

**MECHANISM AND EFFECTIVENESS OF THE INTEGRATED
ASSESSMENT TEAM OF THE NATIONAL NARCOTICS AGENCY OF
SOUTH SUMATRA PROVINCE IN ASSISTING THE INVESTIGATION OF
NARCOTICS CRIMES**

Abdul Rahman¹, Cholidi Zainuddin², Abdul Latif Mahfuz³

ABSTRACT

The handling of narcotics criminal acts does not solely emphasize a repressive approach, but also requires rehabilitative efforts for addicts and victims of narcotics abuse, as emphasized in Law Number 35 of 2009. The Integrated Assessment Team formed by the South Sumatra Provincial National Narcotics Agency plays an important role in determining the eligibility for rehabilitation of suspects involved in narcotics crimes, as part of the investigation process. This research aims to analyze the form, mechanism, and coordination challenges of the Integrated Assessment Team of the South Sumatra Provincial National Narcotics Agency in the investigation efforts of narcotics crimes in the South Sumatra region, as well as the factors that hinder the team's effectiveness. This type of research uses an empirical legal research method by examining existing legal provisions and comparing them with empirical conditions in the field, using a statute approach and a case approach by studying literature or secondary data, which includes books and legal norms found in laws and regulations, legal principles, legal rules, and legal systematics, as well as reviewing legal provisions and other legal materials. The primary data in this study were obtained through participatory observation and open and in-depth interviews with first-hand sources, such as interviews and documentation at the Musi Banyuasin Police Department and the South Sumatra Provincial National Narcotics Agency. These data were then combined and processed by comparing one data set with another and drawing final conclusions. The research results show that the coordination of the Integrated Assessment Team of the South Sumatra Provincial National Narcotics Agency in the investigation of narcotics crimes in South Sumatra Province has been running in accordance with applicable regulations and plays an important role in efforts to combat narcotics crimes. The Integrated Assessment Team, consisting of a Medical Team and a Legal Team, conducts medical and legal assessments of suspects submitted by investigators in order to classify the suspect's role in the narcotics crime, which determines the direction of the investigation carried out by the investigators. The factors that hinder the effectiveness of the Integrated Assessment Team of the South Sumatra Provincial National Narcotics Agency in the investigation of narcotics crimes in South Sumatra Province include legal factors, infrastructure and facilities, and cultural factors.

Keywords: Integrated Assessment Team, National Narcotics Agency Province, Investigation, Narcotics Crime

INTRODUCTION

The Indonesian State of Law has been established since the Proclamation of Independence of the Republic of Indonesia, on August 17, 1945. The qualification as a state of law in 1945 can be read in the explanation of the 1945 Constitution. In the explanation of the "State Government system" it is said that "Indonesia is a country based on law (*rechtsstaat*)".⁴ Decades later, the concept was further emphasized through the

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⁴ I Ketut Adi Purnama, *Police Law* (Bandung: Rafika Aditama, 2018), p.118.

4th amendment and included in the body of the constitution, namely Chapter I on "Form and Sovereignty". In Article 1 paragraph (3) it is written "The State of Indonesia is a state of law".⁵ In general, a state of law can be interpreted as a state where the actions of the government and its people are based on the law that aims to prevent arbitrary actions from the government and the actions of the people are carried out according to their own will.⁶

Indonesia is a country that adheres to the Continental European legal system. The main principle or basic principle of the Continental European legal system is that it acquires binding power because it is in the form of regulations in the form of laws that are systematically arranged in codification. This has an impact on law enforcement against narcotics abuse. In this system, the enforcement of narcotics law is highly dependent on the formulation of laws, namely Law Number 35 of 2009 concerning Narcotics. All legal processes ranging from investigations, investigations, prosecutions, to court decisions must strictly refer to the rules that have been codified in order to achieve legal certainty as one of the main pillars.⁷

Criminal Law is one of the formal social control tools including rules that are interpreted and enforced by the judiciary. Its function is to make limits on the behavior of citizens and be the guidance of the authorities and apply irregularities or unacceptable behavior, as a formal control tool, criminal law cannot escape from the development of the society it regulates, therefore criminal law is inseparable from the mechanism and evolution of the law.⁸ Crime is a form of *deviant behavior* that always exists and is *inherent* in every form of society, like the sun that rises every morning from the eastern horizon, or like the seasons that always change along with the rhythm in the universe.⁹ Therefore, crime is a *universal social phenomenon* in human life and is even said to have become *the oldest social problem of the human kind*.¹⁰

Some crimes or criminal acts in countries around the world, especially in Indonesia, have developed and adapted to technological advances that over time have developed very rapidly. This makes crimes or criminal acts transnational. One of the criminal acts that has been transnational is the crime of narcotics. The problem of narcotics crime has become a problem for the Indonesian nation and nations in the world, where this has caused many victims as abusers. On the other hand, firmness against narcotics traffickers classified as *extraordinary crimes* is also a concern of the government in eradication efforts. Narcotics abuse can result in physical, mental, emotional and social attitudes damage in society. Narcotics abuse is a serious threat in Indonesia, and is considered a dangerous crime, damaging the character and physical of the younger generation and damaging the social life of the community. Therefore, proportionate enforcement of the law against narcotics crimes is very important and must be separated between repressive actions against active perpetrators (traffickers) and reparations against their victims, not retaliation. These crimes are also often associated

⁵ Purnama, p.119.

⁶ Mardani, *Legal Theory* (Jakarta: Kencana, 2024), p.124.

⁷ Full moon *Police Law*, Pp.120.

⁸ Sri Sulastris, *Enforcement of Criminal Law and Local Wisdom* Cet. III (Demak: Pustaka Megister Semarang, 2018), p.22.

⁹ Edwin M. Schur, *Crimes without Victims* (New Jersey: Deviant Behavior and Public Policy, Prentice-Hall Inc, 1965), p. 163.

¹⁰ Edwin H. Sutherland & Donald R. Cressey, *Principles of Criminology* (New York: J.B. Lippincott Company, 1960), p.432.

with a number of other crimes, such as terrorism and corruption. In the case of drug transactions, it is suspected that there was bribery to officers in it. Drug transactions are also suspected of being the capital of terrorism movements.¹¹ In addition, narcotics crimes are also related to the flow of funds which are included in the criminal realm of money laundering where in 2024, there will be 12 cases of trafficking related to narcotics with estimated assets of 100 billion rupiah.¹²

Narcotics crime in Indonesia is growing and increasing every year. Criminal sanctions against narcotics users are considered ineffective, and therefore there needs to be other efforts. Prison penalties do not deter narcotics abusers, so a new breakthrough is needed that can provide solutions to the problem of narcotics abuse in Indonesia. One of the forms of transnational crime that is crucial, because it concerns the future generation of a nation, especially the young generation of this country, is crime in the field of narcotics abuse.¹³ The modus operandi of narcotics trafficking syndicates can easily penetrate the borders of countries in the world through neat management networks and super-sophisticated technology and enter Indonesia as a *transit-state* or even as a destination country for illegal narcotics trafficking (*point of market-state*). In the last two decades, Indonesia has become one of the countries that has been used as the main market for international narcotics trafficking syndicate networks for commercial purposes. For narcotics trafficking networks in Asian countries, Indonesia is considered the most commercially prospective *market-state* for international syndicates operating in developing countries.¹⁴

The problem of narcotics abuse has threatened society and the nation, so that it has become an organized crime in the national scope and for the international world, along with the advancement of communication and transportation technology, the modus operandi of crime is getting faster and cross-border, the modus operandi of crime today in a short time and with fast mobility can cross national borders (*borderless countries*). This is known as transnational *crime*.¹⁵

One of the rational efforts used to tackle drug crime is through criminal law policies that have begun to prioritize a rehabilitation approach for drug users.¹⁶ With the increasing problem of narcotics abuse and its adverse effects on society, the Government and the House of Representatives of the Republic of Indonesia (DPR RI) passed Law Number 5 of 1997 concerning Psychotropics and Law Number 22 of 1997 concerning Narcotics. Based on these two laws, the Government (President Abdurrahman Wahid) established the National Narcotics Coordinating Board (BKNN), with Presidential Decree Number 16 of 1999.

