

IMPLEMENTATION OF THE GRANTING OF PAROLE AND PAROLE RIGHTS TO EFFECTIVENESS IN REDUCING OVERCAPACITY CONDITIONS IN BANDAR LAMPUNG CLASS I DETENTION CENTERS

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Abstract

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Prison overcapacity remains a major challenge in Indonesia's correctional system, affecting the effectiveness of inmate rehabilitation and the fulfillment of prisoners' rights. Conditional Release and Conditional Leave are integration programs intended to facilitate the gradual reintegration of inmates into society while reducing prison overcrowding. This study aims to analyze the implementation of these integration rights in reducing overcapacity at Rutan Kelas I Bandar Lampung and to identify the obstacles encountered during their implementation. This research employed an empirical juridical approach using primary data collected through interviews and field observations, complemented by secondary data obtained from legislation, official documents, and relevant literature. The data were analyzed qualitatively. The findings reveal that the implementation of Conditional Release and Conditional Leave has generally complied with applicable legal provisions and contributed to reducing the inmate population. During 2025, 347 inmates received integration rights, consisting of 167 Conditional Releases and 180 Conditional Leaves. However, these programs have not fully resolved the overcapacity problem, as the detention center still accommodated 1,173 inmates despite having a capacity of only 750. Their implementation is constrained by administrative delays, incomplete documentation, limited human resources, heavy workloads, inter-agency coordination issues, and social stigma toward former inmates. The study concludes that Conditional Release and Conditional Leave are important policy instruments for supporting social reintegration and reducing prison overcrowding, but their effectiveness depends on stronger institutional coordination, improved administrative efficiency, adequate staffing, and greater community support.

INTRODUCTION

Indonesia is a state of law that places law as the main foundation in the implementation of the life of the nation and state as affirmed in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia. The consequence of the principle of the rule of law is the state's obligation to ensure the protection of human rights for every citizen without discrimination, including for correctional inmates. Although the physical freedom of prisoners is limited as a consequence of criminalization, their status as human beings with basic rights remains inalienable. Therefore, the implementation of the correctional system must be able to ensure a balance between the implementation of crimes and the protection of human rights through the fulfillment of prisoners' rights in accordance with the provisions of laws and regulations.(Agung Jaya & Ketut Serendipity , 2024)

The development of modern criminal law shows a shift in the criminal paradigm from a retributive concept to a rehabilitative and corrective approach. Criminalization is no longer seen solely as a form of retribution for criminal acts, but as a means of coaching that aims to improve the behavior of the perpetrator, form a better personality, and prepare prisoners to be able to return to their social functions responsibly. This paradigm is the main foundation of the penitentiary system in Indonesia which places prisoners as the subject of coaching so that the success of punishment is not only measured based on the length of time they serve their sentence, but also the success of the social reintegration process after the inmate returns to society.(Jaya & Serendipity , 2024)(Zainudin Hasan et al., 2023)(Hasibuan et al., 2024)

The implementation of this paradigm has obtained a stronger legal basis through Law Number 22 of 2022 concerning Corrections. This law emphasizes that the purpose of the correctional system is not only to carry out criminal sentences, but also to form inmates into individuals who realize mistakes, improve themselves, do not repeat criminal acts, and are able to participate in community life again. Thus, the success of coaching is not only measured from the aspect of compliance during criminal service, but also from the ability of prisoners to undergo sustainable social reintegration as productive and responsible citizens.(Rahmatullah et al., 2023)

As part of the coaching system, Law Number 22 of 2022 provides recognition of prisoners' integration rights, including through Parole (PB) and Conditional Leave (CB). The two forms of integration rights are not criminal reductions without legal basis, but are instruments of coaching given to inmates after meeting substantive and administrative requirements. The granting of these rights is carried out through an evaluation mechanism for the behavior of inmates, the period of imprisonment that has been served, participation in coaching programs, administrative completeness, and the results of assessments from correctional officers. Therefore, the implementation of PB and CB must be carried out objectively, transparently, accountably, and in accordance with procedures to maintain a balance between legal interests, development interests, and community protection.(Supardi et al., 2026)(Source: Haerah , 2024)

Conceptually, the granting of integration rights is an implementation of the theory of social reintegration which places prisoners as individuals who need to be prepared gradually to return to carry out their social functions in society. Reintegration cannot be carried out suddenly at the end of the sentence, but requires a transition process through guidance, supervision, and social adjustment. In this context, Parole and Parole function as a transitional instrument that connects the coaching process within the correctional

institution with social life outside the institution so that it is expected to be able to minimize the risk of recidivism while increasing the success of coaching.(Aulia et al., 2026)

However, the implementation of the correctional system in Indonesia still faces various structural challenges, especially related to the condition of overcapacity in state prisons and correctional institutions. Over capacity not only causes limited residential space, but also has an impact on the quality of health services, security, coaching, supervision, fulfillment of basic needs, and protection of the rights of inmates. This condition has the potential to reduce the effectiveness of correctional purposes because limited resources cause the coaching process to not be carried out optimally according to the expected standards.

