

Conflict of Authority in Determining Rehabilitation for Narcotics Addicts Between the Integrated Assessment Team and the District Attorney's Office in Padangsidempuan City

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Abstract

The determination of rehabilitation for drug addicts and abusers in the Indonesian criminal justice system is essentially directed as a form of legal protection and recovery for individuals experiencing drug dependence. However, in law enforcement practice, there is often a lack of synchronization of authority between the Integrated Assessment Team (TAT), as the institution that conducts medical and legal assessments of drug addicts, and the District Attorney's Office, as the institution that has the authority to prosecute and determine the direction of case policy at the law enforcement stage. This condition gives rise to a conflict of authority in determining the rehabilitation of drug addicts, especially when the rehabilitation recommendations produced by the Integrated Assessment Team are not always accommodated in the prosecution process, thus potentially shifting the rehabilitative orientation towards a repressive approach. This study aims to analyze the form of conflict of authority between the Integrated Assessment Team and the District Attorney's Office in determining the rehabilitation of drug addicts in Padangsidempuan City and examine the implications of this conflict of authority on the protection of the rights of victims of drug abuse based on Law Number 35 of 2009 concerning Narcotics. The research method used is normative legal research with a statutory, conceptual, and case approach through an analysis of narcotics regulations, rehabilitation policies, criminal law doctrine, and the practice of implementing authority between law enforcement agencies. The results of the study indicate that conflicts of authority occur in the form of differences in interpretation of the status of drug addicts and abusers, disagreements regarding the binding force of the Integrated Assessment Team's assessment results, and disharmony in the implementation of authority between rehabilitative and repressive approaches in the prosecution process. This conflict has implications for weak legal certainty, hampered access to rehabilitation, and has the potential to reduce the protection of the rights of victims of drug abuse which are normatively guaranteed through medical and social rehabilitation mechanisms based on Law Number 35 of 2009. Therefore, harmonization of authority, strengthening institutional coordination, and standardization of the implementation of assessment results are needed to realize a narcotics rehabilitation system that is oriented towards legal certainty, protection of victim rights, and substantive justice.

Keywords: *Conflict of Authority; Integrated Assessment Team; District Attorney's Office; Narcotics Rehabilitation; Protection of Victims' Rights.*

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Introduction

The problem of drug abuse and dependence in Indonesia remains a complex legal issue, involving criminal, health, social, and human rights dimensions simultaneously. In the development of the modern criminal law paradigm, drug addicts and abusers are no longer viewed solely as criminals, but also as individuals experiencing a state of dependence and requiring recovery through medical and social rehabilitation. Therefore, Law Number 35 of 2009 concerning Narcotics positions rehabilitation as a crucial legal instrument to ensure protection for victims of drug abuse through a restorative approach rather than simply repressive punishment. However, the implementation of rehabilitation policies in the criminal justice system often faces institutional obstacles and disharmony of authority between law enforcement agencies, which has implications for the inconsistent legal treatment of drug addicts.^[1]

One form of this disharmony is evident in the authority relationship between the Integrated Assessment Team (TAT) and the District Attorney's Office in determining the rehabilitation of drug addicts. Normatively, the Integrated Assessment Team was established as a multidisciplinary evaluation mechanism aimed at determining the medical, psychological, and legal conditions of drug abusers through an integrated assessment to provide recommendations on appropriate treatment, including medical and social rehabilitation. In practice, the results of the Integrated Assessment Team's assessment are expected to serve as an objective basis for determining the direction of drug case handling, particularly for addicts and victims of drug abuse who meet the requirements for rehabilitation. However, at the prosecution stage, differences of opinion often arise when the District Attorney's Office uses its own considerations regarding the legal status of the perpetrator, so that the rehabilitation recommendations from the Integrated Assessment Team are not always implemented consistently.^[2]