BKNN is a Drug Control Coordinating Board consisting of 25 related government agencies. BKNN is chaired by the President of the Republic of Indonesia ex-officio.

¹¹ RHAMA PURNA JATI, "Drug Crime Is Closely Related to Corruption and Terrorism," *kompas.id*, 2023, https://www.kompas.id/baca/nusantara/2023/03/01/kejahatan-narkoba-erat-dengan-korupsi-dan-terorisme?utm_source=chatgpt.com.

¹² PPATK, "Drug Eradication Desk Reveals Narcotics and Money Laundering Networks of Hundreds of Billions of Rupiah," *ppatk.go.id*, 2025, https://www.ppatk.go.id/news/read/1458/desk-pemberantasan-narkoba-ungkap-jaringan-narkotika-dan-pencucian-uang-ratusan-miliar-rupiah.html?utm_source=chatgpt.com.

¹³ Romli Atmasasmita, *Transnational Narcotics Crimes in the Indonesian Criminal Law System* (Bandung: Citra Aditya Bakti, 2007), p.23.

¹⁴ Andi Hamzah and R.M. Surachman, *Narcotics and Psychotropic Crimes* (Jakarta: Sinar Grafika, 2009), p.92.

¹⁵ Barda Nawawi Arief, *Legislative Policies in Combating Crime with Prison Sentences* (Semarang: Diponegoro University Publishing Agency, 2004), p.116.

¹⁶ BNN, *Prevention of Drug Abuse for Youth* (Jakarta: BNN RI, 2020), p.5.

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BKNN as a coordinating body is felt to be inadequate to deal with the increasingly serious threat of drug danger, so based on Presidential Decree Number 17 of 2002 concerning the National Narcotics Agency, BKNN was replaced with the National Narcotics Agency (BNN). BNN as a state institution with the task of coordinating 25 related government agencies and supplemented with operational authority. With the issuance of Presidential Regulation Number 83 of 2007 concerning the National Narcotics Agency (BNN), the Provincial Narcotics Agency (BNP) and the Regency/City Narcotics Agency (BNK) which have operational authority through the authority of relevant BNN members in the task force, where BNN-BNP-BNKab/Kota are working partners at the national, provincial and district/city levels which are each responsible to the President.

Responding to the development of the drug problem that continues to increase and is becoming more serious, the Decree of the People's Consultative Assembly of the Republic of Indonesia (MPR-RI) in 2002 has recommended to the House of Representatives of the Republic of Indonesia and the President of the Republic of Indonesia to make amendments to Law Number 22 of 1997 concerning Narcotics, therefore the Government and the House of Representatives of the Republic of Indonesia ratified and promulgated Law Number 35 of 2009 concerning Narcotics as an amendment to the Law Number 22 of 1997. Based on Law Number 35 of 2009, BNN is given the authority to investigate and investigate narcotics crimes and narcotics precursors.

Based on the Regulation of the National Narcotics Agency of the Republic of Indonesia Number 6 of 2020 concerning the Organization and Work Procedures of the Provincial National Narcotics Agency (BNNP) and the Regency/City National Narcotics Agency, it can be simply described that the Provincial National Narcotics Agency consists of the Head of BNNP, the General Section, the Eradication and Intelligence Sector and the Functional Position Group. Article 81 of Law Number 35 of 2009 states that investigators of the National Police of the Republic of Indonesia and BNN investigators are authorized to conduct investigations into the abuse and illicit circulation of narcotics and narcotic precursors. The National Police of the Republic of Indonesia has accommodated this to the level of regional units, namely in the Resort Police (Polres) located in every district throughout the territory of the Unitary State of the Republic of Indonesia. For the Resort Police (Polres), the investigation and investigation of narcotics crimes is carried out by the Narcotics Investigation Unit, this is in accordance with the Regulation of the National Police of the Republic of Indonesia Number 2 of 2021 concerning the Organizational Structure and Work Procedures at the level of the Resort Police and Sector Police (Polsek). The Narcotics, Psychotropics and Dangerous Drugs Investigation Unit is tasked with carrying out the development of the investigation function, investigation, supervision of the investigation of criminal acts of abuse and illicit circulation of narcotics, psychotropics and dangerous drugs and their precursors, as well as coaching and counseling in the context of prevention and rehabilitation of victims of abuse of psychotropic narcotics and dangerous drugs.

Based on data from the Narcotics Investigation Unit of the Musi Banyuasin Police of the South Sumatra Police in the last 3 years, the handling of narcotics crimes is as shown in the following table:

Yes	Year	Jml Case	Jml Tsk	Category			Tat	
				Port	Dealers	User	Rehab	Fingerprints
1	2022	115	133	5	128	-	-	-
2	2023	135	177	17	115	45	7	2
3	2024	100	136	2	89	45	11	1

Taking into account the data mentioned above, that the Musi Banyuasin Police Narcotics Investigation Unit in 2023 has submitted 9 (nine) cases of narcotics crimes to the Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province, 7 (seven) of these cases are recommended for rehabilitation to the suspect and 2 (two) cases are not recommended for rehabilitation, which means that the case must be investigated. Then in 2024, of the 12 (twelve) cases of narcotics crimes submitted, 11 (eleven) cases are recommended for rehabilitation and 1 (one) case is not recommended. This is a dilemma for investigators from the Musi Banyuasin Police Narcotics Investigation Unit, because the case submitted to the South Sumatra BNNP Integrated Assessment Team is a case with evidence of shabu with a net weight of less than 1 gram and the results of the initial examination of the suspect did not find involvement in the illicit narcotics trafficking network.

For example, a case with Police Report Number: LP/67/IX/2024/SPKT Satresnarkoba/Muba Police/South Sumatra Police dated September 18, 2024. This case began with information from the public that the perpetrator named ASRI bin ROMZA often carried out transactions to buy and sell shabu narcotics on Jl. Merdeka, Kel. On September 18, 2024, investigators and the Musi Banyuasin Police Narcotics Investigation Team visited the scene of the case and succeeded in securing the suspected perpetrator ASRI bin ROMZA and found evidence in the form of 1 (one) piece of glass plate allegedly containing shabu with a gross weight of 1.09 grams, a set of shabu suction devices or bongs and 1 (one) piece of clear plastic clip. This case was then submitted by the investigators of the Musi Banyuasin Police Narcotics Investigation Unit to be assessed to the South Sumatra Provincial Narcotics Agency Assessment Team. The results of the assessment conducted by the South Sumatra BNNP Integrated Assessment Team, for the suspect ASRI bin ROMZA were not recommended for rehabilitation, so the case was continued to the investigation stage.

