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Overlapping Investigative Authority In The Perspective Of Constitutional Institutional Design

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Abstract

Harmonization within the criminal justice system remains a fundamental challenge for a rule-of-law state, particularly regarding the distribution of investigative authority among law enforcement agencies. In Indonesia, overlapping investigative jurisdictions between the National Police, the Attorney General's Office, and the Corruption Eradication Commission (KPK) have persistently generated legal uncertainty, institutional rivalry, procedural inefficiency, and risks to rights protection in criminal proceedings. Previous studies have generally examined this issue as a matter of legislative disharmony, inter-agency coordination, or sectoral ego. This article offers a novel argument that overlapping investigative authority is not merely a technical problem of statutory inconsistency, but a symptom of fragmented constitutional institutional design. Using normative juridical research with statutory, conceptual, and comparative approaches, this study analyzes the roots of jurisdictional overlap and formulates a coherent reconstruction model. The findings show that the absence of clear jurisdictional demarcation and a final, binding mechanism for resolving inter-agency jurisdictional disputes has produced systemic dysfunction at the investigative stage. This article proposes three reconstruction models: Clear Jurisdictional Differentiation, Limited Functional Integration, and Institutional Jurisdictional Adjudication. Among these, Institutional Jurisdictional Adjudication is recommended as the most pragmatic initial model because it can manage operational conflicts while providing a transitional framework for broader legislative synchronization. The study concludes that harmonizing investigative authority requires institutional design reconstruction grounded in legal certainty, accountability, and the integrated criminal justice system.

KEYWORDS *Institutional Design; Overlapping Authority; Investigative Authority; Legal Reconstruction; Law Enforcement Agencies*

Introduction

The integrity of the criminal justice system is one of the fundamental pillars of the rule of law (rechtsstaat). The functioning of this system is highly dependent on harmony and clarity in the division of authority among law enforcement agencies.[1] The investigation stage, as the initial gateway to the judicial process, plays a crucial role in determining the direction of law enforcement.[2] Therefore, the absence of clear jurisdictional demarcation at this stage can undermine the principle of legal certainty.

The legal reality in Indonesia consistently shows overlapping investigative powers between the police, the attorney general's office, and the Corruption Eradication Commission (KPK). This phenomenon is not a theoretical issue, but a practical problem that often triggers institutional friction and uncertainty

1 Yoyon Mulyana Darusman, Elmer Micu Soriano, and Bhanu Prakash Nunna, "Strengthening Judicial Commission Authority in Indonesia Judicial Power Institutions, Link to Trias Politica Theory," *Jurnal Dinamika Hukum* 24, no. 1 (April 22, 2024): 73, https://doi.org/10.20884/1.jdh.2024.24.1.3987.

2 Udin Awaludin, Nanang Solihin, and Wiryanto Wiryanto, "Tinjauan Yuridis Terhadap Kekeliruan Hakim Dalam Putusan Tindak Pidana Penggelapan Dari Perspektif Kepastian Hukum," *Jurnal Hukum Jurisdictie* 5, no. 2 (May 2023): 70–93, https://doi.org/10.34005/jhj.v5i2.135.

for those seeking justice.[3] Various corruption cases and other specific criminal acts often become the arena for jurisdictional disputes between institutions. The problem of the unpreparedness of this legal framework is also seriously manifested in facing the challenges of the digital era, where the corporate criminal liability system is considered unable to accommodate the complexity of cybercrime.[4] This condition ultimately has the potential to disrupt the fair and orderly judicial process.

Most of the existing academic discourse tends to discuss this issue from a partial perspective. Many studies only stop at analyzing statutory provisions separately or offer pragmatic solutions in the form of establishing coordination forums. These approaches, while useful, have not touched on the more fundamental root of the problem.[5] As a result, the solutions offered are often temporary and do not solve the problem structurally.

This article offers a novel argument that overlapping investigative authorities are not merely a matter of legislative disharmony. This phenomenon is a symptom of institutional design defects rooted at the constitutional level. The problem stems from the philosophy behind the establishment of institutions and a state architecture that is not fully integrated. This problem of normative disharmony has also been seriously identified in the field of forestry criminal law, which shows that there are systemic problems in Indonesian legal politics.[6] Thus, improvements at the legislative level alone will not be sufficient.