This problem is reflected in data from the Ministry of Immigration and Corrections in April 2026 which shows that the number of inmates of correctional institutions and detention centers reaches 271,468 people, while the ideal capacity is only 146,860 people. The high level of density shows that the problem of *overcapacity* is still a national issue that requires comprehensive policies. One of the strategies that can be optimized is the granting of Parole and Parole rights to inmates who have met the requirements so that they can serve the rest of their sentences outside the correctional institution under the supervision of the Correctional Center. The optimization of integration rights not only supports the goals of development, but also has the potential to reduce residential density in a sustainable manner.(Wijayanto et al., 2020)

Although it has the potential as an instrument to reduce *overcapacity*, the implementation of Parole and Parole still faces various obstacles. These obstacles include normative aspects in the form of differences in interpretation of legal provisions, administrative aspects in the form of delays in documents and incompleteness of requirements, and institutional aspects related to limited human resources and inter-institutional coordination. In addition, social constraints are also factors that affect the effectiveness of the implementation of the right to integration, including the existence of public stigma against former inmates and limited family support as a guarantor. These conditions show that the effectiveness of the right to integration does not only depend on regulations, but is also influenced by institutional factors and social acceptance.(Abram, 2023)(Kusuma, 2013)(Mufti & Riyanto, 2023)

This phenomenon is also found in the Class I Detention Center in Bandar Lampung which experiences the dynamics of occupancy density so that it requires various management strategies. One of the efforts made is the transfer of as many as 70 inmates to the Bandar Lampung Class IIA Narcotics Prison in November 2025 as a step to reduce *overcapacity*. The policy shows that housing density is a real problem that needs immediate handling. However, the transfer of inmates basically only shifts the burden of housing from one work unit to another without resolving the root of the problem systemically.

Based on these conditions, the optimization of the granting of Parole and Parole is an alternative policy that is more oriented to the goals of the correctional system rather than simply redistributing inmates between technical implementation units. Granting integration rights to inmates who have met the requirements can provide dual benefits, namely reducing housing density while strengthening the social reintegration process through the guidance of the Correctional Center. Thus, the implementation of the right to integration not only has an administrative dimension, but is also part of the criminal

justice system reform strategy that prioritizes the effectiveness of human rights coaching and protection.

A number of previous studies have discussed the relationship between the granting of parole and the problem of *over capacity*. Gonggo found that the low granting of parole was one of the factors in the increase in the number of correctional inmates. Tarigan and Aspan showed that *the condition of over capacity* had an impact on the quality of basic services and the implementation of inmate development. Meanwhile, Nugraha emphasized the importance of implementing alternative policies, such as *restorative justice*, assimilation, and optimizing reintegration programs through Parole and Parole to reduce housing density. Despite making significant contributions, most of the research still focuses on the general discussion of *over capacity* or parole nationally, so it has not provided an empirical picture of the implementation of these two integration rights in certain correctional work units.(Sultonudin , 2021)

Based on this description, there are still research gaps that need to be studied further, especially regarding the implementation of Parole and Parole in reducing the condition of *overcapacity* in Class I Prison Bandar Lampung through an empirical juridical approach. This research is directed to analyze the effectiveness of the implementation of the right to integration, identify various normative, administrative, institutional, and social barriers faced, and evaluate the role of the Correctional Center in supporting the successful reintegration of inmates. Thus, this research is expected to contribute to the development of correctional law studies as well as be the basis for the preparation of policy recommendations in optimizing the granting of integration rights as a strategy to reduce *overcapacity* in state prisons.

RESEARCH METHODS

This study uses an empirical juridical approach by combining field data and literature data. Field data (primary data) was obtained through research at the Bandar Lampung Class I Detention Center and, if necessary, the Correctional Center which is authorized to provide guidance and supervision to inmates who receive the right to Parole and Parole. The data was collected through interviews with correctional officers and observations on the implementation of the granting of integration rights to obtain information on the procedures for granting Parole and Parole, inter-institutional coordination mechanisms, administrative constraints, population density conditions, and the effectiveness of policies in reducing *overcapacity*. Meanwhile, secondary data was obtained through literature studies on laws and regulations, court decisions, books, scientific articles, and official documents relevant to the correctional system and prisoners' integration rights. All data were analyzed qualitatively through the stages of data reduction, data presentation, and conclusion drawing to produce a comprehensive understanding of the implementation of Parole and Parole in reducing *overcapacity conditions* in Class I Prison Bandar Lampung.

RESULTS AND DISCUSSION

A. Implementation of the Granting of Parole and Conditional Leave in Class I State Prison in Bandar Lampung

Parole and Parole are part of the prisoner's parole rights as well as an instrument of further coaching outside the institution. Both programs do not abolish criminal penalties and do not release inmates without supervision. Inmates remain in the status of

correctional clients until the end of their sentence and are obliged to comply with the provisions of guidance. This position is in line with Law Number 22 of 2022 which places correctional facilities as a series of services, coaching, community guidance, care, security, and observation that uphold human rights and are oriented towards social reintegration.

The relationship between Parole and Conditional Leave with over capacity is direct but not singular. Each inmate who obtains an integration decision and is actually expelled from the prison reduces the number of inmates on the day of execution. However, the impact can be immediately covered by the entry of new prisoners, the transfer of prisoners from other work units, the revocation of integration rights, or the slow administrative process. Therefore, effectiveness is not enough to assess from the number of proposals or hearings of the Correctional Observer Team. Effectiveness must be seen from the accuracy of the procedure, the number of decisions completed, the date of expenditure, the flow of occupants in, and the change in occupancy stock in the same period.

The analysis in this section uses various data sources derived from field facts, laws and regulations, observation and documentation results as well as the results of interviews with Bandar Lampung Class I Prison officers. In this study, the selection of informants was carried out purposively based on authority and experience. Triangulation is required by comparing information from officials, technical officers, fathers, assisted residents, families, integration registers, PB/CB decisions, and resident data.

1. Conformity of Implementation with Legal Provisions

The normative basis for granting Parole and Parole consists of Law Number 22 of 2022 and Regulation of the Minister of Law and Human Rights Number 3 of 2018 as amended several times, including through the Regulation of the Minister of Law and Human Rights Number 7 of 2022 and the Regulation of the Minister of Law and Human Rights Number 16 of 2023. The legal framework places PB and CB as conditional rights. This means that the state is obliged to process these rights when the conditions are met, but the granting still requires substantive and administrative verification.

