

The Role of Gakkumdu Bawaslu East Jakarta in Law Enforcement of Election Crimes*

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Abstract

Law enforcement of election crimes is a critical aspect to ensure the creation of a fair, honest, and transparent democratic process. This research discusses the role of the Integrated Law Enforcement Centre (Gakkumdu) under Bawaslu East Jakarta in handling and resolving cases related to election crimes. Gakkumdu Bawaslu East Jakarta is mandated to address various violations, including administrative breaches, code of ethics violations, and criminal acts within the electoral process. This study aims to identify how Gakkumdu East Jakarta carries out its preventive and enforcement functions, as well as to analyse the challenges encountered in implementing these tasks. The research adopts a qualitative method with a literature and legal approach, utilising secondary data sources such as official documents, reports, regulations, and interviews with related stakeholders. The findings reveal that Gakkumdu East Jakarta plays a pivotal role in maintaining electoral integrity by actively monitoring, investigating, and processing election violations. However, several obstacles persist, notably limited human and financial resources, the complexity of legal procedures, and challenges in inter-institutional coordination between Bawaslu, the police, and the prosecutor's office. This research emphasizes the need for improved institutional synergy, capacity building, and clearer regulatory frameworks to enhance the effectiveness of Gakkumdu's performance in future elections. Strengthening these aspects is vital to upholding democratic values and ensuring that elections run according to the principles of fairness and justice.

Keyword: Crime; Elections; Gakkumdu; Law enforcement

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A. INTRODUCTION

In the implementation of elections, law enforcement is vital in maintaining integrity and public trust in the democratisation process. Indonesia, as a democratic country, views the importance of free, honest, and fair elections to ensure accurate representation in government. However, in its implementation, there are often criminal acts that interfere with the election process, such as money politics, black campaigns, voter intimidation, and data manipulation ([Aziz 2018](#)).

General elections are a manifestation of the sovereignty of the people in Indonesia. As part of democracy, elections must be carried out by following the principles of direct, general, clean, honest, and fair. This is in line with the mandate of Article 22e paragraph (1) of the 1945 Constitution, which states that "General elections are carried out directly, publicly, freely, secretly, honestly, and fairly every five years." In addition, Article 22e paragraph (5) of the 1945 Constitution stipulates that a national, permanent, and independent general election commission holds general elections ([Rowulan 2021](#)).

Elections are essential in a democratic system, allowing citizens to elect their representatives and leaders. However, this process is often not free from fraud and violations of the law that can interfere with its integrity. ([Pardede 2022](#).) Therefore, institutions such as the Election Supervisory Agency (Bawaslu) ensure that elections run fairly and democratically. Based on Law No. 7 of 2017 concerning General Elections, the Election Supervisory Agency (Bawaslu) is vital in supervising and enforcing election-related rules. One of the institutions under the auspices of Bawaslu is the Integrated Law Enforcement Centre (Gakkumdu). Gakkumdu is tasked with handling election violations, from investigations to law enforcement.

The role of Gakkumdu is crucial because various types of election violations, such as money politics, vote manipulation, and voter intimidation, can undermine electoral integrity and public trust. With the existence of Gakkumdu, Bawaslu can cooperate with the police and the prosecutor's office in conducting investigations and prosecutions of election crimes. This ensures that the legal process runs efficiently and on target.

In East Jakarta, Bawaslu has an important task in supervising the election process and ensuring that any violations of the law are handled appropriately. Gakkumdu (Integrated Law Enforcement) is a team consisting of elements of Bawaslu, the Police, and the Prosecutor's Office, who are tasked with enforcing the law in the implementation of elections. This team is central in identifying,

investigating, and cracking down on election-related law violations, including election crimes.

Law enforcement of election crimes is critical in maintaining the integrity of the election process and public trust in the election results. Election crimes can include various actions, such as money politics, vote manipulation, intimidation, and other violations that can illegally influence the election results. (Huda 2017) Therefore, the role of the East Jakarta Bawaslu Gakkumdu is key to ensuring free elections from fraud and violations of the law.

