indonesia, making the percentage of overcapacity by 79%, namely 243,571 people in prisons throughout Indonesia. When comparing the reform of the Indonesian penal code, the construction of new prisons, and the transfer of prisoners from overcrowded prisons to non-overcrowded prisons, home-based assimilation is the most efficient method.

## 4) Utility Concept

According to Cooter and Ulen, utility is the benefit obtained for making decisions in choosing options with alternative uses. The use of the concept of utility in economic



analysis of law means the usefulness or benefits of economic goods that can provide or produce benefits that lead to welfare (Sugianto, n.d.). In the case of assimilation of prisoners in the midst of the co-19 pandemic, there are uses or benefits that directly exist for prisoners and also from regulators as decision makers. From the side of prisoners, both those who have received assimilation and those who have not received assimilation feel the benefits of assimilation carried out at home. Prisoners who have received assimilation are clear that they can feel freedom and gather with their families, while prisoners who have not received assimilation feel the looseness of the LAPAS occupancy capacity. Likewise, from the regulator's side, by reducing the occupancy capacity of the LAPAS, it will increase security, in addition, there are budget savings from the state in terms of care and health, especially food ingredients for prisoners, this was also explained by Hamzah, SH. as Head of the Prisoner Care Section of LAPAS Class I Makassar. Hamzah explained that in determining the price of food ingredients for prisoners per day is IDR 20,000.00. The price determination is based on market prices in each city / regency, each of which is different and the management mechanism is through a third party cooperation system. There are 287 inmates who get home assimilation in the midst of a pandemic so that IDR 5,740,000.00 / day is cut from the cost of food ingredients for prisoners if calculated from the beginning of April to the end of December 2020 then there are 8 (eight) months so that there is a food budget cut of IDR 1,377,600,000.00.

## Conclusion

The assimilation of prisoners in the midst of the covid-19 pandemic seems to be used by the government to cut the budget for inmate care and foodstuffs and reduce the level of overcapacity of existing prisons in Indonesia. In fact, the assimilation of prisoners in the midst of the co-19 pandemic carried out at home is a step by the government, in this case the Minister of Law and Human Rights, in an effort to prevent the spread of the co-19 virus in prisons en masse. Benefits (utility) are certain things or which will *mutatis-mutandis* be obtained in the government in implementing the policy. The government's Rational Choice in taking this step is to prevent losses that might be greater if there is a spread of the covid-19 virus in prisons. In addition, the assimilation of prisoners in the midst of the covid-19 pandemic carried out at home will provide utility for prisoners and the government in comfort and security in prisons due to the reduction in occupant capacity from 99%





overcapacity to 79% so that there are also budget savings from the state in terms of care and health more specifically food ingredients for prisoners. A reduction in overcapacity is not the goal of assimilation at home because when we talk about the high level of overcapacity in prisons throughout Indonesia, we are talking about the Indonesian penal system which makes imprisonment a *prima donna* and we are also talking about the availability of facilities, namely the buildings of prisons / detention centers available in Indonesia. Overcapacity is a social product of the social order and the national legal system, and LAPAS/RUTAN only accepts detainees and prisoners.

## Recommendation

Based on the conclusions, suggestions for improving inmate assimilation policies amid the COVID-19 pandemic and improving the correctional system in Indonesia include policy evaluation, reform of the criminal law system, improvement of LAPAS/RUTAN facilities, adequate budget allocation for rehabilitation and reintegration programs, increased coordination between relevant agencies, continuation of education and skills training programs for prisoners, and further research for evidence-based policies.

## References

- Akbar, andi armansyah. 2022. "restorasi hukum terhadap daya cipta kerja narapidana dalam hukum masyarakat indonesia= legal restoration of the creative work of prisoners in indonesian penitentiary law." Phd Thesis, Universitas Hasanuddin. [Http://repository.unhas.ac.id/id/eprint/31736/](http://repository.unhas.ac.id/id/eprint/31736/).
- Amalia, Lia, and Febriani Hiola. 2020. "Analisis Gejala Klinis Dan Peningkatan Kekebalan Tubuh Untuk Mencegah Penyakit Covid-19." *Jambura Journal of Health Sciences and Research* 2 (2): 71–76.
- DERMAWAN, ABID. 2023. "IMPLEMENTASI PEMENUHAN HAK PEMBEBASAN BERSYARAT TERHADAP NARAPIDANA DI LEMBAGA PEMASYARAKATAN." Phd Thesis, Universitas Muhammadiyah Metro. [Http://eprints.ummetro.ac.id/2718/](http://eprints.ummetro.ac.id/2718/).
- Fitriani, Aisyah. 2022. "TINJAUAN KRIMINOLOGIS KEJAHATAN POLITIK UANG PADA PEMILIHAN KEPALA DAERAH (Studi Kasus Di Kabupaten Pangkep Tahun 2017-2020)= Criminological Review of Money Political Crimes

