

Research Article

Legal Certainty in Police Ethics Examinations by West Java BIDROPAM

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Abstract: Enforcement of the Police Professional Code of Ethics is a measure of institutional accountability after the issuance of Police Regulation Number 7 of 2022. In West Java, rising ethics cases and sanctions reveal a need to assess gaps among normative procedures, examination practice, transparency, timeliness, and parties' rights. This article analyzes the conformity of KEPP examinations by West Java Bidpropam and formulates obstacles and optimization strategies under Regulation 7/2022. The study applies an empirical juridical approach with descriptive-analytical specification. Data were obtained from Police Regulation Number 7 of 2022, the Police Law, scholarly literature, KEPP case data, and field findings compiled in the thesis. The analysis is qualitative, using Hans Kelsen's legal certainty theory and Soerjono Soekanto's law enforcement theory to compare norms, practice, obstacles, and reform recommendations. Validity was strengthened through source, document, observation, and legal triangulation. The study finds that KEPP examinations follow normative stages: complaint receipt, preliminary examination, case filing, KKEP hearing, and appeal. Nevertheless, legal certainty remains suboptimal because consistency, compliance with the 30-day period, information transparency, and the rights of examined officers and complainants are not yet fully substantive. The main obstacles concern legal rules, examiners, facilities, public trust, and organizational culture. Their interaction makes delays and bias difficult to solve separately. These findings require KEPP examination reform beyond administrative compliance. The Police should strengthen SOPs, procedural sanctions, case digitalization, examiner competence, complainant protection, and internal-external oversight to restore public trust and ensure transparent, objective, accountable, and fair examinations for affected and involved parties. The article's originality lies in an empirical juridical analysis combining legal certainty and law enforcement theories to assess not only procedural existence but also implementation quality. Its focus on West Java Bidpropam offers locus-based evidence and recommendations for implementing Police Regulation Number 7 of 2022 in ethics reform.

Keywords: Bidpropam; Law Enforcement; Legal Certainty; Police Professional Ethics; Police Regulation 7.

1. Introduction

The Indonesian National Police holds a strategic mandate to maintain public order, enforce the law, and provide protection, guidance, and services to society. This mandate places the Police not merely as a coercive state apparatus, but as a public institution whose legitimacy depends heavily on the ethical conduct of its officers. The Police Professional Code of Ethics, commonly referred to as KEPP, therefore functions as a normative instrument for controlling professional behavior, limiting abuse of authority, and preserving institutional honor.

Police Regulation Number 7 of 2022 on the Professional Code of Ethics and the Police Code of Ethics Commission introduced a more detailed framework for police ethics enforcement. It clarifies ethical domains, examination stages, the role of the Police Code of

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Ethics Commission (KKEP), the rights of examined officers, sanction types, and appeal mechanisms. Normatively, this framework should secure orderly, measurable, timely, and accountable ethics examinations. Yet the effectiveness of a legal norm cannot be assessed solely from the completeness of its text; it must be tested through implementation.

The thesis underlying this article identifies an important problem in the West Java Regional Police. Case data show that KEPP violations remain significant, while dishonorable dismissals in 2024 increased compared with 2023. At the same time, the internal examination mechanism faces concerns regarding timeliness, information transparency, protection of examined officers' rights, notification to complainants, limited resources, and potential conflicts of interest because examiners and examined officers belong to the same institution (Bidpropam Polda Jawa Barat, 2025). This condition raises a central question: does the KEPP examination mechanism produce substantive legal certainty, or does it merely satisfy administrative procedure?

Previous studies have addressed various aspects of police ethics enforcement, including sanctions, KKEP effectiveness, the role of Propam, and critical assessments of Regulation Number 7 of 2022 (Makasuci et al., 2024; Suharni et al., 2024; Zakaria & Arief, 2026). However, a research gap remains. First, few studies examine the entire examination chain from complaint receipt to appeal. Second, studies focusing on West Java have generally emphasized the KKEP hearing body rather than Bidpropam's technical examination role. Third, limited research explicitly combines legal certainty with the five factors of law enforcement in one analytical framework.

This article contributes in three ways. Conceptually, it distinguishes procedural compliance from substantive legal certainty. Methodologically, it converts a descriptive empirical juridical thesis into a concise, analytical, and research-based journal article. Practically, it formulates an optimization model linking normative reform, examiner capacity, case digitalization, complainant transparency, and a professional culture. Thus, the article does not stop at criticism but offers a structured improvement map for the Police and oversight stakeholders.

