

OPTIMIZING THE MANAGEMENT OF STATE-CONFISCATED GOODS IN THE CLASS II TERNATE STORAGE HOUSE OF STATE-CONFISCATED GOODS

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Abstract

The State Confiscated Goods Storage House (RUPBASAN) holds a strategic position in the criminal justice system as the institution responsible for managing confiscated and seized assets used as evidence in criminal proceedings. Effective asset management is essential to ensure legal certainty, accountability, and the integrity of judicial processes. This study aims to examine the optimization of confiscated and seized asset management at the Class II RUPBASAN in Ternate and to analyze the factors affecting the non-execution of such assets. This research adopts an empirical legal approach, utilizing both primary and secondary data. Primary data were obtained through field interviews, while secondary data consisted of primary, secondary, and tertiary legal materials collected through a literature review. The findings reveal that asset management at the Ternate Class II RUPBASAN—covering receipt, registration, classification, placement, security, maintenance, transfer, disposal, and release—generally complies with applicable regulations. However, shortcomings persist at the receipt stage, particularly in the processes of assessment and examination, due to the absence of qualified personnel. Optimization is therefore required, especially in the stages of receipt, maintenance, and transfer. The study identifies legal factors and law enforcement capacity as the main obstacles to the effective execution of confiscated and seized assets.

Keywords: Class II Ternate, Confiscated Assets Storage House, Management, Optimization.

INTRODUCTION

The State Confiscated Assets Storage House, abbreviated as RUPBASAN, is a place where objects confiscated by the state are held for judicial purposes. The judicial process is the process of examining cases at all levels, namely investigation, prosecution, and court (Ministry of Law and Human Rights of the Republic of Indonesia, 2021). Government Regulation No. 27 of 1983 concerning the Implementation of the Criminal Procedure Code mandates that the State Confiscated Goods Storage House (hereinafter RUPBASAN) is a place to store objects confiscated by the State. In addition, an explanation is given regarding its purpose, namely to provide guarantees regarding the protection and safety and security of these items. Because these items are items that will be used as evidence for investigations, prosecutions and examinations during trials, as well as objects that have been declared confiscated and allocated to the State in accordance with the court's decision (Ministry of Law and Human Rights of the Republic of Indonesia, 2021).

The function of RUPBASAN is to manage objects that have been confiscated and seized by the State, managing means an act with the aim that the goods can be stored and the evidence is placed in a place that is guaranteed to be safe so that it is not damaged, not lost and not reduced and or the goods are managed which means its safety, integrity, and quality are guaranteed. In addition, its maintenance and care are carried out properly (Alwan et al., 2022). Rupbasan also has a management system that is not only how to carry out maintenance and store the confiscated goods, but also needs to pay attention to the facilitative parts and concrete actions to support the organization's goals so that they can be in harmony and have conformity with good governance (Faisal & Ogli, 2025). The Criminal Procedure Code mandates the establishment of a State Confiscated Goods Storage House (RUPBASAN) as a place to manage confiscated goods and state looted goods under the responsibility of the Minister of Law and Human Rights. This is based on the provisions of Article 44 paragraph (1) of the Criminal Procedure Code which states that the State Confiscated Goods Storage House is a place to store various goods that have been

confiscated by the State. The RUPBASAN stores these confiscated goods in the best possible manner and responsibly so that there are high-ranking officials who have the appropriate authority based on the level of examination in the judicial process and the goods may not be used by anyone (The Government of the Republic of Indonesia, 1981). According to Government Regulation No. 27 of 1983 concerning the Implementation of the Criminal Procedure Code, which is stated in Article 27 paragraphs 1, 2, 3, and 4, it reads as follows (The Government of the Republic of Indonesia, 1983):

1. The RUPBASAN is a place used to store various objects that will be needed as evidence during investigations, prosecutions, and court hearings, as well as objects for which a judge has declared them confiscated.
2. For confiscated objects, as referred to in paragraph 1, that cannot be stored in the RUPBASAN, the method for storing them is by handing them over to the head of the RUPBASAN.
3. The purpose of storing confiscated objects in the RUPBASAN is to guarantee their safety and security.
4. The head of the RUPBASAN is prohibited from accepting objects that should be stored for use as evidence for examination, unless there is an accompanying letter legally handing them over. The issuance is carried out by the official legally responsible for the confiscated objects.

Based on the Regulation of the Minister of Law and Human Rights No. 16 of 2014 regarding the method of managing objects confiscated by the State and items confiscated by the State in RUPBASAN, Article 19 paragraph (1) states that the head of RUPBASAN has an obligation to maintain the physical objects confiscated by the State and items confiscated by the State routinely and continuously and to record them in the maintenance book (Absori, Nurhayati, et al., 2020). And paragraph 2 states that maintenance is carried out in accordance with the standards that have been determined by the Director General of Corrections (The Government of the Republic of Indonesia, 2014c).