This issue indicates a potential conflict of authority stemming from differing interpretations of the legal position of the Integrated Assessment Team's assessment results within the narcotics criminal justice system. On the one hand, the Integrated Assessment Team is positioned as a professional instrument based on medical and legal approaches tasked with providing objective recommendations regarding the condition of drug abusers. However, on the other hand, the District Attorney's Office, as the prosecution agency, has the authority to determine the direction of case handling policies based on the construction of evidence and prosecution strategies deemed relevant to legal interests. This situation raises the question of the extent to which the Integrated Assessment Team's assessment results are binding on law enforcement decisions, particularly when there is a difference between a rehabilitative approach and a repressive orientation in prosecution practice.^[3]

From a legal reasoning perspective, this conflict of authority cannot be understood merely as an institutional administrative issue, but rather as a substantive issue concerning the objectives of narcotics criminal law. Rehabilitation for drug addicts is essentially a form of legal protection aimed at recovering individuals from dependence and preventing recurrence of criminal acts. Therefore, when rehabilitation recommendations resulting from professional assessments are not optimally accommodated, there is the potential for a paradigm shift from a rehabilitative approach to a repressive approach that emphasizes punishment. This situation raises questions about the effectiveness of the implementation of rehabilitation policies, which are normatively guaranteed by Law Number 35 of 2009 concerning Narcotics.^[4]

The conflict of authority between the Integrated Assessment Team and the District Attorney's Office is also closely related to the principle of legal certainty and consistent application of the law to drug addicts. In certain practices, individuals with relatively similar case characteristics may receive different treatment due to varying interpretations of rehabilitation eligibility. In one case, the Integrated Assessment Team's recommendations may serve as the basis for rehabilitation, while in another case, similar recommendations are not accommodated and the perpetrator is directed towards a repressive approach through

imprisonment. Such disparities not only have the potential to create inconsistent law enforcement but also affect the legitimacy of the drug rehabilitation system as part of the policy to protect victims of drug abuse.^[5]

This issue becomes even more important when linked to the protection of the rights of victims of drug abuse under Law Number 35 of 2009. Normatively, addicts and victims of drug abuse have the right to receive rehabilitation as a form of physical, mental, and social recovery. Rehabilitation is not merely understood as a policy of leniency, but is part of the right to health and protection for individuals experiencing drug dependence. Therefore, conflicts of authority that hinder access to rehabilitation can essentially impact the reduction of legal protection for the rights of victims of drug abuse that are guaranteed under the national legal system.^[6]

Furthermore, from a criminal policy perspective, the disharmony of authority among law enforcement agencies demonstrates institutional coordination issues in the implementation of drug rehabilitation policies. The rehabilitation approach, which should be integrated between investigators, the Integrated Assessment Team, the prosecutor's office, the courts, and rehabilitation institutions, often faces obstacles due to the lack of uniform implementation standards regarding the position of assessment results in the law enforcement process. Consequently, legal decisions regarding drug addicts tend to be influenced by the institutional interpretations of each agency, creating a space for disharmony that impacts the effectiveness of legal protection and the certainty of rehabilitation implementation.^[7]

In the context of Padangsidempuan City, this issue is relevant to study because the dynamics of narcotics law enforcement practices demonstrate the need for harmonization between the function of the Integrated Assessment Team and the authority of the District Attorney's Office in determining the direction of handling drug addict cases. The Integrated Assessment Team, established to provide professional assessments, is essentially intended to reduce subjectivity in case handling and ensure that eligible drug abusers receive adequate access to rehabilitation. However, when the assessment recommendations lack a strong implementable position in the prosecution process, the goal of legal protection for drug addicts becomes difficult to achieve optimally.^[8]

From a legal reasoning perspective, the conflict of authority between the Integrated Assessment Team and the District Attorney's Office ultimately demonstrates the tension between the repressive interests of law enforcement and the rehabilitative approach mandated by the national narcotics policy. Therefore, a comprehensive analysis is needed regarding the form of the conflict of authority that occurs and its implications for the protection of the rights of victims of drug abuse based on Law Number 35 of 2009. This research is important to conduct in order to produce a legal argument construction regarding the harmonization of authority, strengthening the position of assessment results, and the development of a more integrated, consistent, and oriented narcotics rehabilitation system towards legal certainty and substantive justice.^[9]

