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New Penal Paradigm: Proportional and Restorative Strategies to Manage Overcrowding at Class I Tanjung Gusta Detention Center

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Abstract: This study highlights overcrowding in the Class I State Prison Tanjung Gusta Medan as a consequence of the dominance of prison sentences and excessive detention practices in the Indonesian criminal justice system. This problem is structural because it is rooted in the orientation of repressive penal policies, and the application of alternative sanctions has not been optimal.This research uses a normative juridical method with a statute approach and is supported by literature studies on primary, secondary, and tertiary legal materials. The results of the study show that Law Number 1 of 2023 concerning the Criminal Code marks a paradigm shift from a retributive approach to a corrective, rehabilitative, and restorative approach, with imprisonment as the ultimate remedium. The implementation of alternative criminal justice, such as social work crimes, supervision crimes, diversion, restorative justice, and the optimization of integration programs (assimilation and parole), has been proven to have the potential to suppress the influx of new prisoners, increase the effectiveness of coaching, and maintain the proportionality of punishment. Preventing overcrowding requires consistency in the application of the new paradigm so that the penal system runs rationally, risk-based, and fair.

Keywords: New Paradigm of the Penal System, Policy Implementation, Overcrowding, Detention Centers, Penal Alternatives, Restorative Justice.

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Introduction

The modern penal paradigm not only emphasizes punishment as a form of retribution, but also as a tool for social coaching and reintegration. This is in line with the idea of *community-based corrections,* which places alternative crimes such as *social work crimes*, *supervision crimes*, and other non-custodial sanctions as the main choice for crimes with a mild threat or low social impact, so that the burden on corrections institutions and detention centers can be significantly reduced (Wirawan, 2021). Criminal practices based on restorative justice and diversification of criminal sanctions have also received support in contemporary criminology studies, which state that the use of alternative criminal justice can reduce the occupancy rate of prisons and correctional facilities that have exceeded the ideal capacity, as well as help perpetrators of criminal acts to remain productive and integrated in society (Hidayat, 2022).

The implementation of these ideal penal principles has not been running optimally in Indonesia. The dominance of prison punishment as the main form of punishment still occurs in many cases, even for minor crimes. As a result, correctional institutions and detention centers experience serious problems in the form of *overcrowding*, which is a condition in which the number of inmates far exceeds their official capacity (Sulistyo, 2023).

The current crime phenomenon in Indonesia is illustrated by the condition of overcapacity in around 400 Correctional Institutions (LAPAS) and State Prisons (RUTAN). According to the World Prison Brief (WPB) report, the number of inmates in Indonesia has continued to increase in the past decade, as seen in the graph. It is recorded that the number of inmates in Indonesia has reached around 249 thousand people in 2020, while the prison capacity nationally is only around 132 thousand. As of May 3, 2022, the occupancy rate of prisons or correctional institutions (prisons) in Indonesia has reached 208%, making it the 21st highest out of 207 countries worldwide.

Data from the Directorate General of Corrections shows that the problem of penitentiary overcrowding in Indonesia has a strong correlation with the dominance of narcotics cases. In August 2021, the majority of prison inmates were inmates in narcotics cases, with a total of more than 145 thousand people, consisting of the categories of dealers and users. This condition reflects that the penal policy that is still oriented towards imprisonment for perpetrators

of narcotics crimes also contributes to the high occupancy rate of correctional institutions (Rahmawati, 2022).

Furthermore, on March 24, 2023, the number of inmates of correctional institutions and detention centers in Indonesia was recorded at more than 265 thousand people, while the national ideal capacity was only around 140 thousand people. Thus, the national overcapacity rate is close to 90 percent (Santoso, 2023). Although this percentage has decreased compared to the previous year, this condition still shows that the Indonesian penitentiary system is in a situation of chronic overcapacity. A number of studies have stated that *overcrowding* has a direct impact on the effectiveness of coaching, internal security, and the fulfillment of the basic rights of inmates (Nugroho, 2023).

Regionally, some correctional work units even experience extreme levels of overcapacity. For example, there are correctional institutions whose capacity is less than 100 people but inhabited by more than 900 people, so the *overcrowding rate* exceeds 800 percent. Such conditions show the inequality of the distribution of inmates and the weak optimization of alternative policies for inmate punishment and redistribution (Siregar, 2022). Excessive housing density also has serious implications for health aspects. Crowded environments, limited sanitation, and an incomparable ratio of officers to the number of residents have the potential to accelerate the spread of infectious diseases and increase the risk of physical and mental health problems for inmates (Kurniasari, 2023).