Government Regulation Number 27 of 1983 concerning the Implementation of the Criminal Procedure Code, also regulates the responsibilities of authorized agencies as stated in Article 30 paragraph (2) which states, legal responsibility for the confiscated objects lies with the official according to the level of examination, paragraph (3) states, physical responsibility for the confiscated objects lies with the Head of RUPBASAN. As well as Article 32 paragraph (1) which states, not only is he responsible for the physical condition of the confiscated objects as explained in Article 30 paragraph (3) the Head of RUPBASAN also has administrative responsibility for the confiscated objects (Sugiarto, 2019).

RUPBASAN plays an important role in providing protection for ownership rights over objects as well as the safety and security of objects confiscated for the purposes of evidence at the investigation, prosecution and examination levels in court until a court decision is made (Kartika & Saputra, 2021). RUPBASAN was established to support the upholding of justice, as criminal law policies related to the management of the proceeds of confiscated assets resulting from criminal acts are carried out by RUPBASAN. RUPBASAN's role in protecting human rights is realized by providing a sense of security to parties in disputes regarding their confiscated assets (Hartotok, Absori, Dimiyati, Santoso, & Budiono, 2021).

In reality, the Ternate Class II RUPBASAN in organizing, storing, and maintaining confiscated objects and state confiscated goods is still not optimal. This is due to a lack of coordination with relevant law enforcement agencies, even though according to the regulations, many confiscated objects and confiscated goods have exceeded the storage time limit (Wibowo et al., 2023). This causes damage to the goods, which has an impact on the decline in the economic value of the goods in the Ternate Class II RUPBASAN. Based on data obtained from the Head of the Administration and Management Sub-section, the number of goods in the last 4 years was 174 motorcycles in 2017, 3 cars in 2017, 1 car in 2018, 3 cars in 2019, 2 cars in 2020. RUPBASAN officers who have been given responsibility must carry out maintenance by warming up the engine, cleaning the exterior and interior, checking fuel and so on (Taufik Hadinoto as Head of Administration and Management Sub-Section, personal interview, November 11, 2022). But in reality, it is not carried out in accordance with existing regulations, even though the maintenance and care activities are to maintain the condition and integrity of the confiscated objects and items that have been confiscated by the State.

The decline in the economic value of confiscated objects and goods confiscated by the State at RUPBASAN is one of the various factors that can be detrimental to the State. Coordination between RUPBASAN with the Police and Prosecutors regarding the return and auction of confiscated objects and seized goods must be improved so that it is carried out as soon as possible, so that the economic value of confiscated objects and goods confiscated and stored at RUPBASAN Class II Ternate does not decrease (Hariri, Babussalam, & Saleh, 2025). Similar research has previously been conducted by Jamaluddin (2020), which resulted in the conclusion that the implementation of the management of confiscated objects and state confiscated goods in its implementation is not optimal, which causes

the relevant agencies to be unwilling to hand over confiscated state objects to be stored at the Ternate Class II RUPBASAN. However, the confiscated objects are managed and utilized by the relevant agencies themselves. In this study, the researcher will conduct research based on the current state of the Ternate Class II RUPBASAN. Based on the description of the problem, this research aims to analyze the management of confiscated objects and state confiscated goods in the Ternate Class II state confiscated goods storage house (RUPBASAN).

LITERATURE REVIEW

The confiscated objects and the items confiscated by the State in its development were then re-arranged based on the decision of the Director General of Corrections of the Ministry of Law and Human Rights Number: PAS-140.PK.02.01 of 2015 regarding the instructions in implementing the management of the objects confiscated by the State and the confiscated goods of the State in the State Confiscated Goods Storage House (Haq, Achmadi, Hangabei, & Budiono, 2022). It is necessary to continue to maintain the confiscated objects so that they remain intact for the purposes of providing evidence in the court proceedings, nothing is changed and the same as when the criminal act was committed by the perpetrator, and the value of the confiscated objects is also maintained. Therefore, in carrying out the implementation of managing the confiscated objects and the items confiscated by the State, the stages are:

Receipt

Receipt is the activity of receiving confiscated objects from investigators, public prosecutors, courts and/or officials who have authority over them (Absori, Nugroho, et al., 2020). The person responsible for receiving confiscated objects/confiscated goods is the highest leader or head of RUPBASAN or other officials whose duties and functions are to receive confiscated objects or officials who have been instructed to replace the head of RUPBASAN. Based on the Regulation of the Minister of Law and Human Rights Number 16 of 2014 concerning Procedures for Managing Confiscated State Objects and Confiscated State Objects at the State Confiscated Objects Storage House (Budiono et al., 2023). Article 3 paragraph (1) the receipt of confiscated objects at RUPBASAN goes through the following stages:

1) Receipt of confiscated objects in RUPBASAN

The process of receiving confiscated objects begins with examining the completeness of the administration and physical completeness carried out during working hours. The handover of confiscated objects is accompanied by a file inspection carried out by the receiving officer by checking the validity of the various supporting documents and checking the type, quality, kind and quantity of the confiscated objects or confiscated goods as written in the documents. Next, documentation is carried out by taking physical photos of the confiscated objects and making a handover report.