Research Methodology

This study uses a normative legal research method with a prescriptive-analytical character that aims to identify, analyze, and construct the form of conflict of authority between the Integrated Assessment Team (TAT) and the District Attorney's Office in determining the rehabilitation of drug addicts in Padangsidempuan City, as well as examining the implications of this conflict of authority on the protection of the rights of victims of drug abuse based on Law Number 35 of 2009 concerning Narcotics. Normative legal research was chosen because the focus of the study is directed at the study of legal norms, legal principles, criminal law doctrine, drug rehabilitation policies, and the relationship of authority between law enforcers in the narcotics criminal justice system. From a legal perspective, normative research not only aims to describe positive law, but also to test the coherence of norms, analyze regulatory disharmony, and build legal arguments (legal reasoning) regarding how inter-agency authority should be implemented harmoniously to ensure legal certainty and the protection of the rights

of drug abusers as victims of dependence. This approach is considered relevant because the issue of conflict of authority between the Integrated Assessment Team and the District Attorney's Office not only concerns institutional procedural aspects, but also touches on the substantive dimension regarding the implementation of the right to rehabilitation guaranteed in the national legal system.^[10]

The research approaches used include a statutory approach, a conceptual approach, and a case approach. The statutory approach is used to examine various regulations related to the rehabilitation of drug addicts, the position of the Integrated Assessment Team, the authority of the District Attorney's Office in the prosecution process, and restorative justice policies in the Indonesian criminal law system, including Law Number 35 of 2009 concerning Narcotics, joint regulations regarding the rehabilitation of drug addicts, and technical regulations of the prosecutor's office and police regarding recovery-based case handling. The conceptual approach is used to understand the concepts of conflict of authority, legal certainty, legal protection, rehabilitation, victimology, and criminal policy as a basis for building legal arguments against the disharmony of the implementation of drug rehabilitation. Meanwhile, the case approach is used to understand the concrete practices of implementing the Integrated Assessment Team's assessment results and the pattern of use of prosecutorial authority by the District Attorney's Office in drug addict cases in the context of Padangsidempuan City.^[11]

The legal sources in this study consist of primary legal materials, secondary legal materials, and tertiary legal materials. Primary legal materials include laws and regulations related to narcotics, rehabilitation of drug abusers, the authority of the Integrated Assessment Team, prosecution policies, and restorative justice mechanisms. Secondary legal materials were obtained through literature studies in the form of scientific books, journal articles, research results, and legal doctrines relevant to narcotics criminal law, conflicts of authority between law enforcement agencies, legal protection for victims, and normative legal research methods. This study also uses Henry Aspan's academic articles and publications as a methodological basis that positions normative legal research as an instrument to describe legal problems through the analysis of norms, legal principles, and the implementation relationship between regulations and institutional practices. This approach is relevant to use to examine the disharmony of authority between the Integrated Assessment Team and the District Attorney's Office in determining the rehabilitation of drug addicts in order to obtain a more systematic and prescriptive legal argument construction.^[12]

The legal materials collection technique is carried out through library research by inventorying, identifying, classifying, and reviewing various legal materials based on their relevance to the research object. Next, the legal materials are analyzed qualitatively using a deductive thinking pattern, namely drawing arguments from general legal norms to an analysis of concrete issues regarding the conflict of authority between the Integrated Assessment Team and the District Attorney's Office in determining the rehabilitation of drug addicts and its implications for the protection of the rights of victims of drug abuse. Through this method, the research is directed to produce an objective, systematic, and prescriptive legal argument construction regarding the harmonization of authority between law enforcement agencies, strengthening the position of the integrated assessment results, and developing a more integrated, consistent, and oriented model for implementing drug rehabilitation towards legal certainty and substantive justice.^[13]

Results

Forms of Conflict of Authority Between the Integrated Assessment Team (TAT) and the District Attorney's Office in Determining the Rehabilitation of Narcotics Addicts in Padangsidempuan City

