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The Effectiveness of Punishment Sanctions for Narcotics Crime in Gresik District

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Kata Kunci :

*Drug abuse, Criminal consequences,
and Perpetrators*

ABSTRAK

Drug abuse is a crime and a violation of the law. In modern times, the spread of drug abuse is increasing and the sale of illegal drugs is increasingly widespread from all walks of life. This resulted in a very detrimental impact and many victims were affected by drug abuse. Various government efforts to eradicate drug abuse and provide criminal sanctions against drug offenders. This study aims to determine the development of drug abuse cases, especially in Gresik Regency. And the effectiveness of giving sanctions to the perpetrators of drug abuse crimes.

1. Introduction

The drug problem in the Republic of Indonesia is a difficult and serious issue that must be addressed as effectively as possible. Indirectly, there are several examples that affect both the population and government officials in Indonesia. The issue of drugs is extremely difficult to notice since the network developed between makers, dealers, and consumers is a "underground" network, and families frequently hide drug-affected individuals for a variety of reasons.¹ Within the Republic of Indonesia Law No. 35 of 2009 Article 1 section 1, Opiates are characterized as substances or drugs, whether determined from plants or not, engineered or semisynthetic, that can change awareness, numb faculties, calm torment, and lead to enslavement, and are categorized into bunches indicated within the law. Promiscuity is inextricably linked to bad outcomes, particularly among young individuals who are still categorized as unstable in terms of deviant behavior. In this circumstance, any act that violates the law or commits a crime is highly likely to occur, since the youthful spirit is still wild and wants to seem renowned in the context of friendship. Every crime will reoccur, and no action will be wiped by time. Indeed, it is not unusual in the developing world for an increasing number of young people to engage in aberrant behavior. Narcotics usage is prevalent in Indonesia, particularly among young people who have increasingly simple access to numerous methods of conducting narcotics transactions. Parental advice is crucial.

Gresik Regency itself is an area that has experienced many cases of narcotics abuse, because in the Gresik Regency area itself there are still many places to conduct transactions and are far from the monitoring of the BNN (Badan Narkotika Nasional). In this instance, drug traffickers are increasingly entering the student population, beginning with high school or vocational school, because it is quite simple to slip into this trap among kids. Even a few for factory workers who want to boost their stamina while working. In fact, young people in

Indonesia are very vulnerable to falling into promiscuity, starting from trial and error, and becoming a criminal act, the government's efforts are also in such a way as to eradicate narcotics trafficking in Indonesia, especially in the Gresik Regency area, even to provide a deterrent effect, the government applies firing to the perpetrators of drug trafficking, but the perpetrators are not short of reason in launching an action, especially in the Gresik Regency area, many young people choose to live on the streets to be a very easy way for the perpetrators to carry out their actions. The provisions regarding narcotics abuse as regulated in Article 127 paragraph 3 of the Law on which states that every person who abuses narcotics in Group I (marijuana, methamphetamine, cocaine, opium, heroin, etc.) for themselves is punished with a maximum imprisonment of 4 years. Then, users of Class II narcotics (morphine, pertidine, etc.) for themselves are punished with a maximum imprisonment of 2 years. Finally, users of Class III narcotics (codeine, etc.) for themselves are punished with a maximum imprisonment of 1 year. In the event of narcotics abuse itself, the sanctions given are not many that seem to have a deterrent effect on the perpetrators of these criminal acts. A little picture above can be seen that the problem of drugs in this increasingly advanced era is still a lot of the nation's next generation who are very easy to fall into the world of narcotics abuse. The lack of parental supervision and provision of knowledge makes the perpetrators not feel harmed in committing these criminal acts. Abuse is the use of something not as it should be.