To analyze this issue in depth, this study uses the "Constitutional Institutional Design Perspective" as an analytical tool. This approach provides a basis for examining the architecture of the law enforcement system holistically. Through this lens, it is possible to understand why these institutions are designed with overlapping authorities. This analysis will go beyond the text of

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3 Mustafa Lutfi et al., "Enhancing the Supervisory Board of the Corruption Eradication Commission: Insights from Hong Kong, the United Kingdom, and European Union," *Yustisia* 12, no. 3 (May 2023): 278–93, https://doi.org/10.20961/yustisia.v12i3.71785.

4 Mardi Widodo et al., "Legal Development and Human Rights: A Study of Legal Reform in Various Countries," *Global International Journal of Innovative Research* 1, no. 2 (March 26, 2024): 188–93, https://doi.org/10.59613/global.v1i2.32.

5 Fifik Wiryani et al., "Problems Associated with Granting Land Rights Owned by Local Government for Community Business Utilization," *KnE Social Sciences*, May 2022, https://doi.org/10.18502/kss.v7i15.12116.

6 RM. Armaya Mangkunegara, "Disharmonization Of Corporate Criminal Liability Arrangements In Forestry Law," *Journal Research of Social Science, Economics, and Management* 3, no. 5 (May 2023): 1298–1309, https://doi.org/10.59141/jrssem.v3i5.600.

the law to explore the underlying logic and principles of state administration.[7] The main objective of this study is to provide a comprehensive analysis of the root causes of overlapping investigative authority.

Specifically, this study aims to (1) analyze why the current constitutional institutional design triggers jurisdictional overlap, and (2) formulate a model for reconstructing a coherent institutional design. This reconstruction model is designed to be in line with the principles of the rule of law and legal certainty. Based on the above background and objectives, this article addresses the following research questions. First, why does the current constitutional institutional design trigger overlapping investigative authority among the National Police, the Attorney General's Office, and the Corruption Eradication Commission, and what are its implications for the criminal justice system? Second, what institutional reconstruction model can be formulated to harmonize investigative authority in accordance with the principles of the rule of law and legal certainty? To achieve these objectives, this paper is organized into several systematic sections. Following this introduction, the research methods used as the basis for analysis will be presented. The next section is a discussion divided into two main sub-chapters, namely a diagnostic analysis of the problem and a proposed reconstruction model. This article will conclude with a summary of the research findings and relevant policy recommendations.

Method

This study uses a normative legal approach (juridical normative) or also known as doctrinal research. This approach was chosen because of its high relevance to the object of study.[8] The focus of this study is on the analysis of norms, principles, and legal concepts contained in legislation and doctrine. Thus, this study does not examine the empirical implementation of a norm, but rather the logical structure of the legal system itself.

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7 Anis Widyawati et al., "Urgency of the Legal Structure Reformation for Law in Execution of Criminal Sanctions," *Lex Scientia Law Review* 6, no. 2 (December 19, 2022): 327–58, https://doi.org/10.15294/lesrev.v6i2.58131.

8 Yati Nurhayati, Ifrani Ifrani, and M. Yasir Said, "Metodologi Normatif Dan Empiris Dalam Perspektif Ilmu Hukum," *Jurnal Penegakan Hukum Indonesia* 2, no. 1 (May 2021): 1–20, https://doi.org/10.51749/jphi.v2i1.14.

To comprehensively examine the issue, this study predominantly uses a statute approach. This approach is carried out by examining the hierarchy and consistency of the norms that regulate investigative authority. In addition, a conceptual approach is also used to clarify the meaning and scope of key terms. Concepts such as "institutional design" and "jurisdiction" will be analyzed in depth to build a solid theoretical framework. To complement this, the analysis in this study is also enriched with a comparative approach. This approach is used to a limited extent to examine models of institutional design for law enforcement in other countries as reference material. In addition, a historical approach is also used briefly. The aim is to understand the historical context behind the establishment of the authority of each law enforcement agency that exists today.

As a normative legal study, this research is limited to examining legal norms, institutional concepts, statutory structures, and doctrinal arguments concerning overlapping investigative authority, particularly in corruption and money laundering cases. It does not empirically measure the implementation of inter-agency coordination, institutional rivalry, budgetary inefficiency, or case-handling practices in specific investigative processes.

The legal materials used in this study consist of primary and secondary legal materials. Primary legal materials include the 1945 Constitution, the Criminal Procedure Code, the Police Law, the Attorney General's Office Law, and the Corruption Eradication Commission Law. Meanwhile, secondary legal materials include relevant textbooks, articles in reputable scientific journals, and previous research results related to the study topic.