The determination of rehabilitation for drug addicts and victims of drug abuse in the Indonesian criminal law system is in principle part of the criminal policy that places a rehabilitative approach as an instrument of legal protection for individuals experiencing drug

dependence. Law Number 35 of 2009 concerning Narcotics emphasizes that drug addicts and victims of drug abuse are required to undergo medical rehabilitation and social rehabilitation, so that the rehabilitation policy is not merely an administrative choice, but a form of implementation of legal protection for victims of drug abuse. [14] In law enforcement practice, the implementation of this rehabilitation involves the Integrated Assessment Team (TAT) which has the function of conducting medical and legal assessments of suspected drug abusers to provide recommendations regarding the suitability of rehabilitation. However, in the next stage, the District Attorney's Office as the prosecution institution has the authority to determine the direction of case policy based on the construction of evidence, the interests of the prosecution, and the criminal law policies applied in the judicial process. This difference in authority positions is the starting point for the emergence of conflicts of authority in determining the rehabilitation of drug addicts, especially when the rehabilitation recommendations provided by the Integrated Assessment Team are not fully accommodated by the prosecutor's office.^[15]

From the perspective of authority theory, the conflict between the Integrated Assessment Team and the District Attorney's Office can be understood as an implementation conflict stemming from overlapping interpretations of authority within the criminal justice system. The Integrated Assessment Team gains normative legitimacy based on the 2014 Joint Regulation concerning the placement of drug addicts in rehabilitation institutions, which provides space for multidisciplinary assessments to determine the medical condition, level of dependency, and level of legal involvement of drug abusers. Conversely, the District Attorney's Office gains attributive authority through Law Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia, which grants prosecutors the authority to act as case controllers (*dominus litis*) in determining prosecution policies. As a result, the Integrated Assessment Team's recommendations in practice are often positioned as supporting documents that are not absolutely binding on prosecution decisions, thus creating room for interpretive conflict regarding final authority in determining the rehabilitation of drug addicts.^[16]

The first form of conflict of authority arises from differing interpretations of the legal validity of the Integrated Assessment Team's assessment results. From the Integrated Assessment Team's perspective, the assessment results are a form of professional evaluation based on medical, psychological, and legal examinations, and therefore should be the primary basis for determining the rehabilitation of drug addicts. However, on the other hand, the District Attorney's Office tends to view the assessment results as a consideration tool that must still be tested through evidentiary interests and prosecutorial orientation. In this context, prosecutors can decide not to follow rehabilitation recommendations if legal facts are found indicating the level of involvement of the perpetrator exceeds the category of drug abuser or victim of drug abuse. This situation demonstrates that conflict of authority is not always normative, but rather develops into a conflict of interpretation regarding the validity and binding force of assessment results in the narcotics criminal justice system.^[17]

The second form of conflict is evident in the difference in institutional paradigms between the rehabilitative and repressive approaches. The Integrated Assessment Team is institutionally established to support the rehabilitation paradigm for drug abusers based on medical and social needs, while the District Attorney's Office, in its prosecution practice, remains burdened with the function of safeguarding law enforcement interests and the deterrent effect of drug crimes. In certain situations, recommendations for rehabilitation for suspects may be viewed by prosecutors as a policy that has the potential to undermine the spirit of drug eradication, particularly if the suspect is deemed to have a specific connection to drug trafficking. These differences in institutional orientations lead to disharmony in implementation, ultimately giving rise to a conflict of authority over who has substantive authority to determine the rehabilitation of drug addicts in Padangsidempuan City.^[18]

From a criminal justice system perspective, the conflict of authority between the Integrated Assessment Team and the District Attorney's Office demonstrates weak integration between law enforcement subsystems. Ideally, the criminal justice system operates in a coordinated manner between the police, prosecutors, courts, and supporting institutions such as the Integrated Assessment Team to achieve the same legal objectives. However, when each institution uses a different interpretative approach to the status of drug addicts, legal decisions become inconsistent and potentially create legal uncertainty. At this point, the conflict of authority not only impacts the effectiveness of rehabilitation but also creates disparities in legal treatment for drug suspects with similar case characteristics.^[19]