Drug abuse (Narcotics, Alcohol, Psychotropic Substances, and other Addictive Substances) including alcohol is the use of drugs or substances without the instructions of a doctor or health professional.² The focus in the issue of drug abuse is how the government's efforts in enforcing criminal law in Indonesia, and the role of the National Narcotics Agency in reflecting national legal politics through penal and non-penal means as an effort of criminal policy that is

¹ Joyo Nur suryanto Gono, Artikel, NARKOBA: *bahaya penyalahgunaan dan pencegahannya*. Hal: 83

² Marwan dan Jimmy, Kamus Hukum; *Dictionary of Law Complite Edition*. Surabaya: Reality Publisher, 2009

happening at this time.³

2. Results and Discussion

CRIMINAL SANCTIONS AGAINST PERPETRATORS OF NARCOTICS CRIMES

Sanctions Against Narcotics Criminals

Narcotics and illegal drugs or often referred to as Drugs in this country have never stopped being discussed and have become an acute problem for this nation. Efforts to prevent and eliminate it have never stopped. Conventional crime prevention measures were ineffective. So the Indonesian government established specific legislation, including the Law on the Abuse of Narcotics and Drugs, which is still being reviewed and enhanced to minimize drug offenses in Indonesia. There is a dedicated entity in charge of dealing with the problem, known as the National Drug Agency or BNN. The establishment of the institution is intended to stop the rate of extra ordinary crime. Nowadays in the era of globalization that occurs in the world provides freedom in life. This is also followed by tackling drug crimes that are currently affecting various generations from young to old, which requires hard work both physically and mentally. All parties involved prevent and eradicate drug crimes both preventively and curatively through related agencies. Based on data contained in the Gresik Regency National Drug Agency (BNN), it is explained that drug crime cases from 2018 to 2022 have increased and are accompanied by evidence in the form of marijuana, methamphetamine and ecstasy pills. A crime that does not cause victims is a drug crime (victimless crime). Victimless crime is a relationship between the perpetrator and the victim that has no visible consequences. There is no target victim, because all parties involved and included in the crime, become both perpetrators and victims of a criminal act or crime. Due to the involvement of certain groups, the graph of victimless crimes

increases, and develops into organized crime. Any activity related to drugs, either directly or indirectly, is a crime. Narcotics and dangerous drugs, often referred to as drugs in Indonesia, became popular in 1960. By 2002, drugs had spread to all parts of Indonesia, from cities to remote villages. Although we often hear that many dealers are caught by the authorities, in reality the number of drug users is increasing. The government has begun to take the drug problem seriously by declaring that drugs are a serious threat to the Indonesian nation. Narcotics crimes in Indonesia have been very horrific and there are many perpetrators of this crime. Although according to Law No. 35/2009 on Narcotics, the most severe punishment imposed on drug offenders is the death penalty, until now cases of narcotics and drug abuse in Indonesia are still very high. The sanctions given to drug offenders have been regulated in special drug laws contained in the Indonesian legal system.⁴

Here are the regulations governing drug crimes:

Law No. 35/2009 on Narcotics can be grouped, among others:

1. The Narcotics Law, namely Articles 111-112.
2. Article 113 governs the production, export, import, and distribution of class I drugs.
3. Article 114 prohibits the criminal crime of offering, purchasing, selling, receiving, or acting as a middleman in the sale, exchange, or delivery of class I drugs.
4. Article 115 defines the offense of carrying, shipping, transferring, or transiting class I substances.
5. According to Article 116, it is a felony to use class I drugs for another person without their consent or against the law.
6. Article 117 prohibits the unauthorized storage, possession, or distribution of class II drugs.
7. Article 118 criminalizes the illegal import, export, production, or distribution of Class II drugs.
8. According to Article 119, it is illegal to offer, sell, buy, receive, exchange, or deliver class II drugs or act as a middleman in such

³ Makmuri Muchlas, *Penanggulangan Penyalahgunaan NAPZA (Narkotika dan Psikotropika)* (Jakarta: Depdiknas. 2001), H 23.