The results of the recommendation of the Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province which did not recommend the rehabilitation of the suspect ASRI bin ROMZA required investigators from the Musi Banyuasin Police Narcotics Investigation Unit to continue to investigate the case to the green table. Of course, this poses serious problems for investigators, because investigators must be able to complete at least 2 (two) pieces of evidence in accordance with article 184 of the Criminal Code, so that this case can proceed to the investigation stage. Based on the above background, the author plans to conduct research in the form of a thesis entitled "The Effectiveness of the Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province in Efforts to Investigate Narcotics Crimes in the Jurisdiction of South Sumatra.

METHOD

In line with the discussion of the problem, this type of research is classified as research that uses empirical research methods. Empirical research is unwritten positive legal research on the behavior of community members in community relationships. This empirical research is a legal research approach by looking at the applicable legal provisions and then seen from the reality in the field with a statute *approach*, a *case approach* by examining literature materials or secondary data that includes books and legal norms contained in laws and regulations, legal principles, legal methods, and legal systematics and examining Laws and Regulations, and Other Legal Matters.¹⁷

The main data in this study is primary data. Primary data is data taken from primary data sources or first sources in the field. In the extraction of primary data, the researcher used direct questions. This primary data can be obtained through participatory observation and open and in-depth interviews.¹⁸ Primary data is data obtained from the first source such as interviews and documentation at the Musi Banyuasin Police Station and at the National Narcotics Agency of South Sumatra Province.

The data collection technique is carried out by means of field research, namely the collection of primary data by conducting observations and interviews with related parties. The data is combined and processed by comparing the data with each other and making the final conclusion. The respondents who were interviewed in this study were: 1) Head of Narcotics Investigation of the Musi Banyuasin Police; 2) Head of the Idik Sat Narcotics Investigation Unit of the Musi Banyuasin Police; 3) Head of Investigation Unit of the Muba Police Narcotics Unit; 4) Head of Eradication and Intelligence of BNNP South Sumatra.

RESULTS AND DISCUSSION**Coordination of the Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province in Assisting the Investigation of Narcotics Crimes**

The Indonesian State of Law has been established since the Proclamation of Independence of the Republic of Indonesia, on August 17, 1945. The qualification as a state of law in 1945 can be read in the explanation of the 1945 Constitution. In the explanation of the "State Government system" it is said that "Indonesia is a country based on law (*rechtsstaat*)". Decades later, the concept was further emphasized through the 4th amendment and included in the body of the constitution, namely Chapter I on "Form and Sovereignty". In Article 1 paragraph (3) it is written "The State of Indonesia is a state of law".¹⁹

Law as a collection of rules or rules has a general and normative content. It is common because it applies to everyone and normative because it determines what should be done, what should not be done or should be done and determines how to carry out compliance with the rules.²⁰ In achieving the goals of the law that applies to a country, it is inseparable from how law enforcement can be carried out. If law enforcement can be done properly, then the goals of the law can be achieved and the law can function as it should. Good law enforcement is when it works objectively and impartially, as well as paying close attention and considering the values that live and develop in society. These values are seen

¹⁷ The Suffering of Prapti Rahayu and Sulaiman, *Legal Research Methods* (Yogyakarta: Thafa Media, 2020), pp.123-125.

¹⁸ Burhan Ashshofa, *Legal Research Methods* (Jakarta: Rineka Cipta, 2010), p.61.

¹⁹ Full moon *Police Law*, pp.118-119.

²⁰ Sudikno Mertokusumo, *Getting to Know the Law of an Introduction* (Yogyakarta: Maha Karya Pustaka, 2019), p.58.

in the form of public reaction to every criminal policy that has been implemented by law enforcement officials.²¹ After the promulgation of the Criminal Procedure Code through Law Number 8 of 1981 on December 31, 1981, which consisted of 22 chapters, and 286 articles and was equipped with a complete explanation, the HIR ended as the only legal basis for the criminal case settlement process in Indonesia.²²

The scope of criminal case investigation is regulated in Chapter V starting from Article 16 to Article 49 of the Criminal Code, which regulates arrest, detention, body search, home entry, confiscation and examination of letters. The investigation process and procedures are the initial stage in the examination of criminal cases carried out by the Police as investigators and certain civil servant officials who are given special authority by law, which are regulated in Chapter I Article 1 number 1 of the Criminal Code, Chapter IV part one of Article 6 to Article 12 jo Chapter XIV part of the second part Article 106 to article 136 of the Criminal Code, Chapter I Article 1 numbers 10 and 11 of Law No.2 of 2002 concerning the National Police of the Republic of Indonesia.²³

With the development in society, to meet the needs of the law and keep pace with the development of a rapidly growing society, both regulations as a refinement of the provisions that already exist in the Criminal Code, several special criminal laws and regulations have been formed. Special crimes have developed very rapidly so that they have been regulated in specific laws and regulations, both material law and formal law. The position of the Special Criminal Act in the criminal law is as a complement to the criminal law codified in the Criminal Code.²⁴ The urgency of the Narcotics Law in the Indonesian Criminal Law System is very important because narcotics crimes have a transnational, organized, and systemic impact, so they require a special and comprehensive legal approach. The Narcotics Law is very urgent in Indonesia's criminal law system because it can answer the complex challenges of narcotics crimes, provide a more flexible and humane legal framework, encourage integration between repressive and rehabilitative approaches, and protect the public more comprehensively from the dangers of narcotics

Aziz Syamsudin argued that the substance of special criminal law concerns three problems, namely criminal acts, criminal liability, criminal and criminal and criminal.¹¹⁵ Ruslan Renggong in his book stated that the scope of special crimes is 31 types and one of them is narcotics crimes.²⁵ Narcotics Crimes are regulated in Law No. 35 of 2009 concerning Narcotics (Narcotics Law). This law will further serve as a guideline for investigators of the National Police and BNN in enforcing the law against narcotics crimes.

The South Sumatra Provincial National Narcotics Agency (BNNP) has a strategic role in investigating narcotics crimes in the region. The following is an explanation of the position and role of the South Sumatra BNNP in narcotics investigations. Based on Article 81 of Law Number 35 of 2009 concerning Narcotics, BNN, including BNNP, is given the authority to conduct investigations and investigations into narcotics crimes and narcotics precursors of the Narcotics Law in its course of action raises several problems, one of which is Article 127 of the Narcotics Law. If examined more deeply, Article 127 of the Narcotics Law mandates that those who are addicts and victims of Narcotics Abuse are required to

²¹ Ancient Jonlar, *Law Enforcement Against Minor Motivated Crimes with Restorative Justice* (Jakarta: Jala Permata Aksara, 2017), p.90.