Substantively, the assessment is directed at the criminal period that has been served, behavior during coaching, compliance with discipline, participation in coaching programs, risk level, and readiness to return to the community. Administratively, officers must ensure identity, court decisions, minutes of the implementation of the decision, calculation of the penal period, development reports, results of community research, and guarantee documents. The process is continued through verification, TPP hearings, proposals in the correctional information system, issuance of decisions, and handover to the Correctional Center.

The Bandar Lampung Class I Detention Center in granting the right to Parole and Conditional Leave will conduct a TPP hearing to provide assessment and approval. As in the news coverage on January 29, 2026, the Bandar Lampung Class I Prison held a TPP session to discuss 18 Parole Proposals and 13 Parole Leave proposals. The assessment is carried out by considering the completeness of the administration, behavior record, coaching results, and the presence of the guarantor's family. The Head of the Prisoner Services Section also stated that the assessment was carried out objectively, transparently, and in accordance with procedures.¹

¹ Betik Lampung, "Bandar Lampung Class I Detention Center Holds TPP Session on PB and CB Integration," January 29, 2026.

This shows that there are procedural elements that are consistent with the norms, especially file examinations, behavioral assessments, collective hearings, and guarantor involvement. Nonetheless, procedural conformity has not automatically demonstrated timeliness and final success. The implementation of the TPP session only shows the stage of assessment or approval to continue. The TPP session does not contain the date of issuance of the decision, the date of disbursement, the number of proposals returned, the reason for the delay, or the number of clients who are finally under the guidance of Bapas.

Based on this description, the implementation of PB and CB in the Class I Prison in Bandar Lampung can be considered to have a procedural structure in accordance with the provisions of the law. However, the assessment of the timeliness and consistency of results cannot be declared perfect based on the publication of the activity alone. A more appropriate academic conclusion is that normative-procedural implementation appears to be working, while administrative effectiveness and end results still require proof through primary data.

2. Implementation Analysis Based on George C. Edwards III's Theory

George C. Edwards III explained that the successful implementation of policies is influenced by communication, resources, the disposition of the implementers, and the bureaucratic structure. The four variables are interrelated. Clear communication is not enough if the officers and systems are inadequate. Sufficient resources also do not produce good services if the implementer does not have commitment. On the other hand, the commitment of officers can be hampered by lengthy interagency procedures

a. Communication

Communication in the provision of PB and CB includes the delivery of information to the inmates, the guarantor family, internal officers, the Correctional Center, the prosecutor's office, the court, and officials who verify the proposal. The important elements are information transmission, clarity of content, and consistency of message. Unclear communication can lead to misunderstandings about the criminal period, guarantor documents, the time of proposal, or the status of the file.

Documentary data shows that Rutan communicates through direct socialization, TPP hearings that present guarantor families, and visits to residential blocks. On May 25, 2026, the ranks of the Detention Center again conveyed that integration services are transparent and free, while inmates are required to behave well and meet administrative and substantive requirements. The activity also provides a two-way dialogue so that the inmates can convey obstacles directly. This ball pick-up pattern reduces the distance of information between officers and residents.

From Edwards III's perspective, internal communication seems to have a fairly clear direction. The main message remains unchanged, namely that integration rights are obtained based on rules, behavior, coaching, and completeness of the file. However, external communication remains a vulnerable point. Copies of the decision, minutes of the implementation of the decision, public research, and verification of the guarantor's address are under the authority of different institutions. Delays by one party can hinder the entire series without always being caused by the Detention Center officers.

Therefore, communication indicators are not only measured by the frequency of socialization. This indicator must also be assessed from the availability of file status information, the certainty of the liaison officer, the data correction mechanism, and the follow-up deadline. Communication can be considered effective if inmates and their families know the missing documents, the parties who must complete them, and the

development of proposals in a measurable manner.

Based on the information from the interview with Mr. Novo Firnando as the Head of the Administration and Care Subdivision, he explained that information about Parole (PB) and Conditional Leave (CB) was conveyed through socialization in residential blocks, consultation with the prisoner service section, and explanations in the Correctional Observer Team (TPP) session. According to him, the obstacles that often occur are not related to the delivery of basic information, but with the development of the filing process involving the Correctional Center, the prosecutor's office, the court, and the family as the guarantor.

In Edwards III's theory, communication is only effective when information is received clearly, consistently, and actionably. Therefore, Rutan needs a mechanism for tracking the status of files that is easy to understand by inmates and their families. In the interview session, an inmate explained that he received information about general requirements from officers and fellow inmates. However, information about the position or development of the file after it has been submitted has not always been conveyed clearly. Therefore, inmates usually ask the officer again to confirm whether there are still incomplete documents.

The same thing was also said by Mr. Agus as one of the guarantors who explained that there needs to be an explanation from the officer regarding the procedure for submitting Parole (PB) and Conditional Leave (CB).

b. Resources

Resources include the number and competence of officers, authority, time, budget, computer equipment, network, Correctional Database System, and document availability. Based on the data archive of the Bandar Lampung Class I Detention Center on July 1, 2026, it was recorded that there were 131 officers and 1,209 inmates consisting of 745 inmates and 464 prisoners with a capacity of 750 inmates. In aggregate, the ratio of residents to officers is around 11 to 1. This ratio should not be directly considered as the ratio of registration officers because the number of 64 covers various functions. However, the data shows the magnitude of the burden on organizations that must carry out security, services, maintenance, coaching, and administration at the same time.

