

ABSTRACT

AN ANALYSIS OF THE JUDGE CONSIDERATION IN DROPPING CRIMINAL AGAINST CHILDREN OFFENDER NARCOTIC CRIME (Study Number Verdict 1303K/PID.SUS/2011)

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The son of criminal who committed acts of drugs abuse, as a form of guidance should be rehabilitated against children. The verdict of crimes against children too difficult because the boy who is basically the use of narcotics distribution still dark narcotics moreover children under age. The question submitted is: (1) what is the basic consideration of the judge in dropping criminal agents against children narcotic crime (study Number Verdict 1303K/PID.SUS/2011) and (2) whether the award that is dropped against children an offender narcotic crime is already meet the sense of justice decisions (study number verdict 1303K/PID.SUS/2011).

Approach a problem in this research juridical used the normative and juridical approach empirical. Research respondents consisting of district court judge IA class Tanjungkarang and academics criminal law schools University Lampung. Data collection is done by applying a technique the literature study and field study, next the results of the research analyzed qualitatively

The results of research and discussion we can conclude that: (1) the basic consideration of the judge in dropping a verdict against children an offender narcotic crime to the Number Verdict 1303K/PID.SUS/2011 consisting of juridical aspects that is an indictment of public prosecutors, the demands of criminal, a witness, explanation of the defendant, goods evidence found at the trial, while the aspect of non juridical consisting of incriminating things and relieve. The judge tended to use the approach of scientific theory, namely the judge should not be solely on the basis or intuits only instinct, but should be equipped with the science of law and also perspectives of science the judge in the face of a cause to be decision, so that children do criminal abuse of narcotics in the verdict of this criminal has been jailed for 6 (six) months, and (2) any award made against the narcotics in the Number Verdict No. 1303K/PID.SUS/2011 not meet the sense of justice because of committing a crime should the drugs abuse victims positioned as narcotics circulation and criminal sentencing is the most appropriate medical and social rehabilitation that is oriented towards the punishment son, namely eliminate dependence on narcotics and give a chance to

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the son to fix its mistakes and shall not commit a fault or a crime that same at the forthcoming.

The advice in this research was the judge in dropping criminal against children as narcotic users should consider the principle of justice for various parties and not just for the victim but also investors, namely by see over the interests of the attacker own in order to improve herself to regardless of dependence narcotics and community interests, so able to minimize stigma or labeling on the self children in the eyes of the community and its environment.

Password: Consideration the Judge, Children, a Narcotic