2) Receipt of confiscated objects that are not in the RUPBASAN

The procession carried out in receiving confiscated objects whose place is not in the RUPBASAN and the procession of receiving confiscated objects whose place is in the RUPBASAN, the procession is the same, the difference is in the procession of carrying out the research, assessment and in documenting the method is by doing it at the place where the confiscated objects were confiscated.

3) In accepting the confiscated objects, a statement is made that the objects are easily damaged, dangerous and the costs incurred are high.

The Head of RUPBASAN can make recommendations to other agencies that have legal responsibility for conducting auctions or destruction based on its provisions and statutory regulations.

4) Receipt of found items

The items found are items that have been handed over by the investigator or public prosecutor, but there is no party or the suspect has fled. The regulations stipulate that these items cannot be received by RUPBASAN, this is because the nature of the items is not confiscated or seized. However, the goal is to be able to inventory the number of items found, so recording will be carried out, but this only applies to data from 2015 and below, and entered into the RBS1 or RBS3 register according to the type and marked using a signature that has been specifically for the items found.

In the process of receiving confiscated and seized items, there are often cases of refusal or transfer to another location, this is because the files are incomplete or the storage space is limited.

Registration

The registration officer records the confiscated objects in his book which is used to register the confiscated objects according to the level of the case, namely: (1) Investigation level (RBS1/Form 10); (2) Prosecution level (RBS2/Form 11); (3) District Court level (RBS3/Form 12); (4) High Court level (RBS4/Form 13); and (5) Supreme Court level (RBS5/Form 14). Confiscated objects that will be placed in a place for other storage outside the RUPBASAN are recorded in the register book, namely: (1) Investigation level (RBSK1/Form 15); (2) Prosecution level (RBSK2/Form 16); (3) District Court level (RBSK3/Form 17); (4) High Court level (RBSK4/Form 18); and (5) Supreme Court Level (RBSK5/Form 19). The confiscated objects that have permanent legal force and have been declared confiscated by the State are recorded in the register of objects confiscated by the State (RBR/Form 20). Next, the confiscated objects and confiscated items are sealed and labeled first, then the confiscated objects and confiscated items are handed over to the assigned officers, the label cards are as follows: (1) Red: investigation level; (2) Yellow: prosecution level; and (3) Blue: court level.

Classification

Based on the decision of the Director General of Corrections, Ministry of Law and Human Rights of the Republic of Indonesia No. PAS-140-PK.02.01 of 2015 concerning instructions for managing confiscated and seized objects at the RUPBASAN (Regional Property Management Agency). Classification involves classifying or grouping confiscated or seized objects based on their type, nature, and legal status. The purpose of classifying confiscated objects is to facilitate storage, retrieval, maintenance, and classification and administration (Absori *et al.*, 2024).

This classification is used as a tool for transparency in reporting on the management of goods for the government and the public, namely the community and other stakeholders. To classify goods, the person in charge of classifying goods is as follows: (1) Classifying confiscated objects based on the results of research conducted by the research team based on their type and nature; (2) Recording the classification results in the classification list; (3) The classification list is signed by the administrative official and acknowledged by the Head of RUPBASAN; (4) Record the classification results in the classification list; and (5) The results of the classification are submitted to the officer assigned to the base (Absori, Hernanda, Wardiono, Azhari, & Budiono, 2023).

The system is organized into groups or classifications according to the rules and standards that have been determined and have their specific characteristics. Classification is based on the type and nature, namely:

- a. Closed general category: various objects or goods that are sensitive to dust and water and do not damage other objects around them, such as machines, electronic devices, furniture, electrical equipment, and other items such as ceramics and textiles.
- b. Open general category: various objects and goods that are relatively larger in size and resistant to dust and temperature fluctuations, such as vehicles with two, three, or four wheels, or non-motorized vehicles such as various construction materials and mechanical tools.
- c. Valuable category: various objects or goods that, when assessed, have a relatively high resale value and are not easily damaged by surrounding objects, such as jewelry, namely various natural or precious metals such as gold, platinum, and silver, as well as liquid metals, non-natural metals such as nickel, copper, aluminum, tin, and iron, as well as various valuable papers.
- d. Dangerous category: various types of objects or goods that have an impact and can cause damage to surrounding objects and can cause harm to human health.
- e. Animal and plant category: various types of animals and various plants.

Classification of confiscated objects and confiscated objects based on their condition can be grouped as follows:

- a. Good Condition: Confiscated objects or confiscated items that have high economic value and cannot be changed from their previous condition.
- b. Bad Condition: Various confiscated objects or confiscated items are in poor condition or have undergone changes in their form, nature, quality, or quality. Confiscated or confiscated items in a damaged condition are divided into categories, namely: (1) Lightly damaged are confiscated objects and confiscated items that can still be used but their function and economic value have been reduced; and (2) Severely damaged are confiscated objects and confiscated items that can no longer be used.

