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CASE STUDY: MISUSE OF COMMUNICATION TOOLS BY INMATES IN NARCOTICS TRAFFICKING IN PRISONS

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Abstract:

Background. Drug abuse in Indonesia has reached an alarming level, with drugs no longer being an illicit item that is difficult to get, but a straightforward item to get. This is due to the effects of opium and pleasure on the user's body, which often starts from trial and error, follows friends, and ends in addiction.

Aims. This study aims to analyze the causes of the increase in narcotics trafficking, examine the involvement of social media in narcotics trafficking and transactions, understand the mechanism of efforts to counter narcotics crimes in Correctional Institutions, and the implications of legal sanctions for perpetrators of narcotics crimes.

Methods. This research uses an empirical juridical approach. This approach focuses on analyzing the actual conditions that occur in society and collecting relevant information related to the problems researched through interviews.

Result. Based on the findings of the study, it can be seen that narcotics abuse arises due to the influence of internal and external factors. In addition, the misuse of communication tools by inmates in the illicit circulation of narcotics has a negative impact, in the form of an increase in drug trafficking, the emergence of organized crime, and the difficulty of supervision by the Correctional Institution.

Conclusion. With the research conducted by researchers, various mechanisms have been produced to overcome the abuse of communication tools by inmates in narcotics trafficking in correctional institutions, which include preventive, preemptive, repressive, and rehabilitation efforts.

Implementation. The mechanism of efforts to overcome the misuse of communication devices by inmates in narcotics circulation in prisons can be carried out

Keywords: Narcotics, Inmates, Correctional Institutions, Circulation, Abuse, Communication Tools

INTRODUCTION

Drug abuse in Indonesia has reached an alarming level, with drugs no longer being an illicit item that is difficult to get, but a straightforward item to get. This is due to the effects of opium and pleasure on the user's body, which often starts from trial and error, follows friends, and ends in addiction. Narcotics addiction triggers users to resort to any means to obtain these illegal goods, and if this desire is not fulfilled, then they will experience sakaw and psychological disorders.¹.

Narcotics crimes are classified as extraordinary crimes because of their widespread and multidimensional destructive effects on aspects of life, and cause a substantial adverse influence.

The rise of narcotics trafficking is caused by various factors, including the large profits promised by traffickers, the difficulty of finding a decent job, which has an impact on the people's economy in meeting the needs of life, and the last option is to be involved in the drug trafficking network.

Running a narcotics trade is not easy by nature, requiring an organized network and the development of abused technology. The difficulty of detecting crimes committed through social media, such as WhatsApp, Facebook, Twitter, and YouTube, makes this platform a preferred means for narcotics crime offenders to make transactions, recruit agents, and distribute drugs, making it easier to carry out their actions.

One of the prohibitions for prisoners as stipulated in the provisions of Article 4 Number 7 of the Indonesian Minister of Law and Human Rights Regulation Number 6 of 2013, that *every inmate or prisoner is prohibited from storing, making, carrying, distributing, and/or consuming narcotics and/or narcotics precursors and other dangerous drugs*. In addition, inmates are also prohibited from owning, using, and carrying communication devices such as mobile phones. These violations are included in serious violations with sanctions in the form

¹ Heriady Willy, *Eradicating Drugs Is Not Enough Just to Talk ± (Questions and Answers and Opinions)*, UII Press, Yogyakarta, 2005, p. 70
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of placement in isolation cells for a maximum of 12 days and/or restrictions on rights. However, violations of this prohibition, including the abuse and circulation of narcotics, still occur inside prisons.

In accordance with Law Number 12 of 1995 concerning Corrections, correctional facilities aim to help inmates realize their mistakes, not repeat a criminal act (recidivism), and return to becoming citizens of the community responsible for themselves, their families, and the environment. However, due to weak supervision in prisons, it is a driving factor for drug trafficking. Prisons, which are supposed to be places for the coaching and rehabilitation of inmates, have become a market for drug dealers. Inmates who have access to communication tools, such as mobile phones. It can easily control the drug business from inside the cell, cooperate with dealers outside the prison, and even prison officers participate. Thus, coaching in prisons is considered ineffective, due to irregularities in prisons both from the inside and outside.

Not a few narcotics dealers start as users, then become addicts, and end up involved in narcotics trafficking to meet the needs of personal consumption. The results of an interview with one of the narcotics inmates became a real case that illustrates this problem, the case of Convicts Z and Q. Convict Z, a freelance daily laborer, was tempted by the large financial benefits of distributing methamphetamine. He cooperated with inmate Q, who was in Prison Y. Inmate Q had access to a mobile phone. They communicate through WhatsApp to arrange drug transactions and distribution. Inmate Z circulates using a "paste" system, by hiding drugs somewhere and sharing the location with buyers via WhatsApp. Payments are made through *m-banking* transfers to inmate Q, who then gives a commission to Z in the form of money and methamphetamine for personal consumption.