²² I Ketut Adi Purnama, *Transparency of Police Investigators in the Criminal Justice System in Indonesia* (Bandung: Refika Aditama, 2018), p.45.

²³ Purnama, p.56.

²⁴ Hasanul Mulkan, *Special Crimes Law* (Jakarta: Kencana, 2022), p.7.

²⁵ The Russians are reluctant. *Special Criminal Law* (Jakarta: Kencana, 2016), p.58.

undergo medical rehabilitation and social rehabilitation, as read in full Article 127 of the Narcotics Law:²⁶

1. Every Abuser:
 - a) Class I narcotics for oneself are punished with a maximum prison sentence of 4 (four) years;
 - b) Class II narcotics for oneself are sentenced to a maximum prison sentence of 2 (two) years; and
 - c) Class III narcotics for oneself are punished with imprisonment for a maximum of 1 (one) year.
2. In deciding the case as intended in paragraph (1), the judge is obliged to pay attention to the provisions as intended in Article 54, Article 55, and Article 103.
3. In the event that the Abuser as referred to in paragraph (1) can be proven or proven to be a Victim of Narcotics Abuse, the Abuser is obliged to undergo medical rehabilitation and social rehabilitation.

This article in the Narcotics Law is supported by the Supreme Court Circular Letter (SEMA) Number 4 of 2010 concerning the Placement of Abuse, Victims of Abuse and Narcotics Addicts into Medical Rehabilitation and Social Rehabilitation Institutions, which refers to more specific rules to determine who and how the category of a Narcotics Abuser is eligible to undergo medical rehabilitation and social rehabilitation.²⁷

The Narcotics Act essentially explicitly distinguishes between addicts, abusers, and dealers. Article 54 states that addicts must be rehabilitated. It is understandable that imprisoning Narcotics Abusers has violated the rules. In the field, many addicts are still criminally processed and imprisoned, not rehabilitated. This shows that there is a gap between legal norms and implementation. BNN data states that five years ago, there were actually 20,000 people and were imprisoned.²⁸ This condition is very unfortunate with the declaration to rehabilitate drug addicts. This condition cannot be separated from the difference in actions between law enforcement institutions. BNN hopes that there will be a common goal between law enforcement. The law does not say to be imprisoned, but its implementation is instead imprisoned.²⁹

In order to accommodate Article 54 of Law Number 35 of 2009 concerning Narcotics which states that "Narcotics addicts and victims of Narcotics Abuse are obliged to undergo medical rehabilitation and social rehabilitation" and Judges in deciding cases of Narcotics Abusers are obliged to pay attention to the provisions of Article 127 paragraph (2) and paragraph (3), a Joint Regulation of the Chief Justice of the Supreme Court of the Republic of Indonesia, the Minister of Law and Human Rights of the Republic of Indonesia, Minister of Health of the Republic of Indonesia, Minister of Social Affairs of the Republic of Indonesia, Attorney General of the Republic of Indonesia, Chief of Police of the Republic of Indonesia and Head of the National Narcotics Agency of the Republic of Indonesia, Number: 01/PB/MA/III/2014, Number: 03 of 2014, Number: 11/Year 2014, Number 3 of 2014, Number: PerBer-005/A/JA/03/2014, Number: 01 of 2014, Number:

²⁶ Ratna W.P., *Book of Criminal Aspects of Narcotics Abuse Based on Law No.35 of 2009* (Yogyakarta: Anak Hebat Indonesia, 2023), p.2.

²⁷ W.P., p.4.

²⁸ Robertus Belarminus, "Head of BNN: Imprisoned Users Actually Nurture Drug Trafficking Because...", *kompas.com*, 2015, <https://megapolitan.kompas.com/read/2015/06/25/1954103/Kepala.BNN.Pemakai.Dipenjara.Justru.Suburkan.Peredaran.Narkoba.karena>.

²⁹ W.P., p.10.

PerBer/01/III/2014/BNN, about the Handling of Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions.

Based on Article 8 of the Joint Regulation, an Integrated Assessment Team was formed which functions to conduct assessments of Narcotics Addicts and Victims of Narcotics Abuse as suspects and/or inmates as Narcotics Abusers. The Integrated Assessment Team is proposed by each head of relevant agencies at the National, Provincial and Regency/City levels and determined by the Head of the National Narcotics Agency of the Republic of Indonesia (BNN RI), the Provincial National Narcotics Agency (BNNP), and the Regency/City Narcotics Agency (BNK).

The Integrated Assessment Team consists of a Team of Doctors which includes doctors and psychologists and a Legal Team consisting of elements of the National Police, BNN, Prosecutor's Office and Ministry of Law and Human Rights. The Doctor Team is in charge of conducting medical, psychosocial assessments and analysis and recommending therapy and rehabilitation plans for Narcotics Abusers while the Legal Team is in charge of conducting analysis in relation to the illicit circulation of narcotics and narcotics precursors and Narcotics Abuse in coordination with investigators who handle cases. The results of the assessment and analysis are used as consideration by the Integrated Assessment Team in making decisions on the applicant.

Narcotics Addicts and Victims of Narcotics Abuse as suspects and/or defendants of Narcotics abuse who are arrested but without narcotics evidence and are positive for using narcotics in accordance with the results of urine, blood or hair tests can be placed in a medical rehabilitation and/or social rehabilitation institution managed by the government after the Minutes of Laboratory Results Examination and Examination Minutes by the Investigator are made and have been completed with a result letter assessment of the Integrated Assessment Team while for Narcotics Addicts and Victims of Narcotics Abuse who are caught and there is evidence with a certain amount of drugs with or without using drugs according to the results of urine, blood, hair or DNA tests during the judicial process within a certain period of time can be placed in medical rehabilitation institutions and hospitals managed by the government, after the Minutes of Laboratory Results Examination and Examination Minutes by BNN Investigators have been made and have been completed with the Integrated Assessment Team assessment result letter.

Different treatment of Narcotics Addicts and Victims of Narcotics Abuse who as suspects and/or defendants of narcotics abuse who are arrested with evidence exceeding a certain amount and are positive for using narcotics based on the results of urine, blood, hair or DNA tests, after the Minutes of Examination of Laboratory Results and Minutes of Examination by the Investigator and have been stated with the results of an assessment from the Integrated Assessment Team, remain detained in the State Prison or a branch of the State Prison under the auspices of the Ministry of Law and Human Rights of the Republic of Indonesia and can be given treatment and treatment in the context of rehabilitation.