In the period from January to December 2025, it was recorded in the Correctional Database System that there were 201 parole inmates in the Bandar Lampung Class I Prison. This figure shows a real administrative work capacity. However, the magnitude of output does not necessarily prove that the resources have been adequate. The integration process requires accurate criminal data updates, file examinations, litmas coordination, TPP hearings, proposed improvements, and monitoring until a decision is implemented. The workload increases when the number of occupants is high and data comes from many law enforcement officials.

Gonggo and Subroto place the addition of registration officers, a more specific division of labor, and coordination with the prosecutor's office as important parts in optimizing parole. The findings are relevant to the Bandar Lampung Class I Detention Center. Digital systems speed up the flow, but they don't replace the need for human verification. Errors in one date or one document can change the date of two-thirds of the criminal term and cause legal consequences.²

Thus, the resources in the Detention Center can be considered capable of carrying

² Danur Tri Gonggo and Mitro Subroto, "The Effectiveness of Parole," *Journal of Justitia* 9, no. 6 (2022): 2860–2867.

out integration services, but work under the pressure of density and many functions. Effectiveness will increase if there are sufficient dedicated officers, a checklist of eligibility dates, periodic data audits, a stable network, and a quick coordination line for documents originating from the court or prosecutor's office.

Based on the results of the interview with Mr. Deski Anjaya as the Administration and Maintenance Staff, it leads to two resource problems. First, the number and division of officers' time is not necessarily balanced with the volume of work. Second, technology speeds up the process but still relies on networking, input accuracy, and field verification. The element of resources thus includes people, facilities, time, information, and authority.

Furthermore, Mr. Ridho Gemilang as the Community Supervisor (PK) of Bapas Class I Bandar Lampung explained that the community research process or Litmas requires direct verification to the guarantor's house and the environment where he lives. The time to settle Litmas can be affected by the large number of cases loaded, the distance of the address that must be reached, and the difficulty of contacting the family. While digital communication can help speed up coordination, field verification is still necessary in certain cases.

c. Disposition or Attitude of the Implementer

Disposition relates to understanding, commitment, thoroughness, integrity, and willingness of implementers to carry out policy objectives. In PB and CB services, the attitude of the executor determines whether the prisoner's rights are processed proactively or just waiting for requests. This attitude also determines whether the file shortage is communicated immediately or left until it is close to the eligibility date.

The disposition or attitude of the executive cannot be judged solely from institutional statements. The assessment must be tested through uniformity of services, the absence of levies, timeliness, the way officers explain the lack of files, and the consistency of treatment of inmates with different backgrounds. In the perspective of a lower-level bureaucracy, officers are faced with many cases, detailed rules, and time constraints. These conditions can encourage the use of discretion to determine work priorities. Discretion needs to be directed by objective criteria so that it does not turn into uncertainty.

Based on an interview during the research with Mr. Deski Anjaya as the Administration and Maintenance Staff, explained that the attitude of the implementer does support the fulfillment of rights, various steps have been implemented, such as providing opportunities for inmates to submit PB or CB files 3 months before 2/3 of the criminal term, but the quality of service can certainly be affected by the workload as well. According to Edwards III, disposition is not only in the form of approval of policy objectives. Disposition can also be seen from consistency, priority, speed of response, and integrity in service.

Furthermore, an inmate in the interview session explained that officers generally provide explanations and help check the completeness of the files. However, answers to inmate questions cannot always be given on the same day as the officer also has to handle work and other responsibilities.

Analytically, the disposition of the implementers appears to be a supporting factor because there is socialization, TPP hearings, family involvement, and affirmation of free services. The point to take care of is consistency. Institutional commitments should be translated into an auditable service record, including the date of filing, the date of correction, the reason for the delay, and the date of the decision.

d. Bureaucratic Structure

The bureaucratic structure of granting PB and CB involves many units. Rutan records and assesses inmates, TPP provides recommendations, Bapas compiles community research and conducts guidance, while the court and prosecutor's office are the source of documents for verdicts and criminal executions. Proposals are then processed through information systems and levels of authority according to the rules. This structure is necessary to ensure the prudence and protection of the community.

Problems arise when the division of authority is not accompanied by a time limit and a mechanism of clarity of responsibility. The procedure can be lengthy because one file has to be checked by several parties. Fragmentation also occurs when digital data is not the same as a physical document, the guarantor's address changes, or the litmas have not been completed. Edwards III called operational procedures and fragmentation of authority as important elements of the bureaucratic structure. The more handover points without clear coordination, the greater the risk of delays.

In the Bandar Lampung Detention Center, the implementation of the TPP session shows that the internal structure has functioned. The involvement of prisoner service officials, security, staff, inmates, and guarantor families shows that there is a joint evaluation forum. However, there is no clarity regarding the average duration from the identification of eligibility of inmates receiving PB and CB to discharge. Therefore, the bureaucratic structure can be assessed as available and operational, but its efficiency cannot be fully measured.

Structural repairs do not have to reduce prudence. Prisons can use electronic control lists, automatic notifications of eligibility dates, internal time standards, delayed case coordination meetings, and recording of reasons for returning files. This step makes the bureaucracy more traceable and prevents integration rights from being delayed because the actual problems can be anticipated.

Based on the information of Mr. Deski Anjaya who explained that the proposal process began by identifying the inmates who had met the requirements. Furthermore, officers check the completeness of documents, submit requests for community research or Litmas, conduct Correctional Observer Team (TPP) sessions, input proposals, conduct verification, and wait for decisions. Files can also be returned for repair if there are documents that are incomplete or do not comply with the provisions.

Furthermore, based on the information of Mr. Ridho Gemilang as PK Bapas Class I Bandar Lampung, he explained that coordination is most often carried out when the guarantor's address changes or the family is not present during the verification process. In these conditions, the Correctional Center needs to ensure the environmental conditions that will receive clients. He also said that the results of community research or Litmas are one of the considerations in the integration process.