This case shows how inmates who have access to communication devices can easily control the circulation of drugs from inside the prison. This underscores the importance of strict supervision in prisons and synergizing with law enforcement officials (APH) to prevent and eradicate drug abuse.

This research aims to analyze the factors behind the rampant narcotics trafficking, examine the role of social media in the spread and transaction of narcotics, understand the mechanism of efforts to counter narcotics crimes in prisons, and the implications of legal sanctions for perpetrators of narcotics crimes. With the hope of providing educational contributions to the community and constructive input for the authorities in suppressing the increase in narcotics cases in Indonesia.

Problem Formulation

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1. What is the reason for inmate Z to distribute drugs with inmate Q who is in prison Y?
2. What are the side effects of taking narcotics?
3. What are the factors that cause the occurrence of narcotics abuse crimes?
4. What are the impacts and sanctions obtained from the misuse of communication tools by inmates on the circulation of narcotics outside the prison?
5. How are efforts to counter the misuse of communication tools by inmates against the circulation of narcotics outside prisons?

METHODS

This study uses an empirical juridical research method, obtaining data directly through interviews with resource persons, namely Prisoner Z, and through direct observation of the trial process related to drug trafficking in Correctional Institutions, to examine the reality and obtain facts under the problem being studied.²

DISCUSSION

The Reason for Inmate Z to Distribute Drugs with Inmate Q in Prison Y

Inmate Z initially consumed methamphetamine-type narcotics in early 2024 but recently tried to distribute the illegal goods because profits tempted him in the form of money and goods (methamphetamine) for free. Inmate Z is a freelance day laborer, whose daily income is Rp. 50,000/day. Initially, inmate Z consumed methamphetamine-type narcotics for Rp. 400,000, starting in early 2024, he explained how to use the methamphetamine, namely by burning and inhaling it through a pipe-shaped device that he made himself. But not long ago, he began to try to distribute the narcotics, because inmate Z felt attracted by the fantastic profits in the form of money and goods in the form of methamphetamine-type drugs that he could consume for free.³

Inmate Z knew inmate Q, an inmate who was in prison through friend-to-friend acquaintances, and he had met inmate Q directly, because they were both friends outside. However, after inmate Q entered the jail with a case of trafficking "Gorilla Tobacco/Narcotics class I", they never met again. They only communicated to cooperate via cellphone via WhatsApp, which means that the prison allows inmate Q to use his cellphone while in prison. However, in this case, according to the statement from inmate Z, no prison officer contributed to the distribution of the narcotics.

² Bambang Waluyo, 2008, *Legal Research in Practice*, Sinar Grafika, Jakarta, p.15

³ Results of the interview with Inmate Z on Monday, March 17, 2025 at 12.40-13.00 WIB

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According to inmate Z's information, the way to circulate it is with a "paste" system. One example is in a grave in the ground under a tree. After that, inmate Z confirms to the buyer by providing location sharing via WhatsApp.

With this, Q inmates with access to communication tools can easily coordinate with narcotics networks outside the prison. They can provide instructions, regulate transactions, distribute, and even produce narcotics from within the cell. Communication tools allow them to stay connected with suppliers, dealers, and buyers, thus facilitating the smooth running of the narcotics business.

The buyer pays by transferring to the dealer in prison, then the dealer gives a commission to the dealer of inmate Z in the form of money and methamphetamine-type narcotics. So that inmate Z consumes the narcotics not by buying them directly, but the commission proceeds from what he has worked as a "courier for methamphetamine narcotics dealers".

Effects of Narcotics Use

According to the Narcotics Law Number 35 of 2009, this addiction is characterized by the desire to use narcotics continuously through increasing the dosage to achieve the desired effect.⁴ If the use is suddenly terminated or the dose is lowered, it can cause symptoms in the body and mind that will appear in approximately 6 months. Dependence will result in extreme physical pain or commonly referred to as sakaw, as well as damage to the central nervous system (CNS) and various organs of the body, including the heart, lungs, liver, and kidneys.⁵

Physical Effects:

- Disorders of the nervous system can be seizures, hallucinations, decreased consciousness, and peripheral nerve damage.
- In the heart system and blood vessels, disorders such as acute infections in the heart muscle can occur.
- Skin problems, such as allergies and eczema.
- Disorders in the lungs that cause stress in respiratory function.
- Users often experience headaches, nausea and vomiting, as well as insomnia.
- Reproductive health is disrupted.