Based on data from the Narcotics Investigation Unit of the Musi Banyuasin Police of the South Sumatra Police, the data of the last three years in efforts to enforce the law on narcotics crimes is as follows:

Yes	Year	Sum Case	Jml Tsk	Category			Tat	
				Port	Dealers	User	Rehab	Finge rprint s
1	2022	115	133	5	128	-	-	-
2	2023	135	177	17	115	45	7	2
3	2024	100	136	2	89	45	11	1

Taking into account the data mentioned above, that the Musi Banyuasin Police Drug Investigation Unit in 2023 has submitted 9 (nine) cases of narcotics crimes to the Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province, 7 (seven) of these cases are recommended for rehabilitation to the suspect and 2 (two) cases are not recommended for rehabilitation, which means that the case must be investigated. Then in 2024, of the 12 (twelve) cases of narcotics crimes submitted, 11 (eleven) cases are recommended for rehabilitation and 1 (one) case is not recommended. This is certainly enough to help overcome *overcrowding* in prisons because according to the Directorate General of Corrections, more than 60% of prison inmates in Indonesia are narcotics inmates, with the majority being mild abusers.³⁰

The Integrated Assessment Team at the National Narcotics Agency of South Sumatra Province has an essential role in the implementation of law enforcement against narcotics addicts and abusers. In accordance with the provisions of Article 13 of the Joint Regulation between the Supreme Court, the Attorney General's Office, the Indonesian Police, BNN, the Ministry of Law and Human Rights, and the Ministry of Health in 2014, the results of the integrated assessment are used as a basis for consideration in determining whether a suspect is worthy of being transferred to a rehabilitation program or continues to be criminally processed. Thus, the results of the assessment directly affect the direction and policy of investigations carried out by law enforcement officials.

Based on an interview with the Adjutant Commissioner of Police ZANZIBAR ZULKARNAIN, S.H., as the Head of Narcotics Investigation of the Musi Banyuasin Police, explained that the law enforcement mechanism for narcotics crimes at the Musi Banyuasin Police Station, as follows:³¹

1. Starting from the existence of public information or information obtained by personnel of the Idik Sat Resnarkoba Unit about the alleged narcotics crime. The information was reported in the form of an Information Report (LI) to the Head of Narcotics Investigation. After receiving a disposition from the Head of Narcotics Investigation so that the information is followed up, the Head of Narcotics Investigation together with the Idik Office and members conducted an initial investigation. This initial title is to dig up additional information from personnel on the information report and determine the personnel conducting the investigation and the means used.
2. The Head of Narcotics Investigation issued an Investigation Warrant to at least 2 (two) Idik Unit personnel, to dig deeper information by seeking information by going into the field related to information reports about the alleged narcotics crime.
3. The personnel who received the order to conduct the investigation made an investigation plan and the results of the investigation were made an Investigation Results Report (LHP) and submitted to the Head of Narcotics Investigation.
4. Based on the Investigation Results Report, a case was then held again, to determine whether the information about the alleged drug crime was true or not. If the conclusion is that the information is true and is a narcotics crime, repressive or law enforcement efforts will be carried out against the suspected perpetrator.

³⁰ Directorate General of Police, "Overcrowding, Directorate General of Narcotics Supports Rehabilitation of Narcotics Users," ditjenpas.go.id, 2021, <https://www.ditjenpas.go.id/atasi-overcrowded-ditjenpas-dukung-rehabilitasi-pengguna-narkotika>.

³¹ Interview with Atp Zanzibar Zulkarnain, as Head of Narcotics Investigation of the Muba Police, dated March 17, 2025.

5. Then the Head of Narcotics Investigation issued a Duty Warrant to the Idik Sat Narcotics Office and its Opsnal personnel, to carry out repressive or law enforcement efforts against the suspected perpetrators
6. After carrying out law enforcement efforts (repressive), the Idik Sat Resnarkoba Office made a Report on the Results of Task Implementation (Lapgas) and submitted it to the Head of Narcotics Investigation.
7. In the event that the perpetrator is suspected of having narcotics evidence under the provisions of SEMA Number 4 of 2010, the perpetrator is caught possessing narcotics evidence under the provisions of SEMA Number 4 of 2010, then the perpetrator can be directly investigated, while the perpetrator who is caught has narcotics evidence under the provisions of SEMA Number 4 of 2010, not as a dealer and not involved in a narcotics network, The legal process must first be assessed to the Integrated Assessment Team of the South Sumatra Provincial Narcotics Agency in Palembang.
8. Investigation of narcotics crime cases where the perpetrator was caught possessing narcotic evidence in accordance with the provisions of SEMA Number 4 of 2010 until it was declared complete by the Prosecutor or P.21. SEMA emphasizes the importance of distinguishing between addicts, victims of abuse, and narcotics dealers. SEMA encourages abusers to be directed to rehabilitation, not criminally punished, as long as they meet certain criteria, such as a small amount of evidence and not proven to be a dealer.

The Integrated Assessment Team based on Article 9 paragraph (2) of the Joint Regulations, has the following authority:³²

1. At the request of the Investigator to conduct an analysis of the role of a person who is arrested or caught as a victim of Narcotics Abuse, Narcotics Addict or Narcotics Dealer;
2. Determine the criteria for the severity of narcotics users according to the type of content consumed, the situation and conditions when arrested at the crime scene; and
3.]Recommend a therapy and rehabilitation plan for Narcotics Addicts, victims of Narcotics Abuse as referred to in letter b.

Based on an interview with Inspector Dua FERY, S.H., as the Head of Idik II Narcotics Investigation Unit of the Musi Banyuasin Police, explained that the assessment mechanism for perpetrators of narcotics crimes to the Integrated Assessment Team of the South Sumatra Provincial Narcotics Agency, where at the time of the arrest of the perpetrator, narcotics evidence was not found, the completeness of which must be included is as follows: 1) Request Letter from the Investigator (Max 3 x 24 Hours since the Arrest Warrant was issued); 2) A copy of the suspect's identity card; 3) (ID card/student card/student card/family card); 4) Information Reports; 5) Minutes of Interrogation; 6) Arrest Warrant (Sprinkap) and Arrest Minutes; 6) Certificate of Urine Test Results (Issued by Government-Owned Health Facilities, such as Labkesda, Police Clinic, IPWL BNN/BNNP/BNK, within a maximum period of 3 x 24 hours, after being arrested with a positive urine result); 7) Electronic Support Data (if any) (Screenshot of conversation, purchase of goods, proof of transfer etc.).³³

Inspector Dua FERY, S.H., further explained that for the perpetrators of narcotics crimes, at the time of arrest, the perpetrator was caught with narcotics evidence, so the mechanism for assessing the perpetrators must be equipped with the following administrative completeness:

³² W.P., *Book of Criminal Aspects of Narcotics Abuse Based on Law No.35 of 2009*, p.224.

³³ Interview with Ipda Fery, as the Head of Idik II Sat Narcotics Investigation of the Musi Banyuasin Police, on March 17, 2025.

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1. Request Letter from the Investigator (Max 3x24 Hours since the Arrest Warrant was issued)
2. Photocopy of the suspect's identity card (KTP/Student Card/Student Card/Family Card)
3. Police Report (LP) or Drug Case Report (LKN)
4. Investigation Report (BAP) of the Suspect
5. Arrest Warrant and Arrest Minutes.
6. Warrant for Confiscation of Evidence and Minutes of Confiscation
7. Laboratory Examination Results (Provisional)
8. Certificate of Urine Test Results (Issued by Government-Owned Health Facilities, such as Labkesda, Police Clinic, IPWL BNN/BNNP/BNK, within a maximum period of 3 x 24 hours, after being arrested with the following criteria: a) Positive/Negative urine results for BB under SEMA No.04/2010; b) Positive urine result for BB above SEMA No.4/2010
9. Electronic Support Data (if any) (Screenshots of conversations, purchase of goods, proof of transfer etc.)