Research on the role of the East Jakarta Bawaslu Gakkumdu in law enforcement of election crimes is very important to understanding the effectiveness of law enforcement mechanisms in the context of elections. In addition, this study can provide insight into the challenges faced by Gakkumdu in carrying out its duties and possible solutions to improve the effectiveness of law enforcement in the electoral process.

B. METHODS

This descriptive research aims to provide the most accurate data regarding the state of the research object so that it can clarify hypotheses and help strengthen existing theories or develop new ones. It uses a juridical-empirical approach by looking at the reality of law in society. (Ali 2009) The data used in this study includes primary data and secondary data. Primary data is obtained directly from the research object, while secondary data includes library materials such as official documents, books, laws and regulations, scientific works, articles, and other related documents. (Mamudji 2011) The primary data was collected through interviews with Ahmad Syarifudin Fajar, the Coordinator of the Violation Handling, Data, and Information Division of the East Jakarta Bawaslu. The data collected was analysed qualitatively, which means that this research approach emphasises a deep understanding of a problem, rather than looking for generalisations. Qualitative research methods tend to use in-depth analysis. Qualitative research provides substantive categories and develops hypotheses in the context of qualitative research. (Sodik 2015)

C. RESULTS AND DISCUSSION

General elections in Indonesia are one way to realize people's sovereignty directly. Therefore, a supervisory system based on fairness and

openness is needed to resolve election disputes. Bawaslu has the authority not only to supervise the implementation of elections, starting from the registration stage, factual verification of voter data, campaigns, voting, vote counting, to the determination of election results, but also has the authority to take action against alleged violations committed by election organisers such as the General Election Commission and/or election participants, both political parties and individual candidates.

Bawaslu has a key role in the supervision and enforcement of election laws. Bawaslu is tasked with supervising every stage of the election, ensuring implementation is by applicable regulations, and taking action against any violations and election crimes. To carry out this task, Bawaslu collaborates with various related agencies, including the police and the prosecutor's office. (S. Y. Akhmaddhian 2021)

1. The Role of East Jakarta Gakkumdu in Law Enforcement of Election Crimes

Establishing the Integrated Law Enforcement Centre (Gakkumdu Centre) is a mandate of Law Number 7 of 2017 concerning Elections. Based on Article 1 point (2) of Bawaslu Regulation Number 9 of 2018 concerning the Gakkumdu Centre, the Integrated Law Enforcement Centre (Gakkumdu Centre) functions as a centre for activities to handle election crimes involving Bawaslu, the Police, and the Prosecutor's Office. This centre has the authority to conduct investigations, prosecutions, and executions of decisions related to disputes over election crimes. (Alfiantoro 2018) In this case, Gakkumdu plays a role as an institution that escorts and supervises the election process in handling election crimes. From its membership structure, Gakkumdu has similarities with the Corruption Eradication Commission (KPK), which also consists of elements of the police and the prosecutor's office. Gakkumdu also includes aspects of elections, namely Bawaslu. The presence of Bawaslu in the Gakkumdu Centre with the police and the prosecutor's office has caused debate, because apart from being an election supervisor, Bawaslu also carries out the function of election justice when there are violations in the election process/pilkada or election administration/pilkada. (Mpesau 2021)

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The collaboration between the three institutions in handling election crimes aims to make the process more effective, simple, and cost-effective while still upholding election principles. (Mumaddadah 2022) This is related to various problems of election crimes that can affect the election results. Elections are the embodiment of the democratic system that is upheld in the Indonesian constitution, because elections are a means to channel people's sovereignty through representative democracy, which places their representatives in executive and legislative positions to channel the aspirations of the people. However, the way election participants get the support of the people sometimes hinders the implementation of democratic elections. This can be seen from the rampant practice of money politics, black campaigns, bureaucratic politicisation, lack of professionalism of election organisers, apathy and pragmatism, and the quality and capabilities of election participants. In addition, in Law Number 8 of 2012 concerning the Election of Members of the House of Representatives, DPRD, and DPD, it is recognized that there are around six complex problems related to elections, one of which is election crimes. (Junaidi 2020)