⁴ Pramesti, M., Putri, A. R., Assyidiq, M. H., & Rafida, A. A. (2022). Drug addiction: Factors, impacts, and prevention. *Permas Scientific Journal: STIKES Kendal Scientific Journal*, 12(2), p. 358

⁵ Pramesti, M., Putri, A. R., Assyidiq, M. H., & Rafida, A. A. (2022). Drug addiction: Factors, impacts, and prevention. *Permas Scientific Journal: STIKES Kendal Scientific Journal*, 12(2), p. 362

Psychological and Social Effects

- Users tend to be easily tense, restless, and work slower.
- Confidence decreases, becomes apathetic, often fantasizes, and is easily suspicious.
- Difficulty concentrating and irritable
- There is a desire to harm oneself, even suicide.
- Being antisocial
- Experiencing mental disorders.
- The future is bleak.

According to the information from inmate Z, when consuming the methamphetamine-type narcotics, what the inmates felt was that their bodies became fresher, not easily sleepy, and not easily tired. However, after he stopped consuming the methamphetamine-type narcotics, he felt pain for approximately 1 week. And, for now, after he did not consume during his time in detention, inmate Z thought that he would never feel pain again.⁶

Factors of Narcotics Abuse Crime

Theories about the cause or driver of a criminal act are widely found among scholars, where opinions differ. However, among these theories, there are elements that in principle show similarities, so if classified based on the differences and similarities, the factors that are decisive for the occurrence of a criminal act will be drawn.⁷Outline.

Two factors cause recidivism in the crime of narcotics abuse by inmates, namely Internal Factors and External Factors.

Internal Factors:

- Individual Factor, if a person has a bad personality and is easily influenced, has a high sense of wanting to try, is unable to control themselves, and does not know the dangers of drugs. This individual will have the potential to enter drug abuse. A person's personality can also be based on religious knowledge or belief, because if a person is obedient in worship, their personality will be good.
- Family factors, disharmonious family relationships, and not getting attention from parents can cause a person to feel hopeless and even depressed, as a result of which the person becomes mentally ill or seeks an outlet in deviant behavior.

⁶ Results of the interview with Inmate Z on Monday, March 17, 2025 at 12.40-13.00 WIB

⁷ Mukaromah & Wibowo 2022

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- Economic factors, the number of unemployed people due to difficulties in finding a job, so that many people have dreams of becoming drug dealers, without knowing that being a drug dealer is an illegal job.

External factors:

- Environmental factors, interaction with peers, is quite influential on the occurrence of drug abuse, usually starting from joining friends, especially for someone who has a weak personality, will be easily influenced to commit deviant behavior, and the environment where inmates live is an area where there are many narcotics sellers. This is what makes it very easy for children to get and use narcotics.
- Information and communication technology factors, technological and information developments, are misused to commit criminal acts for profit.

Impact and Sanctions of Misuse of Communication Tools by Inmates in Narcotics Circulation Outside Prison

The rapid development of information technology is one of the factors that trigger the rampant circulation of illegal drugs in Indonesia. The speed and ease of communication open up opportunities for dealers to coordinate with drug syndicates and dealers, so that they can obtain information, connect, and escape supervision. As in the facts in the field, the prison has provided a public telephone integrated with a voice monitoring system to optimize inmates' communication when interacting with outside parties. However, inmates still have access in the form of personal cellphones as a tool to control drug trafficking, including transactions through m-banking. This makes the situation difficult for prison officers to supervise and monitor. The Indonesian people, even the world in general, are facing a worrying condition due to the high rate of illegal drug use. The situation is worsening due to the spread of illicit narcotics trafficking that has penetrated to all various circles of society, including the next generation. Therefore, it can be concluded that social media has a significant role in drug trafficking, especially in Indonesia.

Crime in the Narcotics and Illegal Drugs (Narkoba) is the *modus operandi* of following and utilizing the development of Science and Technology (IPTEK). The development and progress of globalization flows, such as information and communication technology, are used to the maximum by syndicates or networks involved in extraordinary types of crimes (extraordinary crime), such as organized crime, hidden crime, and transnational crime. These targets and perpetrators are regardless of age. The target object of the user penetrates the society of the people with money, such as public officials, students, artists,

entrepreneurs, not to mention the middle class, as long as the socio-economic status is established. It was revealed that the illicit circulation of narcotics is controlled from behind bars, aka from behind prison walls, or now with the term Correctional Institution (LAPAS). The controller or intellectual actor is a person who is still a prisoner or a resident of the PRISON. These inmates often collaborate with prison officers or jailers. The inmate concerned can freely control his illicit business through sophisticated communication such as mobile phones (HP) through various kinds of social media, the warden in the prison, and special radio. For this reason, direct communication with business networks, such as dealers, users outside LAPAS, and even with partner networks abroad (Artha & Wirawan, 2015).