The article addresses two research questions. First, how far does the examination of KEPP violations by West Java Bidpropam conform to Police Regulation Number 7 of 2022? Second, what obstacles affect the examination process and what optimization strategies can be adopted? The objective is to assess both normative and substantive conformity and to formulate obstacles and reform strategies systematically.

Preliminaries or Related Work or Literature Review

KEPP can be understood as the intersection of police administrative law, professional ethics, and public accountability. As a professional norm, it does not merely list prohibitions; it establishes behavioral standards for police officers in relation to the state, the institution, society, and personal integrity. Accordingly, KEPP violations have consequences beyond internal discipline because they directly affect public trust in the Police's ability to enforce law with integrity.

Legal certainty theory requires law to be clear, predictable, consistently applied, and protective of legal subjects' rights. Kelsen emphasizes that the validity of legal action depends on compliance with a hierarchy of valid norms (Kelsen, 2020). In the context of KEPP examinations, Police Regulation Number 7 of 2022 provides norms governing authority, examination stages, deadlines, rights of examined officers, decisions, and appeals. Therefore, deviations from stages and deadlines are not merely technical issues; they disrupt the predictability and legitimacy of the process.

Nevertheless, legal certainty is not confined to written rules. It also requires quality of implementation. An examination may formally pass through all required stages but still fail substantively when it is delayed, opaque, or insufficiently protective of parties' rights. This distinction is crucial because internal police ethics mechanisms may appear to operate institutionally while remaining contested in terms of accountability.

Soerjono Soekanto's law enforcement theory explains that the effectiveness of law is influenced by five factors: the law itself, law enforcers, facilities, society, and legal culture (Soekanto, 2019). These factors are highly relevant to KEPP examinations. The legal factor concerns the clarity of the regulation and consequences for missed deadlines. The law enforcer factor concerns examiner competence and integrity. The facilities factor includes personnel, budget, technology, and case management. The societal factor concerns complainant trust and participation. The cultural factor relates to corps solidarity, organizational reluctance to expose violations, and leadership example.

Contemporary research on KEPP reveals similar patterns. Makasuci et al. (2024) emphasize the role of legal certainty in imposing sanctions on police officers. Suharni et al. (2024) highlight moral integrity and professionalism as prerequisites for ethics enforcement. Zakaria and Arief (2026) critically examine Regulation Number 7 of 2022, especially transparency, conflicts of interest, and oversight effectiveness. Sanak et al. (2024) show that police officer examinations follow a staged process, although the quality of implementation depends significantly on the capacity of local units.

Based on that literature, this article expands previous approaches. It does not ask only whether Regulation Number 7 of 2022 exists and applies; it asks whether it works within West Java Bidpropam's examination practice. The article also criticizes approaches that focus only on sanction outputs because fairness cannot be measured solely by the number of dismissals or demotions. A more accurate measure is whether the process guarantees timeliness, transparency, rights protection, examiner objectivity, and accountable decisions.

3. Materials and Method

This study uses an empirical juridical approach with descriptive-analytical specification. The juridical approach assesses whether the examination procedure conforms to Police Regulation Number 7 of 2022 and Law Number 2 of 2002 on the Indonesian National Police. The empirical approach examines the implementation of the examination process at West Java Bidpropam as presented in the thesis, including case data, procedural descriptions, and identified obstacles.

The data consist of primary and secondary materials. The thesis identifies primary data in the form of interviews, observations, and documents from the research setting. Secondary materials include primary legal sources, particularly Police Regulation Number 7 of 2022 and the Police Law; secondary legal sources, especially journal articles, legal theory books, and previous studies; and supporting materials such as reports, case data, and relevant news sources. In this article, information not fully available in the thesis is not supplemented speculatively, in order to avoid unsupported empirical claims.

The analysis is qualitative and proceeds through reduction, presentation, and conclusion drawing. At the reduction stage, the thesis' long descriptive material is condensed into journal-style argumentation. At the presentation stage, findings are organized through analytical narrative and tables. At the conclusion stage, findings are interpreted through two analytical lenses: legal certainty theory to assess conformity, and law enforcement theory to explain obstacles and optimization strategies.