The mechanism for providing recommendations on confiscated items and making statements of damage quickly, the dangers and costs incurred will be high:

- a. The Head of the RUPBASAN issues an order to his/her research or inspection team to conduct the research and inspection.
- b. The research or inspection team conducts the research and inspection and prepares a report for the research or inspection, and reports it to the Head of RUPBASAN.
- c. The Head of RUPBASAN makes a recommendation to the agency with legal responsibility to conduct the auction and destruction of the confiscated objects, with copies sent to: (1) the Director General of Corrections, the Director of Confiscated Goods Management, and (2) the Head of the local Regional Office of the Ministry of Law and Human Rights.
- d. The party holding a position with legal responsibility shall inspect the basar and goods recommended for auction and destruction.
- e. The party holding a position with legal responsibility shall submit the letter of determination and the court decision regarding the confiscated goods to be auctioned or destroyed to the Head of RUPBASAN.

Placement

The items that have been confiscated and the items that have been confiscated by the State at RUPBASAN are divided into general warehouses and special warehouses, namely:

- a. A general warehouse is a space used to store confiscated and confiscated items of general category. A closed general warehouse is a closed space or area used to store confiscated or confiscated items of general category and relatively smaller size, which are sensitive to various weather conditions, dust, and water, which can damage them. Meanwhile, an open general warehouse is a building or area with pillars and a roof used to store confiscated and confiscated items of larger size and less susceptible to damage by various weather conditions.
- b. A special warehouse is a space used to store confiscated and confiscated items that require special handling due to their environmental and health hazards. A valuable warehouse is a space used to store confiscated or confiscated items that require special handling due to their high economic value. Meanwhile, the animal warehouse is a room or place that will be used to store confiscated and seized objects that require special handling, such as various animals and plants (Idris, Aziz, & Zailee, 2012).

Then the officer who placed the confiscated items and confiscated goods carried out his duties, namely:

- a. Placing confiscated and seized items based on the classification results.
- b. Recording the confiscated and seized items in each warehouse in a ledger.
- c. Recording the confiscated and seized items on the control board.
- d. Periodically conducting a stocktake, which is the activity of recording and recalculating the physical quantity of confiscated and seized items, serves as internal control within the RUBASAN. The purpose is to determine and ensure consistency between the records in the register and the computer data and the physical quantity of confiscated and seized items stored in the RUPBASAN warehouse.
- e. Recording the confiscated and seized items on the control board.

Security

The head of the RUPBASAN is responsible for the security of confiscated objects and goods confiscated by the state. In carrying out this responsibility, officials in the security sector will usually assist, and the head of the RUPBASAN can also collaborate with relevant law enforcement agencies in securing confiscated objects and goods confiscated by the state by preventing theft, destruction, exchange, and illegal removal of goods (Hezri & Hasan, 2006).

Maintenance

The head of the RUPBASAN has the obligation to maintain the physical condition of the basan and goods routinely and to do so periodically and to record it in the maintenance book (The Government of the Republic of Indonesia, 2014a). Maintenance involves maintaining and caring for the physical condition of the goods and materials during storage at the RUPBASAN. The goal is to prevent damage to the goods and materials. To maintain the goods and materials, the officers carry out the following maintenance:

- a. Maintain the physical condition of the base and goods by doing so periodically and in accordance with maintenance standards.
- b. Conduct an inventory of the base and goods requiring special maintenance.
- c. Record the results of this maintenance in the maintenance book.

- d. Report the results of the maintenance of the base and goods to the head of the RUPBASAN through the administrative officer.
- e. Record and report to the head of the RUPBASAN so that the responsible agency can be notified if any goods or goods are damaged or depreciated.

The Head of RUPBASAN can make recommendations to the agency that has legal responsibility in auctioning or destroying confiscated objects and confiscated goods that are dangerous, experience rapid deterioration and also can incur high costs. In maintaining confiscated objects and confiscated goods at RUPBASAN or other locations can work together with related agencies or other parties if the confiscated objects or confiscated goods require special care.

Transfer

In carrying out the transfer of confiscated objects, the activity of moving confiscated objects through an administrative process is based on their legal status adjusted to the level of examination of the case. In carrying out the transfer of confiscated objects, this is done by: (1) Transferring the case adjusted to the level of investigation, prosecution and examination in court; (2) Appointing the judge; and (3) Carrying out the court's decision which has permanent legal force (Hidayat, 2015).

Elimination

Elimination is the act of crossing out a list that has been deregistered by the head of RUPBASAN, based on the judge's decision on confiscated items and confiscated items that have been damaged, shrunk, some parts have been lost or all have been lost due to natural factors, fire, natural disasters or various riots (Hudaya, Paradita, Febrian, & Triadi, 2024).

Release

Release is an action to release confiscated objects or goods confiscated from RUPBASAN, whether the court decision has been made or not based on the judge's decision. The following are ways to release confiscated objects and confiscated objects when there is no court decision that has obtained permanent legal force, namely: (1) Release confiscated objects based on their legal status such as in the process of investigating, prosecuting, the case is no longer necessary, the prosecution is no longer being carried out and because the evidence is insufficient or does not constitute a criminal act, and the case is set aside for its general interests and is closed by law. (2) Release confiscated objects based on the condition of the confiscated objects, the causes of which are: the confiscated objects are experiencing rapid damage, can cause danger and require high costs to store them. The method for releasing confiscated objects and goods that have been confiscated after a court decision has been legally binding is: (1) Returning them to the party who has the rights or (2) Confiscating them for the state by auction, destruction or donation.