⁴ Chaerudin, *Victimologi, Beberapa Aspek Korban Kejahatan*, Fakultas Hukum Universitas Islam Asyafiah. 1997

transactions.

9. Article 120 addresses the offense of carrying, transporting, shipping, or transmitting class II substances.

10. According to Article 121, it is a criminal violation to consume or give class II drugs to someone who does not have the legal right to do so.

11. According to Article 122, it is a criminal violation to retain, possess, distribute, or control class III drugs without a legal basis.

12. Article 123 criminalizes the illegal production, distribution, export, and import of class III drugs.

13. According to Article 124, it is a criminal violation to offer to buy, receive, sell, or broker the sale, purchase, exchange, or delivery of class III drugs without a legal basis.

14. Article 125 addresses the criminal crime of carrying, transporting, shipping, or transmitting class III substances.

15. According to Article 126, it is a criminal violation to use class III drugs against another person or give them for their use.

16. Article 127, paragraph 1, controls individuals who misuse class I, II, and III opioids for personal use.

17. Article 128 controls drug users who intentionally do not report.

Based on the descriptions of the Articles above, it is clear that drug crimes are not only conducted individually but may also form an organized syndicate.

The Impact of Drug Abuse

Narcotics abuse is something that means that using drugs or narcotics is not for treatment. Regarding the dangers and consequences of narcotics abuse, theoretically criminal causality. Causality theory or cause and effect theory is intended to find :

1. The causes and consequences of criminal conduct.
2. Determine the perpetrator's accountability.

Drug abuse is defined as the use of drugs not for therapeutic objectives, but for the enjoyment of their effects in larger or fewer quantities, on a regular basis, for a period of

time sufficient to cause physiological fitness difficulties, poor intellectual fitness, and social life. There have been a variety of reactions to drug-related disorders. Drug misuse has a significant negative influence on all parties involved. Among them is an increase in the number of criminal activities committed as a result of drug misuse, which leads to aggression against others. Then, in drug distribution, there are or cause unlawful trade firms such as drug sales and purchases. The impact of drug misuse is a rise in the number of infectious illnesses that develop in Indonesia. Individuals who use narcotics also experience the following symptoms:

1. Euphoria is an exaggerated sense of exhilaration that deviates from the user's physical reality.
2. Delirium is characterized by an abrupt drop in mental consciousness and severe anxiety, leading to poor motor coordination.
3. Hallucination is a misunderstanding of the five senses, causing what is seen or heard to not match reality.
4. Weaknesses resulting from drug use and addiction might be physical or mental.
5. Drowsiness is characterized by diminished consciousness or a condition between consciousness and unconsciousness, similar to a half-sleep state with a disorganized mind.
6. Overdosing can lead to collapse, which causes fainting and death.⁵ Physically, drug users exhibit highly noticeable indicators such as significant weight loss, a pale face, difficulties urinating, constipation for no apparent reason, red patches or cut marks, lips that turn blackish, perspiration and tears, frequent coughing, and protracted colds.⁶

⁵ Hari Sasangka, 2003, *Narkotika dan Psikotropika Dalam Hukum Pidana*, Bandung, Mandar Maju, hlm 25

⁶ Jefrianto Sembiring, *Faktor-Faktor yang Menyebabkan Penyalahgunaan Narkotika Pada Kalangan Remaja dan Anak-Anak di Kota Medan Serta Penanganannya Menurut Undang-undang Nomor 35 Tahun 2009*, Jurnal Mahupiki, 2012, hlm 5

Emotionally, drug users generally show signs of being very sensitive, easily bored, emotional, and irritable, and like to hurt themselves. Judging from their behavior, drug users generally show the following signs:

1. Narcotics can change the personality of the victim to be moody, angry, or even against anyone.
2. Generates a sense of ignorance about himself, such as no longer paying attention to clothes or the place where he sleeps.
3. Not hesitating to have sex because his view of community norms, customary norms, and religious norms is no longer his.

Based on the findings of this study, it is obvious that drug usage issues are severe and may harm anybody, regardless of background. Related parties and the community must take an active role in promoting different activities to combat drug usage.

Types of Sanctions for Narcotics Crimes

The legal system in Indonesia has regulated the penalties given to the perpetrators of crimes contained in Indonesian law and the criminal code. And anyone who violates and does things that are contrary will get the appropriate punishment in order to provide a deterrent effect to the perpetrators of crime. The Indonesian positive legal system has legislated that the criminal code, also known as the Criminal Code, governs the threat of penalty against those who do illegal actions. The Indonesian Criminal Code regulates two categories of punishments: primary penalties and supplemental penalties, as outlined in Article 10.

Sanctions for drug offenses are governed by Articles 111 to 127 of Law Number 35 of 2009 concerning drugs, which allow for a minimum jail penalty of one year and a maximum prison sentence of fifteen years. In addition to prison sentences, it imposes penalties ranging from a minimum of 400 million rupiah to a maximum of 10 billion rupiah. However, in addition to the penalties

given above, there is also the death penalty that can be given to drug offenders according to class. When a drug offender is not sentenced to imprisonment or fines, the judge may impose sanctions through the implementation of rehabilitation as outlined in Law Number 35 of 2009 in Article 54, which states that "Narcotics addicts and mental victims are obliged to undergo medical rehabilitation and social rehabilitation at a narcotics dependence rehabilitation center.". According to the article above, a drug addict generated by the association of drug addicts should not face a prison sentence or a fine, but a drug addict can be treated with sanctions such as rehabilitation. Rehabilitation, as defined in Article 54 of Law No. 35 of 2009, includes both medical and social rehabilitation.

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Rehabilitation, as defined in Article 54 of Law No. 35 of 2009, includes both medical and social rehabilitation. The government and society have duties and obligations to eradicate and eliminate crimes involving drug addiction and illicit trafficking routes so that they do not proliferate further. The work of law enforcement personnel in monitoring and focusing on drug offenses will continue to minimize this crime in Indonesia. In order to tighten and minimize the distribution channels of illicit drug trafficking in Indonesia, various parties of law enforcement officers must step up their oversight.

➤ Article 115

Anybody who unlawfully has, transports, or conveys Course I opiates will confront a jail sentence extending from 4 to 12 a long time together with a fine of at slightest Rp. 800,000,000.00 (eight hundred million rupiah) and up to Rp. 8,000,000,000.00 (eight billion rupiah). In case somebody is caught transporting or conveying Course I Opiates in sums surpassing 1 kilogram or 5 tree trunks weighing more than 5 grams, they will confront a least of 5 (five) years and a greatest of 20 (twenty) years in jail, or indeed life detainment. A period of 20 (twenty)

years and a fine of the most noteworthy sum demonstrated in passage (1) expanded by one third.

➤ Article 120

Anyone who illegally carries, sends, transports, or transmits Class II narcotics shall face imprisonment for a minimum of three (3) years and a maximum of ten (10) years, as well as a fine of at least Rp. 600,000,000.00 (six hundred million rupiah) and a maximum of Rp. 5,000,000,000.00 (five billion rupiah). If the weight of the substance referred to in paragraph (1) exceeds 5 grams, the criminal shall be sentenced to a minimum of 5 years and a maximum of 15 years in prison, as well as the maximum fine referred to in paragraph (1) plus 1/3.

➤ Article 125

Every person who, without the right or against the law, carries, sends, transports, or transmits Class III narcotics shall be punished with imprisonment for a minimum of 2 (two) years and a maximum of 7 (seven) years and a fine of at least Rp. 400,000,000.00 (four hundred million rupiah) and a maximum of Rp. 3,000,000,000.00 (three billion rupiah).

In the event that the act of carrying, sending, transporting, or transmitting Class III Narcotics as referred to in paragraph (1) weighs more than 5 (five) grams, the perpetrator shall be sentenced to a minimum imprisonment of 3 (three) years and a maximum of 10 (ten) years and a maximum fine as referred to in paragraph (1) plus 1/3 (one third).

The Development of Drug Abuse Cases in Gresik Regency in the Last Decade

In the case of drug misuse or narcotics and drugs, particularly in the Gresik Regency region, it is possible to conclude that addressing the level of narcotics use in Gresik Regency is not yet completely successful. This is evident in the goals that have been reached and are expected to be met in order to prevent drug misuse from becoming more prevalent. The accomplishment of this aim is one of the milestones for the effective implementation

of security agencies to control the rising level of drug usage in Gresik Regency. For these purposes, the author focuses the study on the goal of safeguarding the community through efforts to prevent and reduce drug misuse by incorporating data from the Gresik Regency BNN into addressing the degree of drug abuse in Gresik Regency. The study examined the progression of drug addiction cases in Gresik Regency during the previous five years, from 2018 to 2022. In response to these issues, the writers performed a study at the Gresik Regency BNN. This statistic represents the number of drug misuse cases in Gresik Regency. This data will demonstrate the outcomes of overcoming narcotic dependence in Gresik Regency.

According to information collected by the author from the National Agency for Narcotics in Gresik Regency:

- Data from 2018 revealed that there were 8 perpetrators of drug abuse cases, primarily men, with evidence in the form of methamphetamine, ecstasy tablets, and marijuana. The incidents happened in January, March, and October. However, there were three occurrences in January and October, but only two in March. The majority of the suspects in this instance utilized methamphetamine, and in January, the Gresik Regency BNN successfully seized up to 10.32 grams of the drug.
- Data for 2019 has declined. Five males have been charged with drug misuse, with evidence including methamphetamine and marijuana. The incidents occurred between February and September.
- According to the 2020 figures, the number of drug abuse cases in 2020 remains the same as in 2019, at five. According to data from the Gresik Regency BNN, there was one incidence in January and the most in September, with three cases of drug misuse. According to 2020 statistics, instances of drug abuse in Gresik Regency appear to have remained stable.

- According to statistics from 2021, incidents of drug abuse in Gresik Regency have fallen somewhat, with only two cases reported in January, one in March, and one in July.
- According to the statistics for 2022, at least five cases were successfully entered into the Gresik Regency BNN between January and October 2022. The number of instances of drug usage increased in 2022, according to data from 2021. According to Ms. Citra Altrisa Sari there are still many incidents of drug addiction; however, part of the data from Gresik Police has not been properly recorded in the Gresik Regency BNN.

LEGAL EFFORTS TAKEN AGAINST PERPETRATORS OF NARCOTICS ABUSE

Narcotics Abuse

The word abuse literally comes from the word "misuse" which means not as it should be or doing wrong. Thus, narcotics abuse can be defined as the process, method, or act of misusing narcotics. Narcotics abuse, Initially, drugs were intended to assist humans, particularly for treatment and health services. However, as time has passed, the term "narcotics" has developed to include negative connotations.⁷ Drug misuse and illegal drug trafficking are two major issues that the government considers significant and worrying. Indonesia's issues are becoming more severe, and the region's state has the potential to attract drug traffickers. Indonesia's drug problem appears to be unresolved. Drug usage and misuse are growing year after year. Drug misuse affects both urban and rural societies. This embraces all levels of society. Narcotics and drug misuse are currently prevalent in practically every profession. In examining the execution of articles 112 and 114, According to Misbahul Ramadhany, the Gresik Regency BNN's intelligence analyst, when reviewing the implementation

of Articles 112 and 114 of Law No. 35 of 2009 concerning narcotics, they have one thing in common: Law No. 35 of 2009 Article 112 concerning narcotics is punishable by a minimum of four years, a maximum of twelve years, and a fine of at least Rp. 800,000,000.00. Up to Rp 8,000,000,000. Meanwhile, offenders who violate Article 114 of Law Number 35 of 2009 connected to narcotics face a minimum five-year sentence, a maximum punishment of twenty years, and a minimum fine of Rp 1,000,000,000. Up to Rp 10,000,000,000. Class I includes people who offer to sell, purchase, receive, broker, barter, or deliver narcotics to others who are doing so illegally. Articles 112 and 114 of Law Number 35 of 2009 regulating Narcotics share the fact that they both describe the misuse of class I Narcotics; hence, this article covers the same weight, namely non-plant Narcotics up to 5 grams. If the offender's weight surpasses this limit, the punishment will be increased because they will be heavier. However, the distinction in this article is between the offense and the danger to the perpetrator. Article 112 of Law Number 35 of 2009 concerning Narcotics regulates the possession, storage, control, or provision of narcotics. In addition, Article 114 of Law Number 35 of 2009 concerning Narcotics regulates the act of offering to sell, selling, buying, receiving, or acting as an intermediary in buying, selling, exchanging, or delivering narcotics. That is why Misbahul Ramadhany, an intelligence analyst at BNN Gresik, stated that Articles 112 and 114 of Law Number 35 of 2009 on narcotics are identical. Drug misuse is a disordered pattern of behavior that affects everyone involved. Although there is a wealth of evidence demonstrating the detrimental impacts of abuse on drug usage, it does not give meaningful figures for reducing drug misuse.

Perpetrators and Victims of Narcotics Abuse

Drug misuse is classified as a psychological disease in which drug users are unable to behave normally in social situations. activity that causes undue worry or terror. According to Law Number 35 of 2009 on Narcotics, drug misuse is defined as someone who takes drugs without permission or is opposed to drugs. Someone who is drug addicted has a

⁷ Dikdik, M ariff Mansur, dan Elisatris Gultom. 2008. *Urgensi Perlindungan Korban Kejahatan*. Jakarta: Raja Grafindo persada, halaman 100.

condition defined by the desire to use or consume drugs on a continual basis without regard for the dosage in order to get characteristic physical and psychological effects or symptoms. According to Law Number 35 of 2009 regulating narcotics, in order to establish that drug abusers are victims of narcotics, it is required to demonstrate that the use of narcotics is based on persuasion and deception. Fraud, coercion, force, or the threat of drug use. According to Article 54 of Law Number 35/2009 on Narcotics, those who take narcotics on occasion do so because they have been persuaded, fooled, defrauded, compelled, or intimidated to do so. False victims are those who become victims as a result of their own conduct.

Article 103 of Law Number 35 of 2009 concerning Narcotics addresses the issue of drug users as both criminals and victims. The Supreme Court issued Supreme Court Circular Letter Number 04 in 2010, which defined the categorization of criminal conduct as follows :

- a) During the arrest by police and BNN investigators, the defendant was caught red-handed.
- b) Evidence of one day's consumption was discovered during the red-handed arrest, as mentioned in point an above.
- c) A positive laboratory test letter employing drugs, as requested by the investigator.
- d) You must get a certificate from a doctor or government psychiatrist designated by the judge.
- e) It cannot be shown that the individual is involved in illegal drug trafficking.

Judges who examine and decide matters involving drug users must specify and clearly the nearest rehabilitation facility. To obtain a verdict, courts must carefully assess the defendant's state or level of addiction.

Efforts to Reduce the Level of Drug Abusers in Gresik Regency

In overcoming narcotics crimes that

hit the younger generation, hard work is needed from all parties, both preventively and curatively through related institutions.