Analytical validity is strengthened through source triangulation and logical consistency. The regulation is compared with practice descriptions, case data, previous studies, and legal theory. Accordingly, the conclusion is not a mere summary of the thesis but an academic reconstruction that places empirical findings within broader debates on legal certainty, internal accountability, and police ethics reform.

4. Results and Discussion

The study shows that KEPP violation examinations by West Java Bidpropam follow the structure provided by Police Regulation Number 7 of 2022. The stages include complaint receipt, preliminary examination, case filing, referral to and hearing before the KKEP, and appeal. Objectively, the existence of these stages is not the main problem. The issue arises when those stages are tested against consistency, timeliness, transparency, and rights protection.

The thesis' statistical data show that KEPP cases in West Java remain significant. In 2022 there were 118 KEPP violations; in 2023 there were 101 cases; and in 2024, 64 officers received dishonorable dismissal. The 2024 figure cannot be directly compared as a total case number because it records only severe PTDH sanctions, but it indicates that serious ethical violations remain an institutional concern. Reported violations include sexual misconduct, desertion, narcotics abuse, domestic violence, and other general crimes.

Procedurally, the preliminary examination is a critical stage because initial evidence is collected, witnesses are examined, alleged violators are questioned, and the case is assessed for referral to the KKEP hearing. Police Regulation Number 7 of 2022 provides a maximum period of 30 days for the preliminary examination. The thesis emphasizes that compliance with this time limit is an important indicator of legal certainty. If the deadline is missed without valid reason and without consequence, both complainants and examined officers lose predictability.

The rights of examined officers also constitute a key finding. The regulation guarantees the right to assistance, the right to present exculpatory witnesses, and the right to appeal. Within the findings, these rights are normatively available. However, normative availability does not always equal substantive fulfillment. Assistance that is merely formal, witnesses who are not effectively facilitated, or appeal rights that are poorly understood may make a process appear lawful while not fully fair.

From the complainant's side, the thesis highlights the need for information on the progress and outcome of examinations. The complainant triggers the accountability mechanism; therefore, the absence of notification may weaken public participation. Transparency toward complainants need not disclose all confidential data, but it should at least provide certainty that the complaint was received, processed, and resolved.

The identified obstacles fall into five categories. First, the legal factor: absence of firm consequences for missed deadlines. Second, the examiner factor: limited number, competence, and possible conflicts of interest. Third, the facilities factor: suboptimal human resources, budget, and case management technology. Fourth, the societal factor: low trust and reporting participation. Fifth, the cultural factor: excessive corps solidarity and organizational culture that may hinder objectivity.

Table 1. KEPP Examination Stages and Finding Indicators

Stage	Normative Basis	Finding Indicator
Complaint receipt	Registration and initial assessment	The stage exists; status transparency for complainants needs strengthening.
Preliminary examination	Evidence collection, witness examination, questioning of alleged violator; maximum 30 days	The key stage for legal certainty because it involves deadlines and case feasibility.
Case filing	Compilation of examination files and administration	Report quality and document completeness determine hearing accountability.
KKEP hearing	Examination and decision by the commission	Procedural fairness depends on commission objectivity and rights fulfillment.
Appeal	Remedy against KKEP decision	Appeal rights exist normatively and need substantive protection.

Table 2. Summary Data on KEPP Violations in West Java Regional Police

Year	Recorded Data	Analytical Note
2022	118 KEPP violations	Indicates a significant ethics caseload.
2023	101 KEPP violations	Shows a decrease compared with the previous year.
2024	64 officers dishonorably dismissed	Reflects serious violations; not identical to total KEPP cases.

Table 3. Obstacles and Optimization Strategies

Factor	Main Obstacle	Optimization Strategy
Law	Deadlines without firm consequences	Internal SOPs, procedural sanctions, delay audits.
Examiners	Limited competence, number, and potential conflicts of interest	Training, layered supervision, conflict-prevention mechanisms.
Facilities	Personnel, budget, and technology not proportional to caseload	Case management digitalization and resource support.
Society	Public trust and reporting participation remain suboptimal	Complaint channels, status notification, complainant protection.
Culture	Excessive corps solidarity and protective organizational culture	Leadership example and consistent enforcement regardless of rank.