The information of the resource person shows that there is a fragmentation of authority. Bureaucratic structures have a control function, but the large number of verification points can prolong the process. Efficiency needs to be built through time standards, the person in charge at each stage, and recording the reasons for returning files.

Based on the four Edwards III indicators, communication and disposition are the most powerful aspects. Socialization was carried out, services were declared free, families were involved, and the TPP session was running. Resources and bureaucratic structures are more vulnerable aspects due to population density, wide workload, large number of documents, and dependence on other institutions. Thus, the success of implementation is

not only determined by the will of the prison, but also the capacity of the correctional system and the criminal justice system in an integrated manner.

3. The Impact of the Granting of PB and CB Rights on the Number of Class I Prison Occupants in Bandar Lampung

Based on data obtained from the archives of the Bandar Lampung Class I Detention Center in early 2025, as of January 1, 2025, the number of residents was recorded at 1,184 people with a capacity of 750 people. This means that there is an excess of 434 residents with an overcapacity rate of 57.87%.

Table 4.1
Data on the Implementation of Integration and Density Management of Class I Prison in Bandar Lampung in 2025

No.	Indicator	Quantity
1	Official capacity of the detention center	750 people
2	Number of residents as of January 1, 2025	1,184 people
3	Number of residents as of December 31, 2025	1,173 people
4	Prisoners and new inmates	740 people
5	Parole Recipients	167 people
6	Conditional Leave Recipients	180 people
7	Number of PB and CB recipients	347 people
8	Pure free	237 people
9	Mutation or transfer of occupants	77 people
1	Returned to the detainer	35 people
11	Acquittal or acquittal of charges	22 people
12	Free due to amnesty	25 people
13	Passed away	8 people

Source: Processed by researchers from the Bandar Lampung Class I Correctional Detention Database System in 2025.

The data shows that the implementation of PB and CB cannot be analyzed separately from the dynamics of inflow and outflow of residents. The number of inmates in the detention center changes every day due to the entry of new prisoners, the implementation of criminal sentences, release, transfer, return to the detention party, release verdicts, amnesty, and death. Meanwhile, on December 31, 2025, the number of residents was recorded at 1,173 people with an overcapacity rate of 65.40%.

Based on this data, the number of residents decreased from 1,184 people to 1,173 people. Thus, there was a net reduction of 11 people or around 0.93 percent of the initial

number of residents. The decline looks small, but that figure cannot be used to conclude that PB and CB did not have an impact. During 2025 there will be 740 new prisoners and inmates entered. The number of inflows is almost the same as the entire official capacity of the Detention Center. Meanwhile, the total outflow during the January-December 2025 period reached 751 people. The difference between the outflow and the inflow is 11 people. This figure is equal to a net decrease in the number of residents from 1,184 to 1,173 people. Thus, the inflow and inflow data have mathematical consistency.

Meanwhile, as many as 347 people obtained PB and CB. This number consists of 167 PB recipients and 180 CB recipients. The contribution of PB and CB to all outflows was 347 divided by 751 multiplied by 100 percent or 46.21 percent. Thus, almost half of all outflows of residents during 2025 will come from PB and CB programs. The number of PB and CB recipients is also equivalent to 46.27 percent of the official capacity of the Detention Center. If the 347 inmates remain in the prison until they are completely freed, the housing burden will be much higher.

The calculation is not stand-alone causal evidence. The calculation only shows the magnitude of the function of PB and CB in restraining population growth. Gonggo and Subroto emphasized that the imbalance between the number of inmates entering and exiting is the main cause of overcapacity. The low granting of parole to eligible inmates can also increase the number of residents.

PB and CB cannot be placed as a single solution. Handling overcapacity requires the use of alternative detention, resolving cases with restorative justice, rehabilitation for perpetrators of narcotics abuse according to the provisions, non-prison sentences, and accelerating the judicial process. Nugraha stated that overcapacity settlement requires a comprehensive approach through restorative justice, optimization of assimilation and reintegration programs, and the use of criminal alternatives other than prison.³

In addition to PB and CB, the Bandar Lampung Class I Prison also uses a mutation or transfer policy. The research data noted that 77 residents were displaced during 2025. Relocation can reduce the number of residents in one detention center, but it does not necessarily reduce the number of inmates at the regional or national level. Moving essentially shifts the burden from one Technical Implementation Unit to another.

In contrast to transfers, PB and CB shift the coaching process from within the institution to guidance in the community. Therefore, PB and CB have a more direct influence on the overall decline in the number of inmates, as long as the recipients meet the requirements and continue to undergo the supervision of the Correctional Center. However, PB and CB have not been able to eliminate over capacity. By the end of 2025, the occupancy rate will still reach 156.40 percent with an overcapacity rate of 56.40 percent. This condition occurs because the influx of residents remains high. Therefore, PB and CB are effective as density control instruments, but they are not enough to be a single solution in removing over capacity.

B. Factors Inhibiting the Granting of Parole and Conditional Leave in Reducing Over Capacity Conditions in Class I Detention Facilities in Bandar Lampung

The implementation of PB and CB is not only influenced by the quality of policies.

³ Nugraha, A. A. (2025). Strategy to solve the problem of prison capacity in Indonesia. *Law Research Review Quarterly*, 11(2), 329–358.

Its implementation is also influenced by legal conditions, apparatus, facilities, society, and legal culture. To analyze in this section, the researcher uses the theory of legal effectiveness according to Soerjono Soekanto as an analysis knife.