METHOD

This research is an empirical legal study using statutory, conceptual, and case studies. The researcher employed a live case study approach to address an ongoing legal event. Data collection techniques included literature review and fieldwork, including interviews. The data collection was divided into two parts: primary and secondary data (Wardiono, 2019). First, the author relied on primary data sources, obtained directly from the community being studied. Primary data sources are also referred to as basic or empirical data. Key informants are individuals who understand the research problem, including investigators at the North Maluku High Prosecutor's Office.

Second, secondary data sources are obtained from literature related to the research object. This is achieved through a literature review, which examines information from scientific books, research reports, regulations, statutes, and other written sources, both printed and electronic. The results of the field study inventory are analyzed to obtain conclusions, then analyzed using integrative and conceptual analysis methods that tend to be directed at finding, identifying, processing, and analyzing legal materials to understand their meaning, significance, and relevance. The data obtained will be systematically compiled after being selected based on the problem and examined for its compliance with applicable provisions. Then, it will be discussed theoretically and combined with the reality in the field to produce conclusions.

RESULTS AND DISCUSSION

In maintaining and storing confiscated objects and items confiscated by the State at the Ternate Class II RUPBSAN there are still confiscated objects and items confiscated by the State from 2017 to 2020, so these are attached in the following table:

Table 1. Data on Confiscated Objects and State Confiscated Goods from 2017-2020 at RUPBASAN Class II Ternate

No	Registration Number	Goods	Number of Units	Date of Receipt	The agency that confiscated
1	RBB1.021.001.1.2017	Motorcycles	174 Units	February 23, 2017	Traffic Directorate of the North Maluku Regional Police
2	RBB1/021.2.009.100/2017	Mini Bus DG 1048 L	1 Unit	December 13, 2017	Traffic Directorate of the North Maluku Regional Police
3	RBB1/021.2.009.103/2017	Mini Bus DG 2408 KB	1 Unit	December 13, 2017	Traffic Directorate of the North Maluku Regional Police
4	RBB1/021.2.009.1/2018	Mini Bus DG 103 BK	1 Unit	December 13, 2017	Traffic Directorate of the North Maluku Regional Police
5	RBS2.01/021.2.009.1/2018	Mini Bus DG 1079 KF	1 Unit	December 21, 2018	Special Criminal Investigation Directorate of the North Maluku Regional Police
6	RBS2.02/021.2.009.1/2019	Mini Bus DG 1312 KE	1 Unit	January 10, 2019	Special Criminal Investigation Directorate of the North Maluku Regional Police
7	RBS2.01/021.2.007/2019	Pick Up Hillux DG 8065 KB	1 Unit	January 10, 2019	Special Criminal Investigation Directorate of the North Maluku Regional Police
8	RBS2.02/021.2.007.1/2019	Pick Up Hillux DG 8066 KB	1 Unit	January 10, 2019	Special Criminal Investigation Directorate of the North Maluku Regional Police
9	RBS2.05/021.2.006.1/2020	Dump Truck DG 8009 TU	1 Unit	October 13, 2020	Ternate District Attorney's Office
10	RBS2.04/021.2.014.1/2020	Dump Truck DG 5610 XY	1 Unit	October 13, 2020	Ternate District Attorney's Office

Source: Data obtained from research results at RUPBASAN Class II Ternate

Based on the table above, it shows that the Ternate Class II RUPBASAN stores 174 motorcycles confiscated by the Maluku Regional Police Traffic Directorate from 2017, 3 cars confiscated by the Maluku Regional Police Traffic Directorate in 2017, 1 unit confiscated by the Maluku Regional Police Special Crimes Directorate in 2018, 3 cars confiscated by the Maluku Regional Police Special Crimes Directorate in 2019, and 2 cars confiscated by the Ternate District Attorney's Office from 2020.

From the results of the research conducted by researchers through observations by checking data and directly observing the condition of confiscated objects and state confiscated goods stored at the Ternate Class II RUPBASAN, researchers found as many as:

Table 2. Data on the Condition of Confiscated Objects and State Confiscated Goods at the Class II Ternate RUPBASAN

No.	Goods	Condition
1.	71 units of motorbikes	Good
2.	6 units of cars	Good
3.	102 units of motorbikes	Damaged
4.	3 units of cars	Damaged

Source: Data obtained from research results at RUPBASAN Class II Ternate

Based on the table above, it shows that RUPBASAN Class II Ternate in managing confiscated objects and state confiscated goods found 71 units of motorbikes and 6 units of cars that are still in good condition, while 102 units of motorbikes and 3 units of cars are already in damaged condition. Thus, the research conducted is known that the management of confiscated objects and state confiscated goods at RUPBASAN Class II Ternate is in accordance with existing regulations. From acceptance, registration, classification, placement, security, maintenance, transfer, deletion, and release. However, from the 9 stages, problems are still found in management, namely in the stages of acceptance, maintenance and transfer, for this reason optimization is needed at the stages in question, as follows (Arifin & Dimiyati, 2021):

a. Optimization of the Management of Receipt of Confiscated and Confiscated State Goods