Law Number 2 of 2002 concerning the Indonesian National Police authorizes investigators to conduct investigations based on the principles of professionalism, legality, and human rights protection. In the context of drug rehabilitation, investigators are often the first to initiate the assessment process through the Integrated Assessment Team after assessing that a suspect meets the criteria for being a drug addict or victim of drug abuse. However, in practice, the results of this process can still experience changes in orientation when a case enters the prosecution stage due to differing assessments from the District Attorney's Office regarding the suitability for rehabilitation. Thus, the conflict of authority also demonstrates a lack of synchronization between the investigation and prosecution processes in the implementation of rehabilitation policies for drug addicts.^[20]

Mhd. Azhali Siregar, in his study on criminal law enforcement, emphasized that the effectiveness of legal policy is largely determined by the harmonization of institutional functions and the consistent implementation of norms by law enforcement officials. When there are differences in interpretation between agencies regarding the objectives of the law and the form of protection for certain legal subjects, the law has the potential to lose its effectiveness because it creates a lack of uniformity in legal treatment. In the context of drug rehabilitation, this view shows that the conflict of authority between the Integrated Assessment Team and the District Attorney's Office is not only related to the technical administration of case handling, but also concerns the state's success in protecting drug addicts as individuals who normatively have the right to receive rehabilitation.^[21]

The next form of conflict of authority is evident in the absence of rigid implementation standards regarding the position of the Integrated Assessment Team's recommendations in the prosecution process. Although the 2014 Joint Regulation legitimizes the existence of the integrated assessment, there are no technical provisions that explicitly define the limits of the District Attorney's authority to deviate from these recommendations. This lack of standards causes the implementation of rehabilitation to be heavily influenced by the individual interpretations of law enforcement officials, so that in certain cases rehabilitation recommendations are fully accepted, while in others they are ignored despite having relatively similar legal factual characteristics. This condition indicates that the conflict of authority is ultimately rooted in regulatory disharmony and weak institutional synchronization.^[22]

The conflict of authority between the Integrated Assessment Team and the District Attorney's Office in determining the rehabilitation of drug addicts in Padangsidempuan City must be understood as a conflict between professional authority based on assessment and prosecutorial authority based on legal evidence. Therefore, resolving this issue cannot be done solely through an administrative approach, but requires regulatory harmonization, strengthening coordination between criminal justice subsystems, and establishing objective standards regarding the status of assessment results in the prosecution process. This way, determining the rehabilitation of drug addicts can be done more consistently, proportionally, and oriented towards protecting the rights of victims of drug abuse and ensuring legal certainty in the criminal justice system.^[23]

In addition to normative and implementation conflicts, the conflict of authority between the Integrated Assessment Team and the District Attorney's Office can also be understood through differences in the construction of legal arguments regarding the status of drug addicts

in the criminal justice system. The Integrated Assessment Team tends to build arguments based on a medical and social approach, positioning drug abusers as individuals experiencing a dependency disorder and thus requiring rehabilitation as a form of recovery. This approach is based on the assumption that drug addicts cannot be fully positioned as conventional criminals, but rather as victims of substance abuse who require state intervention through medical and social rehabilitation. In contrast, the District Attorney's Office, in its prosecution practice, often builds arguments based on a criminal evidentiary approach that emphasizes elements of culpability, evidence, and the relationship between the perpetrator's actions and potential threats to the legal interests of society. These differences in argumentative construction ultimately create room for conflict because the two institutions start from different paradigms in determining the orientation of drug case resolution.^[24]

Conflicts of authority are also evident in the assessment of drug abusers, which are often not absolute. In certain cases, individuals recommended for rehabilitation by the Integrated Assessment Team may also be found to have specific connections to drug distribution networks, such as acting as intermediaries for purchases, storing narcotics for specific purposes, or engaging in actions deemed beyond the scope of abuse victims. In such circumstances, the District Attorney's Office tends to adopt a precautionary approach through a more repressive interpretation due to concerns that rehabilitation could be misused as a mechanism to avoid criminal responsibility. On the other hand, the Integrated Assessment Team may still view the dominant state of dependency as the primary reason for granting rehabilitation. This disparity in perspective demonstrates that the conflict of authority is not merely administrative but also substantive, as it relates to the interpretation of the dominant legal character of drug abusers.^[25]