This phenomenon is also reflected in the Class I State Prison Tanjung Gusta Medan which has a capacity of around 1,250 people, but is inhabited by more than 3,000 inmates. This means that the occupancy rate has reached about double the ideal capacity. This condition shows that although normatively Indonesia has moved from a repressive prison system to a correctional system oriented towards social reintegration, its implementation still faces serious challenges.

Philosophically, the penitentiary system aims to restore the relationship between inmates and society through a process of coaching and social integration. The reintegration places prisoners as part of society that must be prepared to return to carrying out their social functions. Within this framework, integration programs such as assimilation, leave to visit family, leave before release, and parole are important instruments to reduce the length of

stay in prisons while accelerating the process of social adaptation (Prabowo, 2022).

Parole, for example, provides a wider opportunity for inmates to prove changes in behavior in society before their sentence ends completely. This policy is not only aimed at reducing prison overcrowding, but is also a concrete manifestation of a humanist and coaching-oriented criminal paradigm. Various studies show that the implementation of integration programs still faces administrative obstacles, limited supervision, and social resistance, so that its effectiveness in reducing *overcrowding* is not optimal (Wulandari, 2023).

Excess capacity of prisoners occurs in almost all prisons. This excess capacity certainly causes various problems in prisons, such as the non-implementation of the main purpose of the prison, namely, coaching inmates, and can cause new crimes due to this excess capacity. All Indonesian people have the right to justice, whether they are men or women, even though they are prisoners. They have the right to fair treatment in the context of legal protection. The constitutional basis for the birth of the concept of legal protection is "the whole nation and protect". These two words contain the principle of legal protection for all nations without exception (Nasution, 2022).

Along with this condition, overcapacity causes security problems that occur in prisons/prisons. So that the initial purpose of prisons/prisons is to foster and instead give rise to new levels of crime in it. The level of crime that can be committed in prisons/prisons includes acts of persecution between inmates, drug trafficking in prisons/prisons and other crimes. Theoretically, it can be explained that overcapacity can cause imprisonment. In essence, imprisonment is formed as a reaction to the problems of adjustment that arise as a result of the prison sentence itself with various forms of *deprivation* (Angkasa, 2010).

The problems that arise from within the Detention Center are not solely due to errors and mistakes in the handling by the Detention Center officers, but also to their limitations. The orientation on correctional services must be in line with the conceptual change in the goals of correctional services from the conception of levy to the conception of rehabilitation. It is illustrated by the emergence of the idea of changing the prison institution (historically referred to as a prison house) to a Correctional Institution (Lapas).

Data from the Public Correctional Database System (SDP) of the Directorate General of Corrections shows that the total number of correctional facility inmates reached 267,577 people as of November 2023. This number is reported to have exceeded the total capacity of prisons in the country by 136,860 people. From this data, when associated with data from *the World Prison Brief*, Indonesia will become the seventh country in the list of countries with the largest prison population out of 223 countries in the world in 2023 and Indonesia is one of the countries included in the list of 10 countries with the largest prison population, including prisoners and inmates, in the world.

Overcrowding of prison inmates can result in the emergence of other problems such as suboptimal coaching carried out by correctional officers. Research conducted by the Human Rights Research and Development Agency explained that along with the occurrence of *overcrowding*, prison inmates are not only due to errors and errors in handling by prison officers, but there is a complex nature between the system and implementation in the field with all its limitations.

Method

This research is a legal research with a statute *approach*. The research method used in this paper is legal research as a process to provide solutions to existing legal issues by leading to normative juridical methods (Ramadhani et al., 2023). In this study, secondary data sources were used with primary legal materials, secondary legal materials and tertiary legal materials. The research specification used in this research is analytical descriptive research, which describes the applicable laws and regulations associated with legal theories and positive law implementation practices related to the problems that have been formulated. In other words, this research is *library research*, meaning that this research is carried out by reading works related to the problems to be studied and then conducting a study of the research (Zed. 2007).