Based on an interview with Aiptu RIZAL HERMEDI, S.H., as a Member of the Secretariat Team of the Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province, explained the mechanism for conducting assessments of suspects of narcotics crimes, the administrative completeness required is as follows:³⁴

1. If the detention of documents has been carried out, the documents prepared are as follows: a) Request Letter from the Investigator; b) Police Report or Drug Case Report; c) Investigation Warrant; (d) Arrest Warrant; e) Suspect's Urine Laboratory Test Letter with Positive Results; f) Minutes of Suspect Interrogation or Minutes of Suspect Examination; (g) Minutes of Examination of Arresting Witnesses; h) Suspect Identity Card (KTP/Family Card)
2. If the detention has not been carried out, the documents prepared are as follows: a) Letter of Request from the Investigator; b) Police Report or Drug Case Report; c) Arrest Warrant; d) Urine Laboratory Test Letter of the Suspect with Positive Results; e) Minutes of Suspect Interrogation or Minutes of Suspect Examination; (f) Minutes of Examination of Arresting Witnesses; g) Suspect Identity Card (KTP/Family Card)

The mechanism of the Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province in carrying out assessments of suspects of narcotics crimes, Aiptu RIZAL HERMEDI, S.H., explained as follows:

1. The request to conduct an assessment of the suspect for narcotics crimes from the Musi Banyuasin Police Chief was addressed to the Head of the National Narcotics Agency of South Sumatra Province who also serves as the Chairman of the TAT of the National Narcotics Agency of South Sumatra Province along with the required documents.
2. The Head of the South Sumatra BNNP gave a disposition to the Secretariat of the Integrated Assessment Team. The Integrated Assessment Team receives the files/documents and conducts verification. If the file/documents are complete, the Secretariat of the Integrated Assessment Team and its members make an implementation schedule and make invitations to the Doctor Team, Legal Team and Investigators who submit the assessment and prepare a room for the implementation of the Integrated Assessment Team activities.

³⁴ Interview with Aiptu Rizal Hermedi, as a Member of the Secretariat of the Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province, dated March 18, 2025.

3. The Doctor Team conducts medical assessment activities and makes a follow-up report from the Doctor Team and makes a review file and the Legal Team conducts a legal assessment and makes a follow-up report from the Legal Team and makes a review file.
4. The Head of the Integrated Assessment Team, namely the Head of BNNP South Sumatra, held a case discussion meeting based on the Minutes of the Integrated Assessment and the Integrated Recommendations. From the results of this discussion, the Minutes of the Audit Results and the Integrated Assessment Team Record Letter were issued.

If the Assessment Results recommend the suspect for rehabilitation, then it is mandatory to mention the length and place of the rehabilitation, but if it is not recommended, the case against the suspect will still be investigated further by the Investigator until the file is handed over to the Prosecutor's Office. The Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province consisting of the Legal Team, namely the Police, the Prosecutor's Office, BNN and the Ministry of Law and Human Rights and the Doctor Team consisting of doctors and psychologists, play a very important role in the investigation of narcotics crimes, especially to Narcotics Addicts, Narcotics Abusers and Victims of Narcotics Abuse because the results of the Assessment will determine the direction of the investigation process to be carried out.

After obtaining the Assessment Results from the Integrated Assessment Team that the suspect is recommended to be placed in a rehabilitation place, the Investigator will hand over the suspect to a rehabilitation place. The suspect will undergo rehabilitation in accordance with the Assessment Results issued by the South Sumatra BNNP Integrated Assessment Team. After completing rehabilitation, the suspect will be given a certificate from the rehabilitation place that he has completed undergoing rehabilitation and the certificate will be passed on to the investigator. The investigators who handled the case then carried out a Special Case Title which was attended by the Head of the Supervisory Section of the Musi Banyuasin Police, the Head of the Legal Section of the Musi Banyuasin Police, the Head of the Propam Section of the Musi Banyuasin Police, the Head of the Intelligence Unit of the Musi Banyuasin Police, the Head of the Narcotics Investigation Unit / Kbo Sat Resnarkoba and the Investigator / Assistant Investigator of the Drug Unit who handled the case. The Special Case is to determine whether or not the investigation of the case can be stopped (SP3), because the suspect has undergone rehabilitation. This is in accordance with the provisions of Article 109 paragraph. If the conclusion of the Special Case Title is that the investigation can be stopped, then the Investigator will issue an Investigation Termination Order or SP3 on the case and notify it to the Public Prosecutor, the suspect or the suspect's family.³⁵

Thus, the existence of the Integrated Assessment Team (TAT) is not only a technical instrument in the narcotics law enforcement process, but also reflects the application of progressive and humanistic law enforcement principles. The TAT ensures that rehabilitative approaches have a rightful place in the criminal justice system, thus not only formally upholding justice, but also providing rehabilitation opportunities for addicts as part of efforts to protect human rights and prevent recidivism.

³⁵ Interview with Aipda Yosef Hadi, as the Head of the Narcotics Investigation Team of the Musi Banyuasin Police, dated March 19, 2025.

Obstacles to the Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province in Assisting the Effectiveness of Narcotics Crime Investigation

In this regard, Lawrence M. Friedman stated that the effectiveness and success of law enforcement depends on three elements of the legal system, namely legal *structure*, legal *substance* and legal *culture*. The legal structure concerns law enforcement officials, the substance of the law includes the legislative apparatus and the legal culture is a living law that is adopted in a society.³⁶

a. Legal Structure

In Lawrence M. Friedman's theory, this is referred to as a structural system that determines whether or not the law can be implemented properly. The legal structure based on Law Number 8 of 1981 includes; starting from the Police, Prosecutor's Office, Courts and Criminal Enforcement Agency (Lapas). The authority of law enforcement agencies is guaranteed by law. So that in carrying out their duties and responsibilities regardless of the influence of government power and other influences. There is an adage that states "*fiat justitia et pereat mundus*" that even if the world collapses, the law must be enforced. How good is a law if it is not supported by good law enforcement officials, then justice is only wishful thinking. The weak mentality of law enforcement officials results in law enforcement not running as it should. Many factors affect the weak mentality of law enforcement officials, including weak understanding of religion, economy, non-transparent recruitment processes and so on. So it can be emphasized that law enforcement factors play an important role in the functioning of the law.

If the regulations are good, but the quality of law enforcement is low, there will be problems. Thus, the existence of the Integrated Assessment Team (TAT) is not only a technical instrument in the narcotics law enforcement process, but also reflects the application of progressive and humanistic law enforcement principles. The TAT ensures that the rehabilitative approach has a rightful place in the criminal justice system, thus not only formally upholding justice, but also providing rehabilitation opportunities for addicts as part of efforts to protect human rights and prevent recidivism. Likewise, if the regulations are bad while the quality of law enforcement is good, the possibility of problems is still open. The structure (*legal structure*) consists of existing legal institutions intended to run the existing legal apparatus. In Indonesia, for example, if we talk about the structure of the Indonesian legal system, it includes the structure of law enforcement institutions such as the police, prosecutor's office and courts.³⁷

b. Legal Substance

In Lawrence M. Friedman's theory, this is referred to as a substantial system that determines whether or not the law can be implemented. Substance also means products produced by people who are in a legal system that includes the decisions they issue, the new rules they draft. Substance also includes living law, not just the rules in the law books. As a country that still adheres to the Civil Law System, the Continental European System or the Continental European system (although some laws and regulations have also adhered to the Common Law System, or Anglo Saxon), it is said that laws are written regulations, while unwritten regulations are not declared law. This system affects the legal system in Indonesia. One of the influences is the existence of the principle of legality in

³⁶ Lawrence M Friedman, *Legal System from a Social Science Perspective* (Bandung: Nusa Media, 2011), p.8.