According to this theory, the effectiveness of law enforcement is influenced by five factors, namely legal factors, law enforcement factors, facilities or facilities factors, community factors, and cultural factors.⁴

1. Legal Factors or Laws and Regulations

Legal factors are related to the clarity, compatibility, completeness, and ability of regulations to provide guidelines for the implementer. The legal basis of PB and CB has been provided in Law Number 22 of 2022 and Regulation of the Minister of Law and Human Rights Number 3 of 2018 and its amendments. From the aspect of the existence of norms, there is no fundamental legal vacuum.

Obstacles can arise because the regulations undergo several changes. Officers must understand the relationship between the initial rule and the change rule. Inmates and their families also find it difficult to understand the provisions if the information they receive still uses the old rules. Legal barriers can also arise from differences in interpretations regarding good behavior, participation in coaching, risk assessment, and supporting documents.

As stated by Mr. Novo Firnando who explained that the rules regarding the implementation of procedures are basically available. However, the obstacles that are often faced are related to understanding changes in provisions and fulfilling the completeness of requirements. Therefore, every time there is a change in provisions, officers need to ensure that the procedures implemented are in accordance with the latest regulations.

The same thing was also expressed by Mr. Deski Anjaya who revealed the need to understand well the procedure for the implementation of PB and CB because sometimes there are differences in understanding. Therefore, coordination is something that officers must do so that there are no mistakes in the PB and CB proposal process.

The information shows that the main obstacle is not the absence of a legal basis, but the uniform application of the rules. Based on Soerjono Soekanto's theory, the law will be more effective if the formulation is clear and can be implemented. In this study, the legal basis of PB and CB is relatively adequate, but their effectiveness still requires technical guidelines, socialization of changes, and uniformity of interpretation.

2. Law Enforcement Factors

Law enforcement factors are related to officers who enforce the law. In the context of this study, law enforcement includes Detention Centers, Community Counselors, prosecutors, court officers, and other officials involved in the PB and CB processes.

a. Limitation of the Number of Officers

The number of residents that reaches more than a thousand people creates a huge workload. Officers must manage administrative services for prisoners and inmates with different legal statuses. Staff limitations can cause work priorities to change. Officers must immediately handle new detainees, detention extensions, overdue releases, and data requests from law enforcement officials. In these conditions, the examination of PB and CB files may take longer.

Gonggo and Subroto's research also identified the need for additional registration

⁴ Soekanto, S. (2019). *Factors that affect law enforcement*. Rajawali Press, pp. 8–9.

officers and community guidance as one of the solutions to increase the effectiveness of parole.⁵

b. Officer Competence

Competencies include the ability to understand regulations, calculate the penal term, manage the system, conduct document checks, and communicate with inmates. Date input errors, remission calculation errors, or delays in updating the judgment can shift the proposal time. Therefore, training and tiered examinations are necessary. A cross-checking system can reduce the risk of errors.

c. Coordination between law enforcement

Rutan requires documents from the court and the prosecutor's office. The Correctional Center needs data from the Detention Center and their families. Any delay in coordination will affect the entire process.

In the interview session, Mr. Ridho Gemilang stated that although coordination has been running, the speed of completion of community research depends on the completeness of the request. According to him, community research cannot be completed if the guarantor data or case documents are incomplete.

The information shows that law enforcement problems are not always in the form of unwillingness. The problem can also be in the form of interagency work dependence. Law enforcement factors become obstacles when the number of officers is not balanced with the workload, competencies have not been updated, and coordination has not been carried out on time.

3. Facilities or Facilities Factor

The facility or facility factor includes the tools that support the implementation of the law. Without adequate facilities, officers cannot carry out their duties quickly and accurately. Relevant facilities include the Correctional Database System, internet network, computers, physical documents, service rooms, communication tools, transportation, and budget support.

a. Information Technology

The Correctional Database System is the main facility in the management of PB and CB. The system stores data on criminal history, remission, proposal status, and supporting documents. Obstacles can arise when the internet network is slow or the system is inaccessible. Delayed access can delay file input and delivery.

b. Documents and Data Storage

Physical documents are still required as the basis for verification. Irregular management of archives can make it difficult to find judgments, minutes, or old documents. An effective system requires a fit between physical and electronic records. If the data is different, the officer must re-check which takes time.

c. Community Research Facility

Community Supervisors need means of transportation, communication tools, address data, and time to conduct research. If the guarantor lives in a distant area, the research requires coordination with other correctional centers. Limited facilities can slow down the preparation of community research. As a result, the hearing of the Correctional Observer Team and the proposal of PB or CB were also delayed.

Furthermore, Mr. Ridho explained that the community research process for parties with addresses in the Bapas work area can be carried out directly. However, if the address

⁵ Gonggo, D. T., & Subroto, M. (2022). The effectiveness of parole in overcoming overcapacity in correctional institutions. *Journal of Justitia: Journal of Law and Humanities*, 9(6), 2860–2867.

of the party concerned is outside the work area, the officer must first coordinate with the local Bapas. According to him, the time for completing community research is influenced by the distance of the location, the clarity and completeness of address data, and the workload of officers.

The information shows that facilities are not just computers and networks. The facility also includes mobility support and cross-regional coordination. Limited facilities can cause delays in input, verification, community research, and proposal submission.