Result and Discussion

Implementation of a New Paradigm Policy for an Effective and Fair Criminal System

The ratification of Law Number 1 of 2023 concerning the Criminal Code (Criminal Code 2023) represents a progressive step in the transformation of Indonesia's criminal justice system. Normatively, this revision of the Criminal

Code shows a paradigm shift from a retributive penal system to a system that prioritizes corrective, restorative, and rehabilitative justice. In a juridical approach, this means that criminal law is no longer understood solely as a tool of state retribution against the perpetrators of crimes, but as an instrument to achieve substantive justice by considering the interests of all parties. One of the normative foundations of this change is the strengthening of the principle of restorative justice as reflected in the articles of the 2023 Criminal Code, which provides greater space for settlements outside the formal courts, especially in misdemeanor offenses or first offenses. This paradigm has a constitutional basis in Articles 28D and 28G of the 1945 Constitution of the Republic of Indonesia, which emphasizes the right to justice and fair legal protection for all citizens. Juridically, this change requires a reconstruction of the principles of legality (lex certa and lex scripta) in order to be able to be in harmony with the principles of substantive justice and the protection of human rights.

Empirically, major challenges are still faced at the implementation level. Judicial practices still show resistance to the application of restorative justice, which is often seen as undermining the authority of criminal law. In addition, legal infrastructure, law enforcement officer training systems, and coordination mechanisms between law enforcement agencies are still not comprehensively ready to support this new paradigm. which shows the low effectiveness of the implementation of diversion due to too strict requirements and lack of understanding of the authorities on the principle of the best interests of children.

The success of criminal justice system reform after the 2023 Criminal Code will depend heavily on simultaneous efforts on three fronts: (1) the renewal of derivative regulations, including implementing regulations that ensure the operationalization of new principles; (2) institutional capacity building and human resources based on the values of human rights and social justice; and (3) the cultivation of new laws among the community and law enforcers so that the humanist and effective paradigm is not only a written norm, but also a *living norm (living law)* in judicial practice. Therefore, the implementation of the 2023 Criminal Code must be seen not just as a replacement of legal products, but as a symbol and means of fundamental changes in the national criminal code. Only with a comprehensive and comprehensive approach can the criminal justice system in Indonesia truly

transform into a system that upholds the values of humanity, efficiency, and justice in the true sense.

The implementation of Law Number 1 of 2023 concerning the Criminal Code (Criminal Code 2023) shows significant changes in the criminal law system in Indonesia. One of the most important things in its implementation is the combination of applicable law with positive legal norms, this change presents a great challenge for judges in understanding and balancing legal certainty with real justice. In this context, the implementation of the 2023 Criminal Code needs to be carried out in a systematic, careful, and goal-oriented manner to ensure its effectiveness, fairness, and consistency (Suryana, 2025).

The criminal justice system in Indonesia is a series of processes in law enforcement that involve many institutions. Including the police, prosecutor's office, courts, and correctional institutions. It is important to reform this system because there are still various problems, such as the number of inmates that exceed capacity, injustices in law enforcement, and human rights protections that have not been maximized for perpetrators and victims of crime.

The old paradigm in Indonesia focuses on a punitive approach that is retributive, prioritizing retaliatory sanctions for every violation of the law. This usually overlooks the importance of rehabilitation and social reintegration, as well as the lack of attention to the protection of rights for suspects and defendants. This has resulted in a variety of problems, such as increased prison overcrowding, excessive criminalization of minor offenses, and limited access to justice for vulnerable groups, such as children, women, and low-income communities. This situation shows that the old paradigm is no longer in line with the needs of fair law enforcement and focus on humanity.

The new paradigm introduced in the reform of the criminal justice system in Indonesia emphasizes the importance of building a more humane and efficient system. A more humane system requires law enforcement to respect human values, social justice, and the protection of human rights in accordance with the principles of Pancasila and the 1945 Constitution (Setyowati, 2025). A system that is declared effective means that the law enforcement process must be responsive, integrated with each other, and able to reduce crime rates in a preventive and repressive way. One of the key concepts in this new paradigm is the application of restorative justice, which is the resolution of criminal cases

that focuses on dialogue, mediation, and the restoration of relationships between perpetrators, victims, and the community.

The goal of this approach is to restore social balance and reduce negative impacts and legal processes. To realize this new paradigm, various updates have been made in policies and regulations. One important step is the passage of the new Criminal Code in 2023, which introduces significant changes, including recognition of the principles of restorative justice, increased protection of human rights, and more humane alternative arrangements of punishment (Hikmah, 2024).