From the perspective of legal protection theory, this disharmony of authority can have implications for reducing the effectiveness of protection for victims of drug abuse. Legal protection essentially aims to guarantee individual rights through fair, proportional, and consistent application of the law. However, when the Integrated Assessment Team's assessment results lack implementation certainty at the prosecution stage, the right to rehabilitation, normatively guaranteed by Law Number 35 of 2009, has the potential to be factually restricted. Thus, the conflict of authority between the Integrated Assessment Team and the District Attorney's Office can be viewed as a form of structural disharmony that directly affects drug abuse victims' access to the reparation mechanisms that should be available within the national legal system.^[26]

Mhd. Azhali Siregar explained that in a modern law enforcement system, harmonization between institutional subsystems is a primary requirement for the creation of legal certainty and effective legal protection. According to him, when law enforcement officers carry out their functions based on uncoordinated interpretations, the implementation of legal norms has the potential to result in disparities and inconsistent treatment of legal subjects with similar case characteristics. This view is relevant in the context of conflicting authority over drug rehabilitation because differences in interpretation between the Integrated Assessment Team and the District Attorney's Office can result in addicts with relatively similar conditions receiving different legal treatment simply because of the variations in institutional approaches used by law enforcement officers.^[27]

In Padangsidempuan City, this conflict of authority can also be understood within the framework of effective coordination between law enforcement agencies in handling narcotics cases. The Integrated Assessment Team was institutionally established to provide an objective assessment mechanism that can reduce subjectivity in handling cases involving drug abusers, while the District Attorney's Office carries out its prosecutorial function based on the importance of evidence and an orientation toward protecting the community from the threat of narcotics crimes. When coordination between the two institutions is not harmonious, the rehabilitation recommendations resulting from the integrated assessment have the potential to lose their implementability, leading to a lack of uniformity in narcotics case management policies at the local level.^[28]

Furthermore, the conflict of authority also indicates a normative problem regarding the boundaries of recommendatory and determinative authority in the narcotics criminal justice system. The Integrated Assessment Team legally has a recommendatory function through providing professional assessments of the suspect's condition, but is not given determinative authority to determine the final outcome of legal policy for the perpetrator. Conversely, the District Attorney's Office, as *dominus litis*, has the authority to determine the direction of prosecution, but at the same time does not always have the comprehensive medical and psychological instruments that the Integrated Assessment Team has for assessing the level of dependency of the perpetrator. This imbalance creates coordination problems that often result in rehabilitation recommendations relying on subjective interpretations of officials, rather than on uniform and objective implementation standards.^[29]

The conflict of authority between the Integrated Assessment Team and the District Attorney's Office ultimately demonstrates the tension between rehabilitative and repressive approaches in the narcotics criminal justice system. This conflict not only reflects differences in institutional procedures but also demonstrates the suboptimal harmonization of criminal law objectives, including protecting victims of drug abuse and the need to maintain effective law enforcement against drug crimes. Therefore, a more integrative coordination model, strengthening the standing of the integrated assessment results, and establishing clearer implementation standards are needed to prevent the conflict of authority from becoming an obstacle to legal protection, legal certainty, and substantive justice for drug addicts in Padangsidempuan City.^[30]

Implications of the Conflict of Authority on the Protection of the Rights of Victims of Narcotics Abuse Based on Law Number 35 of 2009

The conflict of authority between the Integrated Assessment Team (TAT) and the District Attorney's Office in determining the rehabilitation of drug addicts has significant legal implications for the protection of the rights of victims of drug abuse as guaranteed in Law Number 35 of 2009 concerning Narcotics. Normatively, the law positions drug addicts and victims of drug abuse as legal subjects entitled to medical rehabilitation and social rehabilitation to restore the physical, psychological, and social conditions resulting from drug dependence. Rehabilitation is positioned not merely as a form of legal leniency, but as an instrument of state protection for individuals in a state of dependence and requiring health intervention. Therefore, when the conflict of authority causes rehabilitation recommendations to be inconsistently implemented, access to the right to rehabilitation that is normatively guaranteed by law has the potential to encounter substantive obstacles, thereby reducing the effectiveness of legal protection for victims of drug abuse.^[31]