³⁷ Friedman, p. 9.

the Criminal Code. Article 1 of the Criminal Code stipulates that "no criminal act can be punished if there are no rules governing it". So that whether or not an act can be subject to legal sanctions if the act has been regulated in laws and regulations.³⁸

Regarding the assessment mechanism, this is detailed regulated in the Regulation of the Head of the National Narcotics Agency (Perka BNN) Number 11 of 2014 concerning Procedures for Handling Suspected Abusers, Victims of Abuse, and Narcotics Addicts into Rehabilitation Institutions. This BNN erka regulates in detail about: 1) The establishment of an Integrated Assessment Team at the central and provincial levels; 2) Assessment procedures for suspects/addicts/narcotics abusers; 3) a risk assessment to determine whether a person is fit to undergo medical and social rehabilitation; 4) Coordination mechanism between law enforcement officials and rehabilitation institutions; 5) The use of assessment results as a basis for legal decision-making. The Joint Regulation between the Supreme Court, the Attorney General's Office, the National Police, BNN, the Ministry of Law and Human Rights, and the Ministry of Health concerning Guidelines for the Implementation of Rehabilitation for Abusers, Victims of Abuse, and Narcotics Addicts in the Criminal Justice System also contains procedures for implementing integrated assessments involving the Integrated Assessment Team at the provincial level as part of the judicial process.

c. Legal Culture

Law according to Lawrence M. Friedman is the attitude of human beings towards the law and the legal system of their beliefs, values, thoughts, and expectations. Legal culture is the atmosphere of social thought and social forces that determine how the law is used, avoided, or abused. Legal culture is closely related to people's legal awareness. The higher the public's legal awareness, the better a legal culture will be created and can change the mindset of the community regarding the law so far. In simple terms, the level of public compliance with the law is one of the indicators of the functioning of the law.³⁹

In addition, according to Soerjono Soekanto, the factors that affect law enforcement are:

a. Legal Factors

The practice of implementing law in the field sometimes occurs when there is a conflict between legal certainty and justice, this is due to the conception of justice is an abstract formulation, while legal certainty is a procedure that has been determined normatively. Accordingly, a policy or action that is not completely based on law is something that can be justified as long as the policy or action is not contrary to the law. So in essence, the implementation of the law does not only include law enforcement, but also peace maintenance, because the implementation of the law is actually a process of harmonizing between the values of methods and real patterns of behavior that aim to achieve peace.⁴⁰

b. Law Enforcement Factors

The function of the law, the mentality or personality of law enforcement officers play an important role, if the regulations are good, but the quality of the officers is not good, there is a problem. Therefore, one of the keys to success in law enforcement is the mentality of law enforcement.¹³⁰

c. Supporting Facilities or Facilities Factors

³⁸ Friedman, p. 11.

³⁹ Friedman, p. 12.

⁴⁰ Friedman, p. 19.

Supporting facilities or facilities include software and hardware, one example of software is education.⁴¹

d. Community Factors

Law enforcement comes from the community and aims to achieve peace within the community. Every citizen of the community or group has more or less legal awareness, the problem that arises is the level of legal compliance, namely high, medium, or low legal compliance. The existence of the degree of legal compliance of the community with the law is one of the indicators of the functioning of the law concerned.⁴²

e. Cultural Factors

Based on the concept of everyday culture, people often talk about culture. Culture, according to Soerjono Soekanto, has a very big function for humans and society, which is to regulate so that humans can understand how they should act, do, and determine their attitude when they are in contact with others. Thus, culture is a basic line of behavior that sets rules about what should be done, and what should be prohibited.⁴³

The integrated assessment mechanism by the Integrated Assessment Team (TAT) of BNN South Sumatra Province is normatively regulated in BNN Regulation No. 11 of 2014 and Joint Regulation of 6 Institutions of 2014, which requires the implementation of a comprehensive assessment to determine whether narcotics abusers are eligible to undergo rehabilitation. However, in the context of South Sumatra, the implementation of this assessment still faces a number of real obstacles. One of the main challenges is the limitation of rehabilitation facilities and facilities in some areas, such as in Musi Banyuasin Regency, which are not adequate to accommodate and handle addicts optimally. This has an impact on the slow rehabilitation process and has the potential to hinder the implementation of assessment results.

Based on an interview with AKP ZANZIBAR ZULKARNAIN, S.H., as the Head of Narcotics Investigation of the Musi Banyuasin Police of the South Sumatra Police, explained that the factors that are obstacles to achieving the effectiveness of the Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province are: ⁴⁴ *"The legal factor itself, where Joint Regulation Number 1 of 2014 concerning the Handling of Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions, which is the basis for the formation of the Integrated Assessment Team, does not provide clear and firm rules about the requirements and mechanisms for the implementation of assessments carried out by the Integrated Assessment Team. This has the potential to arise various rules that will make it difficult for Police Investigators to fulfill administrative completeness or documents as a condition for conducting an assessment to the Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province, while Investigators/Assistant Investigators only have 3 x 24 hours, to send an application letter along with complete documents since the Arrest Warrant was issued. After the Decree of the Head of the National Narcotics Agency Number: KEP/01/IX/DE/PB.06/2023/BERANTAS dated September 15, 2023 concerning Technical Instructions on Procedures for Handling Suspects and/or Defendants of Abuse of Users, Narcotics Addicts and Victims of Narcotics Abuse Through Integrated Assessment, it*

⁴¹ Friedman, p. 11.

⁴² Friedman, p. 37.

⁴³ Friedman, p. 45.

⁴⁴ Interview with Acp Zanzibar Zulkarnain, as Head of Narcotics Investigation of the Musi Banyuasin Police of the South Sumatra Police, dated March 17, 2025.

will gradually begin to be the Investigators of the South Sumatra Police to lead to uniformity in fulfilling documents for submission of assessments to the South Sumatra BNNP Assessment Team.

The Human Resources (HR) factor of the officers conducting the assessment is also an inhibiting factor if clear criteria are not given. Officers involved in the Doctor Team and the Legal Team in the Integrated Assessment Team must have competence in accordance with their respective expertise, so that in providing recommendations to suspects/defendants can be accounted for and quality Assessment Results are obtained. The Supporting Facilities and Facilities factor is also an inhibiting factor in achieving the effectiveness of the National Narcotics Agency Integrated Assessment Team. Not all districts in South Sumatra Province have a Regency Narcotics Agency (BNK). Musi Banyuasin Regency is one of the districts that does not have a Regency Narcotics Agency, so the implementation of assessments of suspects of narcotics crimes handled by the Musi Banyuasin Police, must be carried out at the National Narcotics Agency of South Sumatra Province, which takes 3 to 4 hours of travel. The use of technology to conduct assessments virtually/online has not been implemented, because the Musi Banyuasin Police and the National Narcotics Agency of South Sumatra Province do not have adequate facilities to carry out assessments virtually/online.