The implementation of the new paradigm of the penal system in Indonesia is fundamentally marked by the birth of Law Number 1 of 2023 concerning the Criminal Code which replaces the colonial Criminal Code and comes into effect in 2026. This regulation affirms the shift in the orientation of punishment from a retributive approach that emphasizes retribution to a corrective, rehabilitative, and restorative approach that is oriented towards the recovery and social reintegration of criminal offenders. Normatively, the purpose of punishment in the new Criminal Code is no longer just to inflict suffering, but also to prevent criminal acts, restore balance, and foster perpetrators to return to being productive members of society. This paradigm is strengthened by Law Number 22 of 2022 concerning Corrections which affirms the correctional system as a coaching process based on respect for human dignity and social integration. However, empirically the implementation challenges are still very large. Data from the Directorate General of Corrections as of 2024 shows that the number of prison and correctional facilities in Indonesia is in the range of more than 270,000 people, while the national capacity is only around 140,000 people, so the overcapacity rate is close to 90–95 percent (Directorate General of Corrections, 2024; Nugroho, 2024).

The *overcrowding* condition is mainly triggered by the dominance of narcotics cases which consistently account for more than half of the inmates' population, so that the penal policy that still focuses on imprisonment for narcotics offenders is the main structural factor in prison overcrowding (Rahmawati, 2023). Various academic studies confirm that *overcrowding* has a serious impact on the quality of coaching, the effectiveness of rehabilitation,

internal security, and the fulfillment of the rights to health and the quality of life of inmates (Kurniasari, 2024).

The implementation of the new paradigm, the 2023 Criminal Code, has actually expanded the space for the use of alternative crimes such as social work crimes, supervision crimes, and proportional fines as instruments to reduce dependence on prison sentences. Theoretically, the diversification of sanctions is able to reduce the number of penitentiary occupants while increasing opportunities for social reintegration and reducing the risk of recidivism (Arief, 2024).

The implementation of alternative punishment at the practice level is still not optimal due to the limited *sentencing guidelines*, the lack of community-based supervision infrastructure, and the culture of law enforcement officials who still tend to make prison the main sanction (Lestari & Santoso, 2024). As a result, although the legal paradigm has changed normatively, its implementation has not fully reflected the expected effectiveness and substantive justice. Thus, the success of the new paradigm of the penal system is highly dependent on the consistency of derivative policies, strengthening institutional capacity, and changing the orientation of judicial practice in order to truly place the criminal justice system as a means of coaching and a solution to *overcrowding*, not just an instrument of retribution.

Solutions to Prevent *Overcrowding* in Class 1 Detention Center Tanjung Gusta Medan Linked to a New Paradigm of the Penal System

The State of Indonesia is a state of law, as contained in the provisions of Article 1 Paragraph (3) of the Constitution of the Republic of Indonesia in 1945. Furthermore, Article 27 Paragraph (1) of the 1945 Constitution of the Republic of Indonesia states that all citizens have the same position in the law and government and are obliged to uphold the law and government without exception. The concept of a state of law *(rechtstaat)* in Indonesia must be in accordance with the values reflected in Pancasila. A complete understanding of the concept of a state of law based on Pancasila can be seen from the process and background of the formulation of the Preamble to the Constitution of the Republic of Indonesia in 1945, which is a statement of the will of the birth of the Indonesian state (Lubis et al., 2024).

Rahardjo explained that legal protection is providing protection for Human Rights (HAM) that others are harmed and that protection is given to the community so that they can enjoy all the rights provided by the law (Lubis, 2021). Then according to Marzuki, this legal protection is closely related to the purpose of the law itself. The legal goal leads to something to be achieved, therefore, it is undeniable that the goal refers to something ideal so that it is perceived as abstract and not operational. In its development, it is associated with the purpose of criminal law itself, it can be categorized into 2 (two), namely to scare everyone not to do bad deeds and also to educate people who have done bad deeds to be good and acceptable again in the life of their environment.