From the perspective of legal protection theory, the state has an obligation to guarantee the fulfillment of citizens' rights through a consistent, rational, and predictable legal system. Legal protection is not only related to the existence of written norms, but also to the state's ability to ensure the effective implementation of these norms by law enforcement officials. When the Integrated Assessment Team's assessment results declaring an individual eligible for rehabilitation are not consistently implemented at the prosecution stage, legal protection for victims of drug abuse is diminished because the right to rehabilitation depends on differing institutional interpretations. This situation demonstrates that conflicts of authority directly impact the weak guarantee of access to rehabilitation for drug abusers as victims of dependence.^[32]

The next implication relates to the emergence of disparities in legal treatment for victims of drug abuse. In certain practices, individuals with relatively similar levels of dependency, amount of evidence, and case characteristics may receive different treatment due to varying interpretations of the implementation of the Integrated Assessment Team's assessment results. In one case, a victim of drug abuse received rehabilitation based on assessment recommendations, while in another case, relatively similar recommendations were not

accommodated, resulting in the perpetrator being directed to regular criminal proceedings and imprisonment. Such disparities have the potential to give rise to substantive injustice because access to legal protection is no longer determined by the victim's objective condition, but rather by varying interpretations by law enforcement officials in exercising their authority.^[33]

Law Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia positions prosecutors as *dominus litis*, possessing strategic authority in determining the direction of criminal prosecution. However, this authority must be exercised with due regard for the principles of proportionality, justice, and respect for individual rights guaranteed by law. In the context of narcotics, prosecutorial authority cannot be separated from the rehabilitative mandate granted by Law Number 35 of 2009. Therefore, rejection of rehabilitation recommendations should be conducted in a measured, argumentative manner, and based on strong legal facts. When prosecutorial authority is used without harmonization with a rehabilitative approach, the conflict of authority has the potential to create a form of partial legal protection for victims of drug abuse.^[34]

On the other hand, Law Number 2 of 2002 concerning the Indonesian National Police mandates investigators to carry out law enforcement functions while adhering to the principles of community protection and respect for human rights. In the practice of handling narcotics cases, investigators are often the initial actors who encourage assessments through the Integrated Assessment Team based on the identification results that the suspect has characteristics of a drug addict or victim of drug abuse. However, when these recommendations lose their implementable power at the prosecution stage, the legal protection process established since the investigation stage becomes unsustainable. This situation demonstrates that conflicts of authority not only affect the effectiveness of rehabilitation but also cause fragmentation of legal protection across sub-systems of the criminal justice system.^[35]

From a victimological perspective, drug addicts experiencing dependence are often positioned as self-victimizing victims, individuals who are also victims of their own behavior. This victimological approach underpins the argument that drug abusers require legal policies that are not solely repressive, but also corrective and rehabilitative. Therefore, when conflicts of authority hinder the implementation of rehabilitation, the state indirectly risks ignoring the victimological aspects of drug abusers and instead reinforces a criminalization approach against individuals who substantially require health recovery and social reintegration.^[36]

Mhd. Azhali Siregar emphasized that the effectiveness of legal protection in the criminal justice system is largely determined by the harmonization of authority between law enforcement subsystems and the consistent implementation of norms by law enforcement officials. When law enforcement institutions carry out their functions based on asynchronous interpretations, protection of the rights of legal subjects becomes suboptimal because it depends on the institutional approach of each official. In the context of drug rehabilitation, this view shows that the conflict of authority between the Integrated Assessment Team and the District Attorney's Office not only gives rise to administrative problems but also has a direct impact on the effectiveness of the protection of the rights of victims of drug abuse as guaranteed by Law Number 35 of 2009.