4. Community Factors

The community has an important role in social reintegration. In the context of Parole (PB) and Parole (CB), the community starts from the family, guarantors, living environment, community leaders, and local government apparatus.

a. Unavailability of Guarantor

Not all inmates have families who are willing or able to become guarantors. Family relationships can be severed due to criminal acts, conflicts, divorces, or long criminal periods. The absence of a guarantor can hinder the process because the officer needs a party who can ensure a place to live and support guidance.

b. Unclear Address

Some of the inmates came from outside the area. Some have moved their families. The address on the identity is not necessarily the same as the actual place of residence. The unclear address hinders community research because the Community Supervisor cannot assess the social environment if the location of residence cannot be ascertained.

c. Family and Community Rejection

Families may refuse to accept inmates because they are afraid, ashamed, or have been victims of inmates' actions. People can also refuse because they are worried about security. Tarigan and Aspan found that overcapacity hindered basic services and coaching. The study also identified slow parole as one of the factors causing overcrowding.⁶

According to the inmate who was the resource person in this study, he explained that at first the family was hesitant to become a guarantor because he was worried that he would be considered responsible if he committed a violation while undergoing the parole program. However, after obtaining an explanation of the role and responsibilities of the guarantor, the family is finally willing to complete the necessary guarantee letter.

The information shows a lack of understanding of the position of the guarantor. The guarantor is not a substitute for the client's criminal liability. The guarantor plays a role in providing support and assisting with social supervision. Based on the theory of legal effectiveness, the public can support the law if they understand its purpose and procedures.

5. Cultural Factors

Cultural factors are related to values, habits, and people's views on the law. In the correctional system, the legal culture can be retributive or reintegrative. Retributive culture views crime as suffering that must be lived until the last day. Reintegrative culture views crime as a coaching process that can be continued in society with supervision.

a. Stigma against Inmates

⁶ Tarigan, E. C., & Aspan, H. (2025). The impact of overcapacity in correctional institutions on the fulfillment of the rights of inmates in Class IIB Kabanjahe Prison. *Locus Journal of Academic Literature Review*, 4(5), 287–295.

Stigma makes it difficult for the community to accept inmates back. Former inmates are often considered to remain dangerous despite having attended coaching. Stigma can hinder access to employment, housing, and social relationships. This condition increases the risk of reintegration failure.

b. Formalistic Culture in Bureaucracy

Formalistic culture occurs when officers only focus on the completeness of documents without helping to explain how to meet the shortcomings. Caution is necessary, but it should not turn into a passive attitude. Officers need to maintain procedures while providing services. If a document is incomplete, the officer must explain the party to whom to contact and the steps to be taken.

c. The Assumption That PB and CB Are Gifts

The assumption that PB and CB are gifts can arise in prisoners, families, communities, and even the authorities. This assumption is not in accordance with the concept of conditional rights. PB and CB are awarded based on regulations. The recipient is still supervised and is obliged to comply with the conditions. Rights can be revoked if the client violates obligations or commits a criminal act.

Based on the analysis, the legal culture becomes an obstacle when society still emphasizes retribution and rejects reintegration. The legal culture of the apparatus is also an obstacle if the procedure is carried out in a formalistic manner without a service orientation.

Based on Soerjono Soekanto's theory of legal effectiveness, the factors that inhibit the granting of PB and CB in the Class I Prison in Bandar Lampung are five elements. Legal factors are related to regulatory changes and the need for uniformity of interpretation. Law enforcement factors are related to workload, competence, thoroughness, and coordination. The facilities factor is related to information technology, documents, devices, and community research support. Community factors are related to the guarantor's family, residential address, and environmental acceptance. Cultural factors are related to stigma, retaliatory orientation, and formalistic service culture.

Of the five factors, administrative and institutional barriers have the most direct influence on the timeliness of proposals. However, social and cultural barriers also determine whether reintegration can be implemented properly. Therefore, strengthening PB and CB requires comprehensive improvement through criminal data collection, increasing officer capacity, supporting correctional centers, accelerating coordination with the court and prosecutor's office, and socialization to families and the community.

Overall, PB and CB have an important contribution in controlling the number of inmates of the Bandar Lampung Class I Detention Center. However, both have not been able to remove over capacity due to the high inflow and the existence of legal obstacles, apparatus, facilities, community, and legal culture.

CONCLUSION

The implementation of Conditional Release (*Conditional Release*) and Conditional Leave at Rutan Kelas I Bandar Lampung has generally been carried out in accordance with the applicable legal framework and has contributed to reducing the prison population through the gradual reintegration of eligible inmates. Correctional officers have facilitated the fulfillment of administrative requirements and coordinated with the Correctional Center (*Balai Pemasyarakatan*) and other relevant institutions in processing inmates' integration rights. During 2025, a total of 347 inmates received

Conditional Release and Conditional Leave, demonstrating that these programs play a significant role in controlling prison occupancy. However, their implementation has not yet been fully effective in resolving the *overcapacity* problem. By the end of 2025, the detention center accommodated 1,173 inmates despite having an official capacity of only 750, resulting in an occupancy rate exceeding capacity by 56.40%. This finding indicates that while integration programs contribute to population reduction, their impact remains constrained by the continuous influx of new detainees and convicted prisoners.

The study also reveals that the effectiveness of Conditional Release and Conditional Leave is influenced by multiple legal, administrative, institutional, and socio-cultural challenges. The most prominent obstacles include incomplete administrative documents, delays in obtaining court decisions, inaccuracies in inmate records, limited human resources, and the heavy workload of correctional officers. In addition, delays in the preparation of community research reports frequently arise when guarantor information is incomplete or requires coordination with Correctional Centers outside the local jurisdiction. Social stigma toward former inmates further complicates the reintegration process by limiting community acceptance after release. These findings demonstrate that the successful implementation of Conditional Release and Conditional Leave depends not only on the performance of correctional institutions but also on effective inter-agency coordination, adequate institutional capacity, active family support, and greater community participation in facilitating the social reintegration of former inmates.

Based on the findings of this study, it is recommended that correctional institutions strengthen the implementation of Conditional Release and Conditional Leave by improving administrative efficiency, accelerating document processing, enhancing inter-agency coordination, and increasing the number and capacity of correctional officers. The integration of digital case management systems and standardized administrative procedures should also be prioritized to minimize delays in processing inmates' integration rights. These measures are expected to optimize the implementation of reintegration programs while contributing to a more effective reduction of prison *overcapacity*.