It is known that the duties and functions of receiving confiscated objects and goods confiscated by the State are the same as the existing provisions, namely conducting research on the files received and completing other administration, in terms of conducting research and assessing the head of RUPBASAN in forming a team to conduct research, this team is a related official in another administrative field, namely the chairman, research experts in the field of objects confiscated and goods confiscated by the State, and officers in the research administration. As for the process in conducting documentation, the officers take photographs or take pictures of the physical objects confiscated and goods confiscated by the State.

Based on an interview conducted with the Head of the Administration and Management Sub-section, Mr. Taufik Hadinoto, During the handover of confiscated and state-seized objects, the Ternate Class II RUPBASAN did not have any researchers or appraisers, so the work was carried out by existing administrative and management staff (Taufik Hadinoto as Head of Administration and Management Sub-Section, personal interview, February 16th, 2023).

The interviews revealed that during the handover of confiscated and state-seized objects, the Ternate Class II RUPBASAN did not have any researchers or appraisers, as it should have had one researcher and one certified appraiser.

b. Maintenance of Confiscated Objects and State-Confiscated Goods

Maintenance of confiscated and seized assets is carried out continuously or periodically, at least twice a week. Standard maintenance procedures, for example, for cars or motorcycles, include cleaning dust off the vehicle, warming up the engine, and checking its condition. Other maintenance procedures for confiscated assets are standard. Based on an interview with Mr. Muhlis, a maintenance officer, the researcher noted that maintenance is carried out twice a week, but is rarely carried out due to minimal maintenance costs. Therefore, the researcher concludes that the maintenance of confiscated and seized assets at the Ternate Class II RUPBASAN is still not optimal. In reality, RUPBASAN Class II Ternate officers do not maintain and care for confiscated assets according to the stipulated timeframe, and a limited budget is one of the obstacles to maintaining and caring for confiscated assets.

c. Permutation of Confiscated State Goods

Carrying out the transfer of objects confiscated by the State and goods confiscated by the State is an activity carried out to move objects confiscated and goods confiscated in accordance with the administration based on their legal status adjusted to the level of examination of the case, while transfer is an activity carried out in the transfer of objects confiscated by the State and goods confiscated by the State which is carried out administratively in relation to carrying out the transfer of the juridical authority of objects confiscated and goods confiscated by the State which is carried out by changing the records in the register book. In carrying out its duties and functions, the Ternate Class II State Confiscated Goods Storage House (RUPBASAN) is still influenced by several factors, such as:

1. The Regulatory Factor

Regulation of the Minister of Law and Human Rights Number 16 of 2014 concerning the procedures for managing objects confiscated by the state and objects confiscated by the state in RUPBASAN in Article 25 has made arrangements regarding the time limit for making deposits, which reads as follows (The Government of the Republic of Indonesia, 2014b): (1) In managing the Basan in the RUPBASAN, the time period will be adjusted to the investigation process, prosecution and trial in accordance with the provisions of the statutory regulations and (2) the Head of the RUPBASAN will make a written request for information from the agency that has legal responsibility regarding developments in handling cases involving confiscated goods. Then the continuation is regulated technically in article 26 which reads: (1) Regarding basan which has obtained permanent legal force based on its decision and its determination by the court, with the time period starting from the date of the court's decision when it obtains permanent legal force up to 30 days, then the head of RUPBASAN is obliged to submit the notification to

the agency that has legal responsibility in taking basan. (2) Regarding the letter to inform what the intention is in paragraph 1, no one has responded, RUPBASAN has an obligation in terms of submitting its letter which provides follow-up notification, namely the time period is 10 days and starts from the date of issuance of the letter giving the notification. (3) Regarding the letter to notify the follow-up that there has been no response, the head of RUPBASAN has an obligation to submit the second follow-up notification letter, the time limit is 10 days and starts from the date of the letter that the follow-up notification was sent as referred to in paragraph 2. (4) Regarding the letter that notifies the second follow-up letter as referred to in paragraph 3 that there has been no response, the head of RUPBASAN can return the letter to the agency that has legal responsibility. However, in practice, this is not implemented in accordance with the existing and established regulations. Furthermore, these regulations do not yet provide clarity regarding the length of time goods can be stored at the RUPBASAN.

2. Law Enforcement Factor

Factors in law enforcement include various factors directly involved in enforcing the law. Enforcing the law means having limitations on those directly involved in enforcing the law. This includes maintaining peace and prosecuting those convicted. The assumption is that the group, along with officials in the judicial system, prosecutors, police, lawyers, and community institutions, are responsible for the law (Soekanto, 2008). From the law enforcement factor, the Ternate Class II RUPBASAN is not capable of preparing personnel, whether this is based on the quality or quantity. The quality of human resources has limitations regarding knowledge regarding RUPBASAN itself and also regarding technical expertise to manage objects confiscated by the state and goods confiscated by the state (Jamaluddin, 2020).