Gakkumdu is a special unit consisting of representatives of Bawaslu, the police, and the prosecutor's office. Its main task is to handle cases of election crimes from investigation to prosecution. Gakkumdu has a vital role in maintaining the fairness and integrity of elections by ensuring that violations are handled quickly and appropriately. (Safitri 2019) The Gakkumdu's authority to handle election crime violations must be carried out in accordance with laws and regulations. To ensure that the handling of Election Crimes runs well, law enforcement is needed in accordance with the country's vision, namely, realizing honest and fair elections.

Law Number 7 of 2017 concerning Elections regulates Integrated Law Enforcement with the aim of harmonizing understanding and approaches in handling election crimes between Bawaslu, the Indonesian National Police, and the Attorney General of the Republic of Indonesia. This Integrated Law Enforcement Centre is expected to ensure effective handling of election crimes and uphold electoral justice in accordance with the principles applicable in general elections in Indonesia.

The role of Gakumdu in the law enforcement of election crimes covers various aspects, including:

1. Investigation and Research: Gakkumdu investigates reports or findings of election violations in collaboration with the police and the prosecutor's office.
2. Prosecution: Gakkumdu is responsible for prosecuting cases of election crimes in court. Cooperation with the prosecutor's office is essential to ensure the legal process runs smoothly.
3. Coordination with Bawaslu: Gakkumdu coordinates closely with Bawaslu in its duties. Bawaslu is a supervisory body and provides essential information for investigations and law enforcement.

Election crimes are criminal acts that occur during the holding or implementation of elections. (Bambang 2021) The characteristics of election crimes include unlawful acts during the election or regional elections, as defined by Law Number 7 of 2017 and Law Number 6 of 2020. It is fully realized that elections or regional elections are contests between participants to seize or maintain power, so that disputes can occur. Election participants may engage in various ways to win elections, including fraud or violations.

Election crimes are part of criminal acts or criminal offences (*strafbaar feit*) (Andi Hamzah 2012). In the Election Law, election crimes are defined as violations and/or crimes against election criminal provisions as regulated in the Election Law, which are listed in Articles 488 to 554 of Law Number 7 of 2017 concerning Elections. This election crime is classified based on the actions of the legal subject, namely criminal acts committed by individuals, KPU officers at both the provincial and district/city levels, PPK, PPS, PPLN, and criminal acts that occur during the campaign process.

Election violations are a form of desecration of the democratic system in Indonesia. Therefore, there needs to be a guarantee for the implementation of democratic elections by Jimly Asshiddiqie's statement regarding the eleven principles of a democratic legal state, one of which is the existence of a dispute resolution mechanism based on agreed legal procedures (Sirajuddin dan Winardi 2015). To handle various criminal problems in accordance with the mandate of the Election Law, the Gakkumdu Centre was formed through Bawaslu RI Regulation Number 9 of 2020 concerning the Integrated Law Enforcement Centre. Legal certainty through the formation of Gakkumdu is critical because it is related to protecting election participants, voters, and the election organising institution itself. The General Election Supervisory Agency (Bawaslu) has recorded 1,023 alleged violations of the 2024 Election derived

from public reports and direct findings. Of these, 482 cases came from reports, while 541 cases came from findings.

According to the Chairman of Bawaslu Rahmat Bagja, of the total alleged violations, 479 were proven to be violations, 324 were not included as violations, and 220 cases were still in the process of being handled. Bagja explained that the types of breaches comprised 69 administrative violations, 39 alleged election crimes, 248 violations of the code of ethics, and 125 other law violations. Bagja conveyed this statement in a press conference related to the Update on the Handling of Criminal Violations in the 2024 Election on Tuesday, February 27, 2024.