Talking about criminality is inseparable from several theories of punishment that have developed following the dynamics of people's lives as a reaction to the emergence and development of crime. In criminal law, several theories have developed about the purpose of punishment, including absolute *theory (retributive),* relative theory *(deterrence/utilitarian),* combination theory *(integrative),* treatment theory and social protection theory *(social defence).* Criminal theories consider various aspects of the objectives to be achieved in criminal sentencing. There are five theories of punishment that are used as justifications for criminal imposition (Prodjodikoro, 2008):

1. The absolute *(retributive) theory,* views that punishment is retribution for wrongs that have been committed, so it is action-oriented and lies in the crime itself. Punishment is given because the perpetrator must accept the sanction for his mistake. According to this theory, the basis of punishment must be sought from the crime itself, because the crime has caused suffering to others, in return the perpetrator must be given suffering.
2. A relative *theory (deterrence),* this theory views punishment not as retribution for the wrongs of the perpetrator, but as a means of achieving a useful goal to protect society towards prosperity. From this theory, the purpose of punishment as a means of prevention emerges, namely general prevention aimed at society. Based on this theory, the punishment imposed to carry out the purpose or purpose of the punishment is to correct the dissatisfaction of the community as a result of the crime. The

purpose of punishment should be viewed ideally, apart from that, the purpose of punishment is to prevent *(prevent)* crime.

3. The combined *(integrative) theory* bases the crime on the principle of retribution and the principle of order to defend the order of the community, in other words the two reasons are the basis for the imposition of a criminal sentence. Basically, a combined theory is a combination of absolute theory and relative theory. The combination of the two theories teaches that the sentencing is to maintain the rule of law in society and to improve the person of the criminal.
4. Treatment as a criminal purpose is stated by positive currents. This school is based on the understanding of determination which states that people do not have free will to do an act because it is influenced by their personal disposition, environmental and social factors. Thus evil is a manifestation of an abnormal state of the soul. Therefore, the perpetrator of the crime cannot be blamed for his actions and cannot be criminally convicted, but must be given treatment for the reconciliation of the perpetrator.
5. The theory of social defence is a further development of the modern school with the famous figure Filippo Gramatica, the main goal of this theory is to integrate the individual into the social order and not to punish his actions. Social protection law requires that the abolition of criminal liability (wrongdoing) be replaced by a view of anti-social acts, that is, the existence of a set of regulations that are not only in accordance with the needs for common life but in accordance with the aspirations of society in general.

In principle, in Indonesian criminal law, the purpose of imposing criminal sanctions must serve to foster, that is, to make lawbreakers repent and not to function as retribution. This view and understanding is in accordance with the view of the nation's life contained in Pancasila, which upholds human values. The existence of the Correctional Institution which was formed as a forum and system to carry out court decisions in its journey has experienced many developments in various fields. All of these developments occur by considering various existing interests, one of which is the development of society itself with the aim that what the Criminal Justice System aspires to can be achieved (Muladi and Arief, 1992).

Correctional institutions as the spearhead of the implementation of the principle of protection are a place to achieve goals through education, rehabilitation, and reintegrity with the aim of improving the quality of Correctional Assisted Citizens so that they realize mistakes, improve themselves, and not repeat criminal acts so that they can be accepted back by the community. The implementation of rehabilitation is the realization of a regulation, this is very important because through the implementation it can be known whether a regulation has really been implemented or not (Erwinsyahbana, 2022).

Overcrowding di Rumah Tahanan Negara khususnya Kelas I Tanjung Gusta Medan merupakan persoalan struktural dalam sistem pemasyarakatan Indonesia yang ditandai dengan jumlah penghuni yang melebihi kapasitas hunian. Kondisi ini tidak hanya berdampak pada aspek keamanan dan ketertiban, tetapi juga menghambat efektivitas pembinaan serta berpotensi menimbulkan pelanggaran hak asasi manusia. Secara umum, persoalan kelebihan kapasitas di rumah tahanan dan lembaga pemasyarakatan di Indonesia disebabkan oleh dominannya penggunaan pidana penjara sebagai sanksi utama, tingginya angka penahanan pra-persidangan, serta minimnya optimalisasi alternatif pemidanaan. *Overcrowding* bukan semata-mata persoalan teknis pengelolaan rutan, melainkan konsekuensi dari kebijakan hukum pidana yang masih berorientasi pada pemenjaraan.

The new paradigm of the penal system in Indonesia, as reflected in Law Number 1 of 2023 concerning the Criminal Code, emphasizes that the purpose of punishment is no longer only *retributive*, but also includes the prevention, rehabilitation, and social reintegration of criminal offenders. This shift requires a change in approach from a system that focuses on prison sentences to a more varied system through the application of alternative penalties such as social work penalties, supervision penalties, fines, and restorative justice-based settlement mechanisms. Thus, reducing the use of prison sentences is an important instrument in preventing the accumulation of inmates in detention centers (Law Number 1 of 2023).