Based on an interview with the Head of the Administration and Management Sub-section, Mr. Taufik Hadinoto, that

"In recent years, the Ternate Class II RUPBASAN has not recruited competent staff with expertise in the RUPBASAN. Instead, it has only accepted transferees who have had problems at their previous institutions, such as those transferred from prisons, detention centers, and the Penitentiary Supervisory Agency (Bapas). As a result, these officers do not fully understand the duties and functions of the RUPBASAN and lack expertise in the management of confiscated objects (Taufik Hadinoto as Head of Administration and Management Sub-Section, personal interview, January 23rd, 2023)."

The benchmark for providing service is employee performance. Adequate employee knowledge and skills are essential (Wijaya, 2020). Therefore, in optimizing RUPBASAN, in addition to strengthening the organization's management, including regulations, facilities and infrastructure, and human resources, coordination is crucial. In carrying out its duties and functions, RUPBASAN cannot be separated from other institutions that enforce the law, so it must coordinate regarding information on the whereabouts and status of objects confiscated by the State and items confiscated by the State.

CONCLUSION

The management of confiscated and seized objects at the Ternate Class II State Confiscated Objects Storage Center (RUPBASAN), including receipt, registration, classification, placement, security, maintenance, transfer, disposal, and release, is in accordance with applicable regulations. However, for receipts involving assessment and research, the Ternate Class II RUPBASAN lacks personnel to conduct research and assessment. Maintenance and care are still suboptimal due to a limited budget, resulting in damage to many confiscated and seized objects. Factors contributing to the unused storage of confiscated and seized objects at the Ternate Class II State Confiscated Objects Storage Center (RUPBASAN), include legal factors (statutes) and law enforcement. It is recommended that the Ternate Class II RUPBASAN provide education and training for staff in research and assessment roles. It is hoped that the Ternate District Attorney's Office and the Ternate Resort Police will immediately retrieve the confiscated objects and state confiscated goods that are stored at the Ternate Class II RUPBASAN, so that there is no accumulation in the warehouse and damage to these items.