Impact

In addition to profits, social media has a detrimental side to the community. The misuse of social media can harm people's social lives. Narcotics trafficking is becoming more widespread, where dealers use social media and promises of high salaries to attract the interest of prospective couriers to facilitate narcotics transactions and delivery. In their actions, the perpetrators used various *modus operandi*, including face-to-face transactions through the role of couriers, outboard systems (planting mines), and javelin throwing tactics. The impacts that occur due to the misuse of communication tools by inmates in circulation outside the prison include:

1. Increase the circulation of Narcotics
2. Increase organized crime.
3. Hindering the supervision and security process of the prison in detecting illegal communications carried out by inmates, especially when inmates coordinate in narcotics trafficking.

Penalty

Despite having the status of a community that is being fostered with limited movement capacity, in reality, not a few of them continue to spread drugs in Correctional Institutions. Thus, it is necessary to have sanctions imposed on prisoners who violate the rules, as explained in Permenkumham No. 6 of 2013, Article 7 paragraph 1, which explains about disciplinary punishment, this punishment is meant to be a sanction given to prisoners or prisoners for violating the rules in Correctional Institutions or Detention Centers. Therefore, inmates are required to obey all the rules in prisons. If inmates are found not to comply with the rules in the prison, relevant punishment will be given based on the level of their violation. According

to the provisions of Article 9 of the Regulation of the Minister of Law and Human Rights Number 6 of 2013, several types of disciplinary sanctions can be imposed on prisoners, including:

Light Disciplinary Sanctions:

- Verbal reprimands are given as a warning.
- A written warning was delivered as a form of sanction.

Moderate Disciplinary Sanctions:

- Placement in isolation cells with a maximum duration of six days.
- Delay or transfer of certain rights within a stipulated period of time based on the decision of the Correctional Observer Team.
- The postponement or elimination of certain rights as mentioned in point b may be in the form of a suspension of the visit schedule.

Severe Disciplinary Sanctions:

- Placement in isolation cells for six days, with the potential for two extensions for six days each.
- Loss of the right to remission, family visit, conditional leave, assimilation, leave before release, and parole for the current year, as well as records of violations in register F.

Based on the regulations that apply in prisons, Article 10 Paragraph 3 of the Permenkumham concerning Correctional Procedures Number 6 of 2013 states that inmates are prohibited from "Possessing, carrying, or using communication or electronic devices;" and prohibited from "Making, carrying, storing, circulating, or consuming narcotics and illegal drugs and other addictive substances;". If this happens, it is categorized as a high-level disciplinary violation with sanctions resulting in detention in isolation for six days, with the potential to be extended up to two times six days. Loss of rights that are usually given to inmates, including remission, family leave, assimilation rights, leave before release, parole in the relevant period, and must be recorded in the coaching card. As an additional step, the inmate can also be transferred to another correctional institution to cut off network ties with parties involved in narcotics trafficking.⁸.

Efforts to Counter the Abuse of Communication Devices by Inmates in Narcotics Circulation Outside Prisons

⁸ Madaul, R., Supusepa, R., & Patty, J. M. (2024). Implementation of sanctions against recidivist perpetrators of narcotics abuse in correctional institutions. *PATTIMURA Law Study Review*, 2(1), p. 117

Correctional Institutions (Lapas) can implement various measures to eradicate or minimize the circulation of narcotics in prisons. These steps include:

Preventive Measures

This step is if there is a possibility of a violation. This provision refers to Law Number 12 of 1995 concerning Corrections and Permenkumham Number 33 of 2015 concerning the Security of Correctional Institutions and Detention Houses. Preventive measures that can be taken:

- Maximizes searches at the main safety door.
- Take strict action against visitors and inmates who are caught carrying narcotics.
- Conducting block control, monitoring CCTV, and routine raids and incidental raids.
- Implement coaching programs for inmates.
- Improving cell classification by recording inmates who have used and been involved in narcotics cases.
- Follow up on inmates and prison officers who participate in deviations in prisons, such as helping inmates put cellphones secretly into the rooms of inmates, making it easier for inmates/inmates to carry out their actions when involved in carrying out narcotics trafficking transactions in prisons. With this, there needs to be decisive action in providing disciplinary action, dismissal of officers, reduction in rank, or change of position. Meanwhile, for inmates in the form of recording in the F register book, entering the isolation cell, and removing the rights of Correctional Assisted Citizens,
- Establish cooperation with the National Police and BNN. Cooperation with the National Police can be through a thorough search of residential blocks to detect communication networks, such as mobile phones used in drug trafficking. This is to increase more optimal and effective prevention efforts. The cooperation with BNN can be through officers' supervision and urine tests regularly carried out by inmates to detect early. With the collaboration of these two parties, the inmates can feel the strict security of the prison, which can reduce irregularities in the prison.
- Conducting counseling to the community and inmates about the dangers of drug abuse, to reduce drug abuse in the community, and to overcome drug trafficking in prisons.