Related to the Class I Prison of Tanjung Gusta Medan, the application of non-prison sentences for perpetrators of minor crimes or low-risk perpetrators can be a concrete solution to suppress the influx of new prisoners. Diversion and *restorative justice policies* at the investigation and prosecution stages can also

reduce the number of pre-trial detainees who have been one of the biggest contributors to overcrowding. In addition, the optimization of rehabilitation programs for perpetrators of narcotics crimes which nationally dominate the composition of prison and prison inmates needs to be strengthened so that they do not all end up in imprisonment. This approach is in line with the correctional paradigm that places prisoners as subjects of coaching, not just objects of punishment.

The solution to prevent *overcrowding* in the Tanjung Gusta Medan Class I Prison must be understood as part of a comprehensive reform of the penal system. The transformation towards a rehabilitative and restorative paradigm not only contributes to reducing the number of residents, but also increases the effectiveness of coaching and supports the goal of criminal law that is more humane and just. This effort requires synergy between law enforcement officials, policymakers, and correctional institutions so that Indonesia's penal system moves from a prison-oriented approach to a proportionate and rational approach.

Conclusion

Overcrowding in the Class I State Prison in Tanjung Gusta Medan is a systemic implication of the dominance of incarceration-oriented penal policies, so its countermeasures must be placed within the framework of comprehensive penal reform, not just an administrative solution. Controlling prisoner input through the optimization of diversion, restorative justice, non-prison sentences, rehabilitation for perpetrators of narcotics crimes, and strengthening probation and parole mechanisms are strategic steps to suppress the flow of detention and reduce pre-trial detention as the main contributor to excess capacity. This approach is in line with the orientation of punishment in Law Number 1 of 2023 concerning the Criminal Code which places prison as the *ultimate remedium* and affirms *rehabilitative* and *reintegrative* goals, so that the transformation towards a penal paradigm that is proportionate, risk-based, and restorative justice is an absolute prerequisite for the realization of an effective, humanist, correctional system. and sustainable. Thus, solutions to prevent *overcrowding* must be understood as part of a comprehensive transformation of the national penal system. The shift from a retributive approach to a humanistic, proportional, and sustainable approach not only reduces

overcapacity, but also strengthens the quality of coaching and the effectiveness of law enforcement in Indonesia.

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Author Contributions Statement

AA, contributed to the conceptualization of the study, methodology design, data analysis, and drafting of the initial manuscript. MT, contributed to data validation, critical review of the intellectual content, and refinement of the final manuscript. All authors have read and approved the final version of the manuscript.

AI Usage Statement

The authors declare that the use of artificial intelligence (AI) technologies in this study was limited to technical aspects, including grammar checking, language editing, and formatting. AI was not used in the development of ideas, data analysis, interpretation of results, or the preparation of the scientific content. All intellectual contributions and the substance of this article are entirely the result of the authors' independent work.

Conflict of Interest

The authors declare that there is no conflict of interest regarding the publication of this article. This research was conducted independently, without any financial, institutional, or personal relationships that could influence the research process, data analysis, or interpretation of the findings.

References

Angkasa. (2010). Over capacity narapidana di lembaga pemasyarakatan, faktor penyebab, implikasi negatif, serta solusi dalam upaya optimalisasi pembinaan narapidana. *Jurnal Dinamika Hukum, 10*(3).

Arief, M. (2024). Reorientasi pemidanaan dalam KUHP 2023 dan implikasinya terhadap alternatif pidana. *Jurnal Rechtsvinding, 13*(2).

Direktorat Jenderal Pemasyarakatan. (2024). *Data statistik pemasyarakatan tahun 2024*. Jakarta: Ditjenpas.

Erwinsyahbana, T. (2022). Rehabilitation measures for suspected narcotics addicts at the police investigation stage (study at the North Sumatra Police Drug Investigation Directorate). *IJRS: International Journal Reglement & Society*.

Hidayat, R. (2022). Restorative justice dan diversifikasi pemidanaan di Indonesia. *Jurnal IUS, 10*(2).