REFERENCES

- Absori, A., Hernanda, T., Wardiono, K., Azhari, A. F., & Budiono, A. (2023). Critical Analysis of River Basin Management Regulation in Bengawan Solo for Water Tourism: Local Legislation in 7 Regency. *WSEAS Transactions on Environment and Development*, 19, 844–851. <https://doi.org/10.37394/232015.2023.19.80>
- Absori, A., Nugroho, S. S., Budiono, A., Ellyani, E., Nurani, S. S., & Fadlillah, M. (2020). Indonesia as an ecocratic country: The state's responsibility and the people's participation in preserving and in managing the environment quality. *Quality: Access to Success*, 21(179), 140–143.
- Absori, A., Nurhayati, N., Bangsawan, M. I., Budiono, A., Achmadi, A., & Nugroho, H. S. W. (2020). Green and Health Constitution of Green Open Space and Its Implementation in Surakarta. *Journal of Global Pharma Technology*, 12, 70–74.
- Absori, Anuar, H., Budiono, A., Rizka, Bangsawan, M., & Harun, R. (2024). Sustainable forest-based law enforcement against corporate illegal logging. *J Infrastructure, Policy Dev*, 8(11). <https://doi.org/10.24294/jipd.v8i11.9067>
- Alwan, S., Arsad, J. H., Alauddin, R., Faisal, Laha, F., & Umarsangaji, A. (2022). Legal Considerations from Judges in Supreme Court Decree No. 85 K/Pid.Sus/2013 Concerning the Acquittal of Exhibitionism Perpetrators and Their Implications as a Jurisprudence. *Jurnal Jurisprudence*, 12(2), 299–312. <https://doi.org/10.23917/jurisprudence.v12i2.1401>
- Arifin, M., & Dimyati, K. (2021). The Role of Transcendence Values in Preventing Intolerance Behavior. *Journal of Trancendental Law*, 3(2).
- Budiono, A., Yuspin, W., Nurani, S. S., Fairuzzaman, F., Pradnyawan, S. W. A., & Sari, S. D. (2023). The Anglo-Saxon System of Common Law and the Development of the Legal System in Indonesia. *WSEAS Transactions on Systems*, 22. <https://doi.org/10.37394/23202.2023.22.21>
- Faisal, & Ogli, T. M. A. P. (2025). Judicial Reasoning on Criminal Sanctions in Court Decision: Comparation between Indonesia and Uzbekistan. *Jurnal Jurisprudence*, 15(2), 177–194. <https://doi.org/10.23917/jurisprudence.v15i2.13649>
- Haq, H. S., Achmadi, A., Hangabei, S. M., & Budiono, A. (2022). Community Mediation-Based Legal Culture in Resolving Social Conflicts of Communities Affected by the COVID-19 Pandemic in West Nusa Tenggara, Indonesia. *Studia Iuridica Lublinensia*, 31(2), 11–32. <https://doi.org/10.17951/sil.2022.31.2.11-32>
- Hariri, A., Babussalam, B., & Saleh, M. A. M. (2025). Between Legality and Justice: A Critical Study of the Supreme Court's Judicial Reasoning in Dispute of the Awyu Customary Forest. *Jurnal Jurisprudence*, 15(2), 146–176. <https://doi.org/10.23917/jurisprudence.v15i2.11442>
- Hartotok, H., Absori, A., Dimyati, K., Santoso, H., & Budiono, A. (2021). Stunting prevention policy as a form of child health rights legal protection. *Open Access Macedonian Journal Medical Sciences*, 9, 1218–1223. <https://doi.org/10.3889/oamjms.2021.7254>
- Hezri, A. A., & Hasan, M. N. (2006). Towards sustainable development? The evolution of environmental policy in Malaysia. In *Natural Resources Forum* (Vol. 30, pp. 37–50). Oxford: Blackwell Publishing Ltd.
- Hidayat, H. (2015). *Pengelolaan Hutan Lestari: Partisipasi, Kolaborasi dan Konflik*. Jakarta: Yayasan Pustaka Obor Indonesia.
- Hudaya, C. R., Paradita, S. A., Febrian, F. M., & Triadi, I. (2024). Peran Hukum Tata Negara dalam Pengelolaan Kawasan Hutan (The Role of Constitutional Law in Forest Area Management). *Indonesian Journal of Law and Justice*, 1(4), 13.
- Idris, M. A., Aziz, N. F. A., & Zailee, S. (2012). The adoption of management systems standards & best practices in Malaysia (current and future trend). *Nang Yan Business Journal*, 1(1).
- Jamaluddin, M. S. (2020). *Tinjauan Hukum Tentang Pelaksanaan Pengelolaan Benda Sitaan Dan Barang Rampasan Negara Di Rumah Penyimpanan Benda Sitaan Negara (RUPBASAN) Kelas II Kota Ternate* (Bachelor's Thesis). Universitas Khairun Ternate, Ternate.
- Kartika, S. D., & Saputra, N. P. (2021). *Tanggung Jawab Negara Dalam Penanganan Aset Tindak Pidana*. Jakarta: Pusat Penelitian Badan Keahlian DPR RI.
- Ministry of Law and Human Rights of the Republic of Indonesia. (2021). *Regulations on the Management of Storage of Confiscated Objects and State Confiscated Goods at the Rupbasan*. Jakarta: Directorate General of Corrections.
- Soekanto, S. (2008). *Faktor-Faktor yang Mempengaruhi Penegakan Hukum*. Jakarta: RajaGrafindo Persada.
- Sugiarto. (2019). *Tinjauan Tentang Pelaksanaan Pengelolaan Benda Sitaan Negara dan Barang Rampasan Negara Di Rumah Penyimpanan Benda Sitaan Negara (RUPBASAN)*, Probolinggo. *Jurnal IUS*, 7, 3.

OPTIMIZING THE MANAGEMENT OF STATE-CONFISCATED GOODS IN THE CLASS II TERNATE STORAGE HOUSE OF STATE-CONFISCATED GOODS

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- The Government of the Republic of Indonesia. Article 44 paragraph (2) of the Criminal Procedure Code. , (1981).
- The Government of the Republic of Indonesia. Article 27 of Government Regulation Number 27 of 1983 concerning the Implementation of the Criminal Procedure Code. , (1983).
- The Government of the Republic of Indonesia. Article 19 paragraph (1) of the Regulation of the Minister of Law and Human Rights Number 16 of 2014 concerning Procedures for the Management of Confiscated Objects and State Confiscated Goods at the State Confiscated Objects Storage House. , (2014).
- The Government of the Republic of Indonesia. Article 25 Paragraph (1) and Paragraph (2) of the Regulation of the Minister of Law and Human Rights Number 16 of 2014 concerning Procedures for Managing State Confiscated Goods and State Confiscated Goods at the State Confiscated Goods Storage House. , (2014).
- The Government of the Republic of Indonesia. Regulation of the Minister of Law and Human Rights of the Republic of Indonesia No. 16 of 2014 concerning Procedures for the Management of State Confiscated Assets and State Confiscated Assets in State Confiscated Asset Storage Houses. , (2014).
- Wardiono, K. (2019). Prophetic: An Epistemological Offer for Legal Studies. *Journal of Law and Justice*, 1(1), 17–41. <https://doi.org/10.23917/jtl.v1i1.8797>
- Wibowo, S., Dimyati, K., Absori, Wardiono, K., Budiono, A., & Lyandova, V. (2023). Islamic nomocracy: From the perspectives of Indonesia, Spain and Russia. *Legality*, 31(1), 91–111. <https://doi.org/10.22219/ljih.v31i1.25358>
- Wijaya, V. A. (2020). Analisis Kesalahan Tata Kelola RUPBASAN. *Literacy: Jurnal Ilmiah Sosial*, 2(2).