Cultural factors or habits of the assessment implementing officers in the Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province who often do not comply with the assessment schedule are also obstacle factors. Investigators and Assistant Investigators of the Musi Banyuasin Police often have to wait a long time for the assessment to be carried out, because the assessment officers both from the Doctor Team and from the Legal Team have not been present according to the schedule that has been made.

Based on an interview with Aiptu RIZAL HERMEDI, S.H., as a Member of the Secretariat of the Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province, explained that the inhibiting factors to achieve the effectiveness of the Assessment Team are:⁴⁵ *"Legal factors, both from Law Number 35 of 2009 concerning Narcotics and Regulation Number 1 of 2014 concerning the Handling of Narcotics Addicts and Narcotics Abuse in Rehabilitation Institutions, has not provided standard provisions on the assessment mechanism for suspects/defendants by the Integrated Assessment Team. After 9 (nine) years since the issuance of Perber Number 1 of 2014 concerning the Handling of Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions, the Decree of the Head of the National Narcotics Agency Number: KEP/01/IX/DE/PB.06/2023/BERANTAS dated September 15, 2023 concerning Technical Instructions for the Handling of Suspects and/or Defendants of Abuse, Narcotics Addicts and Victims of Narcotics Abuse Through Integrated Assessment. This Technical Instruction is relatively new so it needs to be socialized to the Investigators".*

The lack of socialization related to the integrated assessment mechanism shows weak institutional communication between law enforcement officials and related institutions. This condition also reflects challenges in the culture of professionalism that need to be improved, especially in terms of coordination, discipline, and commitment to carrying out procedures consistently. This condition confirms that although the regulation has mandated a detailed integrated assessment mechanism, the effectiveness of its implementation is highly dependent on the availability of facilities and human resources as well as the commitment of coordination between units at the provincial and district/city levels. Therefore, improving rehabilitation facilities, improving the discipline of implementing assessment schedules, and strengthening communication and a culture of professionalism are important keys so that the assessment

⁴⁵ Interview with Aiptu Rizal Hermedi, as a Member of the Secretariat of the Integrated Assessment Team of the National Narcotics Agency of South Sumatra Province, dated March 18, 2025.

mechanism in South Sumatra can run effectively and support progressive and humanistic law enforcement.

Inadequate Supporting Facilities and Facilities such as suggestions to conduct assessments virtually/online and cultural factors or habits of personnel in the Integrated Assessment Team who do not meet the schedule for the assessment as stated in the invitation letter, which is caused by each having routine activities at the agency where they serve and a considerable distance as well as traffic conditions in the city of Palembang which are often jammed.

CONCLUSION

Indonesia is a country of law that enforces the rules objectively and fairly. In the enforcement of narcotics criminal law, the Criminal Procedure Code and Law No. 35 of 2009 (Narcotics Law) are the main legal basis. The Narcotics Law specifically regulates narcotics crimes, including the authority of the National Narcotics Agency (BNN) of South Sumatra Province in assisting the investigation of narcotics crimes. The Narcotics Act distinguishes between addicts, abusers, and dealers, with addicts and victims of abuse required to undergo rehabilitation, not imprisonment. However, many abusers are still imprisoned in the field, so a Joint Regulation was made in 2014 that established an Integrated Assessment Team to assess whether drug suspects deserve rehabilitation or legal proceedings.

The Integrated Assessment Team consists of a medical team (doctors and psychologists) and a legal team (Polri, BNN, Prosecutor's Office, Ministry of Law and Human Rights), who help determine legal steps based on the results of the assessment. Data from the Musi Banyuasin Police shows that most of the narcotics cases submitted to the Assessment Team are recommended for rehabilitation, helping to reduce the excess of prison inmates, the majority of whom are narcotics inmates. The law enforcement process at the Musi Banyuasin Police Station includes investigations, investigations, and assessments by the Integrated Assessment Team. If the evidence exceeds the provisions, the legal process runs normally; if it is less, the suspect can be rehabilitated according to the recommendations of the Assessment Team. The Integrated Assessment Team plays an important role in ensuring proper treatment for drug addicts and abusers, supporting rehabilitation goals while maintaining law enforcement.

The BNN South Sumatra Province Integrated Assessment Team (TAT) faces various obstacles in the effectiveness of investigations of narcotics crimes. The main obstacles include the low quality of law enforcement officials, unclear regulations and lack of socialization, and a weak culture of professionalism among assessment officers. In addition, the limited rehabilitation facilities, lack of supporting technology, and lack of competent human resources also worsened the implementation of assessments. Weak coordination and discipline between institutions is also a significant obstacle. Therefore, it is necessary to improve regulations, improve the quality of human resources, provide adequate facilities, and strengthen coordination and professional work culture.

The contribution of this research lies in its efforts to strengthen the enforcement of narcotics criminal law that is fairer and oriented towards rehabilitation, in accordance with the mandate of Law No. 35 of 2009. This study provides an in-depth understanding of the strategic role of the Integrated Assessment Team in differentiating the treatment of drug addicts, abusers, and dealers, as well as uncovering various obstacles that hinder the effectiveness of the team, especially in the BNN area of South Sumatra Province. Thus, this research can be the basis for policy recommendations for regulators and related agencies to strengthen regulations, improve the quality of human resources, improve coordination between institutions, and provide

adequate facilities to realize humane, effective, and in accordance with the principles of the Indonesian state of law.

The author suggests that for the National Narcotics Agency of South Sumatra Province, immediately propose to the Government that in Musi Banyuasin Regency a Regency/City National Narcotics Agency be formed like other districts that already have their own Regency/City BNN so that investigators who will apply for an Integrated Assessment are not too far away and can be more effective and efficient in assisting the investigation of narcotics crimes in Musi Banyuasin Regency. In addition, for the Government to revise Law Number 35 of 2009 concerning Narcotics according to the needs, progress and development of the times, especially Article 112, because this Article is used or included in the file by the Investigator so that the suspect can be detained because Article 127 of the Narcotics Law states that the suspect in the investigation process cannot be detained, because the threat of punishment is under 5 years.

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- Law Number 35 of 2009 concerning Narcotics; Law Number 5 of 1997 concerning Psychotropics;
- Presidential Regulation Number 23 of 2010 concerning the National Narcotics Agency (BNN);
- Joint Regulation (Perber) between: Chairman of the Supreme Court of the Republic of Indonesia, Minister of Law and Human Rights of the Republic of Indonesia, Minister of Health of the Republic of Indonesia, Minister of Social Affairs of the Republic of Indonesia, Attorney General of the Republic of Indonesia, Chief of Police of the Republic of Indonesia, Head of the National Narcotics Agency of the Republic of Indonesia Number 01/PB/MA/III/2014, Number 03 of 2014, Number 11 of 2014, Number 03 of 2014, Number: PER-005/A/JA/03/2014, Number 1 of 2014, Number: PERBER/01/III/2014/BNN concerning the Handling of Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions.