

## **ABSTRACT**

### **PROSECUTION PRACTICE TOWARD NARCOTICS USER (Study on Attorney of Bandar Lampung)**

**By  
IRFANSYAH**

Implementation of rehabilitation in Narcotics Act requires the whole subsystem law enforcement officials to implement it in accordance with the duties and functions of each. The problem of this research are: (1) How is prosecution practice toward narcotics user on Attorney of Bandar Lampung? (2) Why the disparity in the prosecution of drug users between imprisonment and medical rehabilitation?

The approach used is a normative juridical and juridical empirical approach. Data collected by literature and field studies, further data is analyzed qualitatively.

Research results and discussion indicate: (1) The practice of prosecution of drug users carried out after receiving the Attorney files or results of the investigation of the police investigators. The public prosecutor made the indictment and after indictment is completed and then made the transfer case letter addressed to the District Court. Public Prosecutor in the prosecution is based on materials and information both from witnesses and the accused and the instructions in the form of urine test results in the laboratory. It also considers the factors that cause the defendant committed the crime. (2) The cause of the disparity between the prosecution of drug users imprisonment and medical rehabilitation is based on Circular Letter of the Attorney General of the Republic of Indonesia Number: B-136 / E / EJP / 01/2012, the defendant was arrested by investigators in a state caught and found evidence disposable, their certificate of laboratory test positive for narcotics investigator on request, not a recidivist, any physician assessment results recorded in the medical record or the need for medical rehabilitation and social rehabilitation and there is no evidence that he or concurrently as a dealer / manufacturer of narcotics. Public Prosecutor demanded imprisonment if not meet the criteria as set out in the Circular Letter.

Suggestions in this study were: (1) the Attorney advised to increase the professionalism of the work optimally in prevention effort of narcotics criminal (2) Attorney advised to minimize disparities in the prosecution of the two actors who were committing the crime of drug abuse

Keywords: Prosecution, Users, Narcotics