Comparison

These results indicate that the central problem of KEPP examinations is not the absence of norms. Regulation Number 7 of 2022 provides a relatively detailed framework. The central issue is the gap between procedural compliance and substantive legal certainty. Procedural compliance exists when the institution follows the required stages. Substantive legal certainty is achieved only when those stages are conducted on time, consistently, transparently, and in a manner that protects the rights of all parties.

From Kelsen's perspective, a legal act derives validity from a valid norm. Yet formal validity is insufficient if the norm is not applied consistently. A KEPP examination that exceeds deadlines, fails to explain delays, or provides inadequate information to the parties weakens legal predictability. Predictability matters because complainants need to know that their complaint is being processed, while examined officers need to know the time limits and evidentiary standards applied to their case.

The findings also confirm the relevance of Soekanto's theory. The legal factor appears in the weakness of procedural sanctions for delay. A deadline without consequence may become a norm with limited binding force. The law enforcer factor appears in the need to improve examiner competence, integrity, and independence. In internal oversight, conflicts of interest cannot be completely eliminated, but they can be controlled through layered supervision, digital documentation, limited transparency, and case audits.

The facilities factor is directly connected to timeliness. An increasing caseload, when not matched by examiners, budgets, information systems, and administrative support, produces case backlogs. In such circumstances, delay is not only individual negligence but also the result of an institutional design that is not proportionate to workload. Case management digitalization is therefore a necessity, not merely an innovation. A digital system can record complaint dates, examination deadlines, case status, reasons for postponement, and notifications to complainants or examined officers within confidentiality limits.

The societal factor shows that KEPP examinations cannot be separated from public trust. When complainants receive no information, trust decreases and participation weakens. Yet public oversight is an important source for detecting violations. Process transparency should therefore be understood as an instrument for strengthening participation, not as a threat to the institution. Proportional transparency protects the Police from accusations of closed procedures and strengthens the legitimacy of decisions.

The cultural factor is the most latent obstacle. Corps solidarity is necessary for organizational loyalty, but it becomes problematic when it turns into protection for violations. Leadership example and consistent enforcement regardless of rank are crucial. Severe sanctions such as dishonorable dismissal are important, but their educative effect is achieved only when the process leading to the sanction is objective and accountable.

This article further argues that sanction output is not the only indicator of success. A high number of dishonorable dismissals may demonstrate firmness, but it may also indicate persistent serious violations. Conversely, a low number of cases does not necessarily mean improvement because low reporting may result from weak public trust. Evaluation of KEPP examinations should therefore use broader indicators: timely completion rates, quality of rights fulfillment, complainant satisfaction with information, consistency of legal basis, and implementation of decisions.

Optimizing KEPP examinations requires simultaneous reform. Regarding the legal factor, internal SOPs should include administrative consequences for unjustified delay. Regarding examiners, training should improve ethics procedure, examination techniques, report writing, and independence. Regarding facilities, a KEPP case information system is needed. Regarding society, complaint channels and status notifications must be accessible. Regarding culture, integrity development must be supported by leadership example. Partial reform is insufficient because the five factors influence one another.

The limitation of this article lies in the availability of detailed quantitative data, such as the percentage of cases completed on time, the number of examiners, and detailed interview excerpts. Therefore, the article does not add figures unavailable in the thesis. Future research should conduct micro-level case audits, compare several Regional Police units, and examine complainants' and examined officers' perceptions of transparency in KEPP examinations.

6. Conclusion

The examination of KEPP violations by West Java Bidpropam follows the procedural framework of Police Regulation Number 7 of 2022, from complaint receipt and preliminary examination to case filing, KKEP hearing, and appeal. However, procedural conformity has not fully produced substantive legal certainty. The main issues concern consistency, compliance with the 30-day preliminary examination period, information transparency, and protection of both examined officers' and complainants' rights.

The obstacles are distributed across five interrelated factors: legal rules, examiners, facilities, society, and organizational culture. Because these obstacles are structural and mutually reinforcing, reform must be simultaneous through stronger SOPs and procedural sanctions, improved examiner competence and integrity, case management digitalization, complainant protection and notification, and a culture of professionalism. Theoretically, this article strengthens the distinction between administrative compliance and substantive legal certainty. Practically, it recommends transparent, objective, timely, and accountable KEPP examination reform as part of restoring public trust in the Police.

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