Hikmah, F. (2024). Studi komparatif penggunaan analogi dalam hukum pidana Indonesia dengan sistem hukum common law dan syariah. *Jurnal Interpretasi Hukum, 4*(2).

Kurniasari, D. (2023). Risiko kesehatan dalam kondisi overcrowding lembaga pemasyarakatan. *Jurnal Kesehatan Masyarakat Nasional, 17*.

Kurniasari, D. (2024). Dampak overcrowding terhadap pemenuhan hak kesehatan narapidana. *Jurnal Kesehatan Masyarakat Nasional, 18*(1).

Lestari, S., & Santoso, B. (2024). Hambatan implementasi pidana alternatif dalam sistem peradilan pidana Indonesia. *Jurnal IUS Kajian Hukum dan Keadilan, 12*(1).

Lubis, M. T. S. (2021). Prinsip restorative justice dalam sistem pemidanaan anak sebagai pelaku kejahatan narkotika. *SiNTESa: Seminar Nasional Teknologi Edukasi dan Humaniora, ke-1*.

Lubis, M. T. S., dkk. (2024). Pengawasan kewenangan diskresi kepolisian terhadap penghentian penyidikan tindak pidana berdasarkan keadilan restoratif di Kepolisian Daerah Sumatera Utara. *IURIS STUDIA: Jurnal Kajian Hukum*.

Mestika Zed. (2007). *Metode penelitian kepustakaan*. Jakarta: Yayasan Obor Indonesia.

Muladi, & Arief, B. N. (1992). *Teori dan bunga rampai hukum pidana*. Bandung: Alumni.

Nasution, A. Z. (2022). *Hukum perlindungan konsumen: Suatu pengantar*. Jakarta: Diadit Media.

Nugroho, R. (2023). Implikasi overcrowding terhadap efektivitas pembinaan narapidana. *Jurnal Hukum dan Peradilan, 12*(3).

Nugroho, R. (2024). Overcrowding dan tantangan reformasi pemasyarakatan di Indonesia. *Jurnal Hukum dan Peradilan, 13*(1).

Prabowo, H. (2022). Implementasi program integrasi narapidana dalam sistem pemasyarakatan. *Jurnal IUS Kajian Hukum dan Keadilan, 10*(3).

Prodjodikoro, W. (2008). *Asas-asas hukum pidana di Indonesia*. Bandung: Refika Aditama.

Rahmawati, A. (2022). Dominasi perkara narkotika dan dampaknya terhadap overcrowding lapas di Indonesia. *Jurnal Ilmu Hukum De Jure, 22*(2).

Rahmawati, A. (2023). Dominasi perkara narkotika dalam struktur penghuni lapas Indonesia. *Jurnal Penelitian Hukum De Jure, 23*(2).

Ramadhani, R., dkk. (2023). Urgensi penataan akses permodalan pasca-retribusi tanah di Provinsi Sumatera Utara. *SAKSI: Seminar Nasional Hukum, Sosial dan Ekonomi*.

Santoso, B. (2023). Analisis statistik overkapasitas lembaga pemasyarakatan di Indonesia tahun 2023. *Jurnal Penelitian Hukum dan Kebijakan Publik, 5*(1).

Setyowati, L. (2025). Nilai-nilai Pancasila dalam pembentukan hukum pidana nasional. *Jurnal Konstitusi dan Pancasila, 9*(3).

Siregar, L. P. (2022). Ketimpangan distribusi penghuni lapas dan tantangan manajemen pemasyarakatan. *Jurnal Rechtsvinding, 11*(2).

Sulistyo, D. (2023). Dominasi pemenjaraan dan dampaknya terhadap kondisi overcrowding. *Jurnal Causa, 15*(4).

Suryana, B. (2025). Penegakan hukum dalam perspektif KUHP baru: Antara kepastian dan keadilan. *Jurnal Reformasi Hukum Nasional, 8*(1).

Undang-Undang Republik Indonesia Nomor 1 Tahun 2023 tentang Kitab Undang-Undang Hukum Pidana.

Wirawan, S. (2021). Alternatif pemidanaan sebagai solusi overcrowding di lembaga pemasyarakatan. *Jurnal Pemikiran dan Kebijakan Hukum, 18*(1).

Wulandari, S. (2023). Efektivitas kebijakan asimilasi dan pembebasan bersyarat dalam mengurangi overcrowding. *Jurnal Legislasi Indonesia, 20*(2).