- in The Election of Regional Heads (Cases Study in Pangkep Regency Year of 2017-2020)." Phd Thesis, Universitas Hasanuddin. [Http://repository.unhas.ac.id/id/eprint/14307/](http://repository.unhas.ac.id/id/eprint/14307/).
- Haryono, Haryono. 2018. "Optimalisasi Pelaksanaan Tugas Dan Fungsi Lapas Terbuka Dalam Proses Asimilasi Narapidana." *Jurnal Ilmiah Kebijakan Hukum* 12 (3): 295.
- Hidayat, Rahmat. 2016. "Rasionalitas: Overview Terhadap Pemikiran Dalam 50 Tahun Terakhir." *Buletin Psikologi* 24 (2): 101–22.
- Jufri, Ely Alawiyah, and Nelly Ulfah Anisariza. 2017. "Pelaksanaan Asimilasi Narapidana Di Lembaga Pemasyarakatan Terbuka Jakarta." *ADIL: Jurnal Hukum* 8 (1): 1–26.
- Juliardi, Budi, Yoan Barbara Runtuuwu, Mohammad Hendy Musthofa, Andi Darmawansya TL, Arini Asriyani, Raju Moh Hazmi, Muh Akbar Fhad Syahril, Tri Eka Saputra, Zuhdi Arman, and Muhammad A. Rauf. 2023. *Metode Penelitian Hukum*. CV. Gita Lentera.
- Khrisnawati, Elizabeth Nanik. 2020. "Politik hukum pemberian asimilasi di rumah berdasarkan permenkumham no. 10 tahun 2020." *Jurnal Magister Hukum PERSPEKTIF* 11 (1). [Http://magister.wisnuwardhana.ac.id/index.php/Perspektif/article/download/49/41](http://magister.wisnuwardhana.ac.id/index.php/Perspektif/article/download/49/41).
- Marthaningtyas, Sri. 2020. "Implementasi Kebijakan Asimilasi Narapidana Di Tengah Pandemi Covid-19." *SUPREMASI: Jurnal Hukum* 3 (1): 51–65.
- Megawati, Cut, and Kurniawan Kurniawan. 2019. "Pembinaan Narapidana Dalam Tahap Asimilasi." *Jurnal Serambi Akademica* 7 (3): 335–41.
- Oudang, Erdina Louise. 2023. "Analisis Kedudukan Hukum Terhadap Aset Digital Di Indonesia." Phd Thesis, Universitas Kristen Indonesia. [Http://repository.uki.ac.id/id/eprint/11784](http://repository.uki.ac.id/id/eprint/11784).
- Pasaribu, Benhard Kurniawan. 2023. "pendekatan economic analysis of law terhadap kebijakan pemanfaatan ruang dikota samarinda." *Jurnal Ilmu Hukum The Juris* 7 (1): 105–11.
- RI, BKDPR, Gd Nusantara I. Lt, and Jl Jend Gatot Subroto. 2020. "Implikasi Hukum Pembatasan Sosial Berskala Besar Terkait Pencegahan Covid-19." [Https://berkas.dpr.go.id/sipinter/files/sipinter-628-495-20200707165430.pdf](https://berkas.dpr.go.id/sipinter/files/sipinter-628-495-20200707165430.pdf).



- RI, K. 2020. "Corona Virus Disease 2019 (COVID-19)." *Jakarta: Promkes Kemenkes RI*. [Http://repositori.unsil.ac.id/8029/14/BAB%202.pdf](http://repositori.unsil.ac.id/8029/14/BAB%202.pdf).
- Sugianto, Fajar. N.d. "konstruksi prinsip-prinsip hukum kontrak melalui efisiensi." Accessed July 27, 2024. [Https://www.academia.edu/download/64673815/KONSTRUKSI%20PRINSIP-PRINSIP%20HUKUM%20KONTRAK%20MELALUI%20EFISIENSI.pdf](https://www.academia.edu/download/64673815/KONSTRUKSI%20PRINSIP-PRINSIP%20HUKUM%20KONTRAK%20MELALUI%20EFISIENSI.pdf).
- Sugianto, Fajar, and Syofyan Hadi. 2018. "Efisiensi Dan Daya Saing Free Flow Of Skilled Labour Dalam Perspektif Economic Analysis Of Law: Telaah Peraturan Presiden Nomor 20 Tahun 2018." *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 7 (3): 393–408.
- Wurnasari, Annissha Azzahra, Marshela Duta Larasati, Regita Fortunata, and Aris Prio Agus Santoso. 2020. "Dampak Asimilasi Narapidana Terhadap Maraknya Kriminalitas Di Tengah Pandemi Covid-19." In *Prosiding Seminar Nasional Hukum, Bisnis, Sains Dan Teknologi*, 1:20–20. [Http://ojs.uib.ac.id/index.php/HUBISINTEK/article/view/973](http://ojs.uib.ac.id/index.php/HUBISINTEK/article/view/973).
- Yuzar, Dinda Nadilla. 2020. "Penyakit Menular Dan Wabah Penyakit Covid-19." [Https://osf.io/preprints/5bqvw/](https://osf.io/preprints/5bqvw/).