Regarding alleged campaign violations, Bawaslu received 154 reports and found 224 cases. Of the total, 132 cases were proven to be violations, 127 were not proven, and 111 cases were still being handled. Bagja added that violations in this campaign stage included five administrative violations, 29 alleged election crimes, 30 violations of the code of ethics, and 66 other law violations.

The Director of General Crimes (Dirtipidum) of the Criminal Investigation Branch of the National Police, Brigadier General Pol Djuhandhani Rahardjo, revealed that the number of cases in 2024 has decreased compared to 2019. In 2019, 849 cases included reports and findings. Of these, 367 cases were forwarded to the police, while 482 were stopped. In 2019, 314 cases managed to reach stage two. Meanwhile, in 2024, based on reports and findings until February 26, only 332 cases were recorded. Of the 332 cases, 149 are still being studied, 108 have been stopped, and the police have handled 65 cases.

Implementing the election in the East Jakarta Administrative City area in 2024 will occur safely, smoothly, and peacefully. This success cannot be separated from the critical role of Bawaslu in supervising all stages of the election. Especially, the East Jakarta Administrative City Gakkumdu Centre managed to solve various problems that arose during the election, ranging from stages, updating the voter list (DPT), candidacy, campaigning, logistics distribution, quiet period, voting, vote counting, to the recapitulation of results and determination of elected candidates.

Based on the results of the author's interview with the Coordinator of the Violation Handling, Data, and Information Division of the East Jakarta Bawaslu, Ahmad Syarifudin Fajar, said that several cases handled by the East Jakarta Bawaslu received public attention, including the cases of Saskia and Sardy. Saskia in question is Saskia Khairunnisa Simamora, a candidate for the

DKI Jakarta Provincial DPRD from Dapil 4, with number 5 from the Democratic Party. The public reported him to the East Jakarta City Bawaslu for alleged violations of election crimes on Friday, February 23, 2024.

Referring to Bawaslu Regulation Number 7 of 2022 concerning the Handling of Election Violations, the East Jakarta City Bawaslu registered the report and continued handling violations by clarifying and studying alleged violations, which were then forwarded to the investigation stage. However, in the last discussion, the Investigator and Prosecutor of the East Jakarta Gakkumdu Center argued that the study of alleged violations did not sufficiently meet the requirements of witnesses and two valid pieces of evidence by Article 184 paragraph (1) of the Criminal Code, so that the report could not be continued to the investigation stage. A similar case occurred to Sardy Wahab Sadri, a DKI Jakarta Provincial DPRD candidate from Dapil 6 with number 1 from the Golkar Party. The public reported him to the East Jakarta City Bawaslu for alleged violations of election crimes on Friday, March 1, 2024.

The East Jakarta City Bawaslu received the report and conducted a preliminary study to evaluate whether the report met the formal and material requirements. In a plenary meeting held on March 4, 2024, the East Jakarta City Bawaslu Chairman and Members concluded that although the report met the material requirements, the formal requirements were not met, so the report could not be registered. However, this information is still followed up on as initial information.

The East Jakarta City Bawaslu then traced the initial information by conducting direct supervision, where the relevant party made a statement admitting that it had received money to vote for the reported party. Based on Bawaslu Regulation Number 7 of 2022 concerning the Handling of Election Violations, the East Jakarta City Bawaslu registered the findings with Number: 001/TM/PL/Kota/12.04/03/2024 on March 13, 2024 and continued the process of handling violations. For 14 working days, the East Jakarta City Bawaslu followed up on this finding by clarifying the complainant, witnesses, and reported persons. After going through the clarification process and assessing alleged violations, the East Jakarta City Bawaslu discussed with the Investigator and the Prosecutor of the East Jakarta Gakkumdu Centre.