Furthermore, the successful implementation of Conditional Release and Conditional Leave requires broader support beyond correctional institutions. The government should reinforce collaboration among correctional institutions, Correctional Centers (*Balai Peppenian*), courts, prosecutors, and other relevant stakeholders to ensure timely and coordinated implementation of integration programs. In addition, efforts to reduce public stigma through community education and social reintegration initiatives should be strengthened to improve community acceptance of former inmates. Such collaborative measures are essential for enhancing the effectiveness of reintegration policies and supporting the long-term sustainability of the Indonesian correctional system.

BIBLIOGRAPHY

- Abram, J. S. (2023). Penguatan kedudukan pemasyarakatan dalam sistem peradilan pidana terpadu melalui fungsi bimbingan kemasyarakatan. *Innovative: Journal Of Social Science Research*, 3(3), 4199–4214.
- Agung Jaya, F., & Ketut Seregig, I. (2024). Pertanggungjawaban Pidana Terhadap Pelaku Tindak Pidana Yang Memiliki Senjata Api Tanpa Izin (Studi Putusan No

- 607/Pid.Sus/2023/PN Tjk), Farhan Agung Jaya Pertanggungjawaban Pidana Terhadap Pelaku Tindak Pidana Yang Memiliki Senjata Api Tanpa Izin (Studi Putusan No 607/Pid.Sus/2023/PN Tjk). In *Jurnal Pro Justitia (JPJ)* (Vol. 5, Number 2).
- Aulia, F. H. R., Siregar, F., Cahyanti, N. A., & Syarifuddin, S. (2026). Efektivitas Pelaksanaan Pembinaan Narapidana dan Peran Balai Pemasyarakatan dalam Mewujudkan Tujuan Sistem Pemasyarakatan Berdasarkan Undang-Undang Nomor 22 Tahun 2022 tentang Pemasyarakatan. *JURNAL MULTIDISIPLIN ILMU AKADEMIK*, 3(4), 731–745.
- Hasibuan, U. V., Ediwarman, E., Marlina, M., & Trisna, W. (2024). Analisis Sosiologi Hukum terhadap Peran Lembaga Pemasyarakatan dalam Mengembalikan Kepercayaan Masyarakat untuk dapat Menerima Kembali Mantan Narapidana (Studi Kasus Lapas Kelas IIA Binjai). *Jurnal Retentum*, 6(1), 1–9.
- Jaya, F. A., & Seregig, I. K. (2024). Pertanggungjawaban Pidana Terhadap Pelaku Tindak Pidana Yang Memiliki Senjata Api Tanpa Izin (Studi Putusan No 607/Pid. Sus/2023/PN Tjk). *Jurnal Pro Justitia (JPJ)*, 5(2).
- Kusuma, F. P. (2013). Implikasi Hak-Hak Narapidana Dalam Upaya Pembinaan Narapidana Dalam Sistem Pemasyarakatan. *Recidive: Jurnal Hukum Pidana Dan Penanggulungan Kejahatan*, 2(2).
- Mufti, E. A., & Riyanto, O. S. (2023). Peran Lembaga Pemasyarakatan Dalam Upaya Rehabilitasi Narapidana Untuk Mengurangi Tingkat Residivis. *AL-MANHAJ: Jurnal Hukum Dan Pranata Sosial Islam*, 5(2), 2425–2438. <https://doi.org/10.37680/almanhaj.v5i2.4026>
- Nugroho, R. S. N., & Haerah, K. (2024). Fulfillment Of Prisoners' Rights To Obtain Suitable Food According To Nutritional Needs Based On Law Number 22 Of 2022 Concerning. *POLITICO*, 24(1), 1–11. <https://doi.org/10.32528/politico.v24i1.2775>
- Rahmatullah, Ni Putu Rai Yulianti, & Dewa Gede Sudika Mangku. (2023). PENERAPAN PASAL 9 HURUF (D) UNDANG-UNDANG NOMOR 22 TAHUN 2022 TERKAIT HAK PELAYANAN KESEHATAN DAN MAKANAN YANG LAYAK DI LAPAS KELAS II B SINGARAJA. *Jurnal Ilmu Hukum Sui Generis*, 3(2).
- Sultonudin, J. (2021). Perlindungan Hukum Terhadap Warga Binaan Dalam Memperoleh Hak Atas Pemenuhan Makanan Yang Layak Dikaitkan Dengan Pengelolaan Keuangan (Studi Pada Lembaga Pemasyarakatan Kelas IIA Cikarang). *Jurnal Hukum Media Justitia Nusantara*, 11(1).
- Supardi, S., Putri, H. A. A., & Suniaprily, F. G. A. (2026). A Legal Analysis of the Implementation of Law No. 22 of 2022 on Corrections. *JHKK*, 7(2), 1409–1423.
- Wijayanto, D., Roestamy, M., & Suhartini, E. (2020). ASAS KEADILAN DALAM SUPLAI MAKAN TAHANAN KEPOLISIAN DAN LEMBAGA PEMASYARAKATAN DIHUBUNGKAN DENGAN UNDANG-UNDANG NOMOR 36 TAHUN 2009. *JURNAL ILMIAH LIVING LAW*, 12(1), 1. <https://doi.org/10.30997/jill.v12i1.2526>
- Zainudin Hasan, Lukmanul Hakim, & Rudi Irawan. (2023). Judge's Consideration in Imposing the Death Penalty on Perpetrators of Narcotic and Narcotic Precursor Crimes. *Constitutional Law Society*, 2(2), 125–134.