In addition to impacting access to rehabilitation, conflicting jurisdictions also impact legal certainty in the implementation of the rights of drug abuse victims. Legal certainty essentially requires uniform application of the law to cases with similar characteristics, ensuring that individuals are guaranteed their rights and the legal consequences they will face. However, when the Integrated Assessment Team's assessment results lack a clear implementation position at the prosecution stage, drug abuse victims face uncertainty regarding their chances of rehabilitation. This situation can undermine public trust in drug rehabilitation mechanisms, a form of legal protection promised by the state.^[37]

Another implication relates to the potential for increased criminalization of drug abuse victims. When rehabilitation is not optimally implemented due to authority conflicts,

individuals who are legally entitled to recovery are potentially subjected to imprisonment, which does not address the root cause of drug addiction. Imprisonment, in many circumstances, actually increases the risk of social stigmatization, family disruption, and the possibility of recidivism due to the lack of adequate medical and psychological recovery. Therefore, authority conflicts that hinder rehabilitation can be seen as a factor that undermines the goals of modern criminal justice, which are oriented towards rehabilitation and social reintegration.^[38]

From a criminal justice system perspective, the disharmony of authority between law enforcement agencies demonstrates the weak integration of rehabilitation policies within the narcotics case handling system. Ideally, the criminal justice system should operate in an integrated manner, involving the police, prosecutors, courts, and supporting institutions, to produce consistent legal decisions oriented toward the same legal objectives. However, when the Integrated Assessment Team's recommendations and prosecution policies operate at cross-purposes, the legal system lacks the implementation consistency necessary to effectively protect victims of drug abuse.^[39]

The implications of conflicting authorities for protecting the rights of victims of drug abuse ultimately demonstrate that the rehabilitation norm in Law Number 35 of 2009 has not been fully accompanied by adequate institutional harmonization. Legal protection for victims of drug abuse requires clearer integration of authority between the Integrated Assessment Team and the District Attorney's Office by strengthening the position of assessment results, standardizing the implementation of rehabilitation policies, and developing more effective inter-agency coordination. Thus, the right to rehabilitation does not stop at the normative level, but can be realized concretely as part of legal protection, legal certainty, and substantive justice for victims of drug abuse.^[40]

Conclusion

Based on the description of the form of conflict of authority between the Integrated Assessment Team (TAT) and the District Attorney's Office in determining the rehabilitation of drug addicts in Padangsidempuan City, it can be concluded that the conflict of authority is essentially born from disharmony in the interpretation of authority between the professional authority based on assessment and the prosecution authority based on legal evidence. The Integrated Assessment Team positions drug abusers as individuals who require rehabilitation through medical, psychological, and social approaches, while the District Attorney's Office as dominus litis still has the authority to determine the direction of prosecution based on considerations of criminal law and the effectiveness of law enforcement. This paradigm difference gives rise to implementation conflicts in the form of differences in interpretation of the legal force of the assessment results, disharmony between rehabilitative and repressive approaches, and a lack of synchronization of coordination between sub-systems of criminal justice. As a result, the implementation of rehabilitation for drug addicts often depends on institutional interpretation and is not entirely based on uniform objective standards, thus potentially giving rise to disparities in legal treatment, uncertainty in the implementation of rehabilitation, and weak harmonization of the objectives of narcotics criminal law between victim protection and the effectiveness of eradicating narcotics crimes.

Meanwhile, the implications of this conflict of authority on the protection of the rights of victims of narcotics abuse based on Law Number 35 of 2009 show that the disharmony of authority between the Integrated Assessment Team and the District Attorney's Office directly affects the effectiveness of legal protection for the rehabilitation rights of narcotics addicts as victims of dependence. This conflict causes access to rehabilitation to be inconsistent, opens up the space for disparity in legal treatment of cases with similar characteristics, and increases the potential for criminalization of narcotics abusers who substantively need medical and social rehabilitation. In addition, interagency disharmony also weakens legal certainty and the integration of rehabilitative policies in the criminal justice system, so that legal protection for victims of narcotics abuse tends to stop at the normative level and has not been fully realized

in an implemented manner. Therefore, it is necessary to harmonize regulations, strengthen institutional coordination, standardize the position of the Integrated Assessment Team's assessment results, and synchronize rehabilitative policies between agencies so that the rights of victims of narcotics abuse can be protected in a more consistent, proportional, and substantive justice manner.

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