In the final discussion, the East Jakarta Gakkumdu Center argued that the findings of the East Jakarta City Bawaslu with Number: 001/TM/PL/Kota/12.04/03/2024 could not be continued to the investigation stage because it did not meet the elements of election crimes as stipulated in Article

523 paragraph (1) and paragraph (3) of Law Number 7 of 2017 concerning General Elections(Fajar 2024).

2. Obstacles Faced by the East Jakarta Bawaslu Gakkumdu in the Enforcement of Election Law

Although Gakumdu has an important role in law enforcement of election crimes, there are various obstacles faced in carrying out its duties. Some of the obstacles that often arise include: (Ramadhan 2019)

1. Limited Resources: Gakkumdu often faces limited resources in terms of personnel and facilities. This can affect the effectiveness of election law enforcement.
2. Political Pressure: The process of enforcing election laws is often colored by political pressure from various parties with specific interests.
3. Poor Coordination: Sometimes, coordination between Bawaslu, the police, and the prosecutor's office does not go well, which can hinder the enforcement of election laws.
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3. Solutions and Efforts That Can Be Done to Increase the Effectiveness of Gakkumdu in Law Enforcement of Election Crimes

Gakkumdu (Integrated Law Enforcement Centre) is an institution that plays an important role in the law enforcement of election crimes in Indonesia. However, the challenges in increasing the effectiveness of Gakumdu are often related to coordination between institutions, human resource capacity, and community legal awareness. Here are some solutions and efforts that can be made to increase the effectiveness of Gakkumdu:

First: Improving Coordination Between Institutions. There needs to be increased coordination between Bawaslu, the Police, and the Prosecutor's Office to ensure that legal action can be taken quickly and appropriately. Establishing a special coordination team that regularly holds evaluation meetings can also help synchronise actions between agencies. In addition, establish a clear and detailed protocol on the flow of cooperation and responsibilities of each institution in the law enforcement process.

Second: Capacity Building of Human Resources. Provide periodic training for Gakumdu members on election criminal law, investigation, and judicial procedures. This could include case simulations to improve practical skills. In addition, increase the number of experts in criminal and election law to support Gakumdu in providing more in-depth legal analysis and assistance.

Third: Utilisation of Information Technology. Develop and implement a digital surveillance and reporting system that enables real-time detection and documentation of election violations. Build an integrated database that contains data on election violations and the status of their handling to facilitate access to information and coordination between institutions. Conduct a comprehensive campaign to raise public awareness about the importance of election law enforcement and how they can contribute, for example, by reporting violations. Also, education on election law should be integrated into educational curricula and community programs.

Fourth: Increased Transparency and Accountability. Regularly report to the public regarding Gakumdu's performance, including cases being handled and final results. This can increase public trust in the legal process. In addition, independent institutions should be invited to conduct audits or reviews of Gakumdu's performance regularly to ensure accountability and transparency.

Fifth: Improvement of Regulations and Policies. Review the Election Law to close legal loopholes and strengthen the legal basis for Gakumdu's duties. Encourage policies that support the protection of witnesses and whistleblowers of election violations and strengthen sanctions against violations.

By making these efforts, it is hoped that Gakumdu can operate more effectively in enforcing election laws and improving the quality and integrity of the electoral process in Indonesia.

D. CONCLUSION

The East Jakarta Gakkumdu Centre is vital in law enforcement for election crimes. Gakkumdu functions as an institution that handles cases of election violations, ranging from investigations, prosecutions, to the execution of verdicts. Despite its essential role, Gakkumdu faces challenges such as limited resources, political pressure, lack of coordination between agencies, and personnel skills that still need improvement. To overcome this challenge, it is necessary to improve coordination between institutions, provide continuous personnel training, use information technology, increase public legal awareness, and revise supportive regulations. With these efforts, it is hoped

that Gakkumdu can be more effective in maintaining the fairness and integrity of elections in Indonesia.

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