Preemptive Efforts

This effort focuses on actions including knowledge development activities and activities that are educational, effective, progressive, and also innovative for inmates. It is regulated in Government Regulation Number 31 of 1999 concerning the development and

guidance of correctional inmates. Article 7, Paragraph (2) stipulates that the coaching stages are carried out through three steps, namely the first step, the next step, and the last step for the assessment, including:

- Religious Guidance: This activity includes implementing worship activities and religious lectures adjusted to individual beliefs. The Prison can collaborate with the Ministry of Religion to carry out holidays that are adjusted by each inmate's religious celebration calendar.
- Fitness Coaching: Basic sports and gymnastics activities can be carried out on certain days so that inmates have a healthy body and can follow all coaching activities in the prison properly and smoothly. Other activities can be counseling, which can be carried out by collaborating with the local Health Office.
- Skills and Work Ability Development: This activity is varied, such as making crafts with newspapers, rattan, painting, and building materials. This coaching can be realized through cooperation with the Manpower Office and aims to improve inmates' quality of life so that they can improve their quality of life after they leave prison.

Repressive Efforts

This step is an effort to enforce the law after the occurrence of an unlawful act⁹, such as taking strict action against prison officers who are found to be cooperating in smuggling and distributing narcotics with inmates, will be subject to sanctions and will be processed by applicable laws, as regulated based on Article 47 of Law No. 12 of 1995 concerning Corrections.

Rehabs

These handling measures are the main role of correctional institutions in controlling narcotics for inmates, especially narcotics abuse. Thus, it is hoped that inmates will be able to interact again in society or continue work and education with a more appropriate life later.

CONCLUSION

1. Initially, only as a methamphetamine user, Z was then tempted by financial profits and free methamphetamine, so that he became involved in becoming a courier in drug trafficking. His involvement began after communicating via WhatsApp with inmate Q, an inmate in

⁹ Soedjono, D, 1976, *Crime Prevention*, Alumni, Bandung, p. 42
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Prison Y. Q took advantage of the loose telephone access in the prison to coordinate the "paste" system and transactions through *m-banking*. Then Q gave a commission to Z in the form of money and methamphetamine for his personal consumption.

2. The initial effect of narcotics use can provide a temporary sensation of freshness, but if narcotics are consumed continuously, it can cause addiction characterized by a strong urge to consume with increased doses, and this causes physical symptoms such as nausea, damage to the nervous system, heart, lungs, as well as psychological and social disorders such as anxiety, aggressiveness, anti-social, difficulty concentrating, and the future becomes bleak.
3. Narcotics abuse has two main interrelated factors, namely: **1.) Internal factors** include individual personalities, family relationship dynamics, and difficult economic conditions. Whereas, **2). External factors** include the influence of the negative social environment as well as the development of misused information and communication technologies.
4. The misuse of communication tools by inmates in narcotics trafficking has resulted in negative impacts, such as increased drug trafficking, organized crime, and difficulties in supervision by prisons. Therefore, inmates who violate the rules of conduct are expected to be subject to disciplinary punishment, starting with a warning so that they are transferred to an isolation cell, and the loss/restriction of specific rights, to break the drug trafficking network and maintain security in prisons.
5. The mechanism of efforts to overcome the misuse of communication devices by inmates in narcotics circulation in prisons can be carried out through 4 (four) main efforts, namely: **a). Preventive/preventive** with strict security and cooperation with external parties, **b). Preemptive/coaching** to improve the quality of the prisoner's self, **c). Repressive/strict enforcement** for violators, and **d). Rehabilitation** for the recovery of inmates who use narcotics.

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Laws and regulations

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Regulation of the Minister of Law and Human Rights Number 6 of 2013 concerning the Rules of Correctional Institutions and State Prisons

Regulation of the Minister of Law and Human Rights Number 33 of 2015 concerning Security in Correctional Institutions and State Prisons.

Miscellaneous

Results of the interview with Inmate X on Monday, March 17, 2025 at 12.40-13.00 WIB