According to Bonger, "preventing crime is better than trying to educate criminals to become good people again".⁸

Several efforts can be made to reduce the number of drug abusers, namely :

1. Family development

Parents have a crucial role in keeping their children from being engaged in different criminal activities. As a result, family development is critical since it is the first education a person receives within the family. A lack of attention from parents, particularly for youngsters approaching the transition age, is quite detrimental. Parents who prioritize their own hobbies sometimes overlook the importance of family life and harmony. Children have limited opportunity to question their parents about their difficulties, and their answers might be perplexing. This is what drives many adolescents to seek a way out of the troubles they confront by turning to bad activities, which leads to criminal behaviors, and to ease the tension they suffer, they typically use drugs. So the encouragement of love from both parents is very important for children because children are very important. Love does not just cover all your needs in life; it is really sincere and genuine love from both parents.

2. Optimizing the function of law enforcement officers

Optimizing the function of the law enforcement apparatus is critical in the business of preventing drug offenses since security agents are the ones who have to physically deal with situations. For this reason, security personnel can conduct the following:

- a) Particularly among school-age children who are particularly prone to engaging in drug-related offenses, police may specifically look for those

⁸ W.A Bonger, *Pengantar Tentang Kriminologi (Terjemahan R.A Koesnoen)*. Jakarta: Ghalia Indonesia, 1997, hal. 192.

wearing school uniforms, being in recreational areas, or gathering in classrooms for unclear purposes. The same applies to checking bags or luggage for fear of containing drugs or other prohibited items.

- b) Monitor people or places prone to drug trafficking and ask the public for help (reports).
 - c) Investigate and prosecute cases of drug abuse.
3. Development of awareness in the field of law to the community

Educating the people, including inmates, on the subject of law is critical since they must be informed about legal concerns. For this reason, law enforcement assistance is required, particularly in the following matters :

- a) Improve and perfect national legal development related to legal reform, for example, by carrying out legislative codification in certain areas and taking into account the growing legal awareness in society.
- b) Enhancing the quality of law enforcement. In this scenario, law enforcement agencies are defined as police, prosecutors, courts, communities, or other legally sanctioned groups charged with upholding or enforcing the law. To enhance the quality of police officers, efforts must be increased in areas such as professional knowledge, high morale and spirit, high work discipline, and so on.
- c) Increasing public legal awareness through the general view that legal development always lags behind the development of society. In principle, public legal awareness itself also plays an important role in efforts to realize law enforcement based on Pancasila and the 1945 Constitution of the Republic of Indonesia.

In addition to renewing and improving the police institution via various means, efforts to expand public involvement as a legal topic continue since it has a significant impact on the establishment of order in society. One way to raise legal awareness in the larger community is to implement a legal counseling program with the goal of increasing public understanding of the law related to rights and obligations, as well as procedures for transferring these rights and obligations, and requiring the community to comply with legal, moral, religious, and other high justice-based standards.

3. CONCLUSION

Based on the results of the discussion that has been described, it can be concluded that the formulation of the problems that are the subject of discussion is :

- 1. Overcoming the drug crime epidemic that is now afflicting the country's youth takes both physical and mental effort. All parties engaged, both preventively and curatively, via affiliated agencies. According to BNN Gresik statistics, there are still a lot of drug dealers in Gresik Regency. This criminal sentence has a specific goal, which is to dissuade criminals from repeating the offense. Community features have the potential, rights, and duty to reduce drug misuse and criminal trafficking in drugs and narcotic precursors. Articles 111–127 of Law Number 35 of 2009 concerning Narcotics govern narcotics-related sanctions. Then, law enforcement authorities must intensify their monitoring to completely
- 2. According to Article 54 of Law Number 35/2009 concerning Narcotics, a victim of narcotics misuse is someone who consumes narcotics by mistake after being persuaded, fooled, defrauded, compelled, or intimidated to do so. The panel of judges considering and

determining drug cases must expressly and clearly identify the closest rehabilitation facility. To obtain a verdict, courts must carefully assess the defendant's state or level of addiction. Several initiatives may be done to decrease drug misuse, including family development, maximizing law enforcement functions, and raising legal knowledge in the community.

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