All collected legal materials were analyzed qualitatively. The analysis technique used was legal interpretation, specifically systematic interpretation, to understand the relationship between norms in a system.[9] Furthermore, the results of this interpretation will be compiled into a logical and coherent legal argument. This argument will be used to answer each problem formulation set out in this study.

Result & Discussion

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[9] Santi Bunga, Anis Mashdurohatun, and Sri Kusriyah, "Legal Reconstruction of Agreements Defaulting with Guaranteed Liability Rights Based on Pancasila Justice Values," *Scholars International Journal of Law, Crime and Justice* 5, no. 10 (May 2022): 422–26, https://doi.org/10.36348/sijlcj.2022.v05i10.004.

A. Problems with the Institutional Design of Investigative Authority in Indonesia (Diagnostic Analysis)

- **Map of Investigative Authority in the State Architecture**

The Indonesian National Police (Polri) is positioned as the primary investigator in the national criminal justice system. The legal basis for this authority is fundamentally enshrined in the Criminal Procedure Code (KUHAP) and the Police Law.[10] Both regulations mandate the Polri to investigate almost all types of general criminal offenses. Thus, the Polri is at the forefront of the criminal law enforcement process in Indonesia.

This broad authority makes the National Police the leading sector in the investigation function. Almost every criminal act that occurs in the territory of the Republic of Indonesia is basically under the jurisdiction of the Police investigation.[11]

The organizational structure of the National Police, which is spread across the entire territory, from the central level to the sectoral level, also supports the extensive implementation of this function.[12] This general authority forms the foundation for the criminal justice system to function.

On the other hand, the Attorney General's Office of the Republic of Indonesia is also equipped with investigative authority by law. Unlike the Polri, the Attorney General's Office has special or limited investigative jurisdiction.[13] This authority is specifically granted to handle certain criminal acts, particularly corruption and gross human rights violations. This position has long historical roots in the law enforcement system in Indonesia.[14]

10 I Putu Satya Dharma, Lalu Parman, and Ufran Ufran, "Tugas Dan Wewenang KOMPOLNAS Dalam Pengawasan Fungsional Terhadap Kinerja Penyidik POLRI," *Indonesia Berdaya* 4, no. 4 (May 2023): 1287–96, https://doi.org/10.47679/ib.2023554.

11 Valentina Ndaru Fetiana Kurniawati, "Studi Kinerja Kepolisian Tentang Kasus Salah Tangkap," *Jurnal JURISTIC* 1, no. 03 (May 2021): 153, https://doi.org/10.35973/jrs.v2i02.2340.

12 I Ketut Kasna Dedi, Gratia Clara Hadjon, and Choirul Anam, "Analysis of Reporting and Investigation Problems in Criminal Procedure," *Journal of Education, Humaniora and Social Sciences (JEHSS)* 4, no. 1 (May 2021): 284–88, https://doi.org/10.34007/jehss.v4i1.641.

13 Rocky Marbun and Endra Wijaya, "Instrumental Communication Actions By Investigators/Public Prosecutors As Objects of a State Administrative Lawsuit," *KnE Social Sciences*, May 2022, https://doi.org/10.18502/kss.v7i15.12087.

14 Wahyu Danang Subiantoro and Hari Soeskandi, "Kebijakan Kejaksaan Agung RI Tentang Penghapusan Tindak Pidana Korupsi Di Bawah 50 Juta Ditinjau Dari Restorative Justice," *Bureaucracy Journal :*

Indonesia's constitutional architecture also gave rise to the Corruption Eradication Commission (KPK) as an institution with special investigative powers. The KPK's powers are designed as an independent superbody mechanism.[15] Its jurisdiction focuses on criminal acts of corruption involving state officials, law enforcement officers, or other related persons, as well as cases involving significant losses to the state. The establishment of the KPK was intended to create a breakthrough in the eradication of systemic corruption.

From this mapping, it can be seen that Indonesia's constitutional architecture consciously designed and distributed investigative functions to three state institutions. Each institution has a different legal basis, jurisdiction, and institutional specificity. However, this distribution of power is not accompanied by a coherent relational design that clearly determines priority of jurisdiction, exclusivity of authority, and a final mechanism for resolving conflicts between investigative agencies. As a result, the distribution of investigative authority does not merely reflect institutional specialization, but also produces structural ambiguity in the criminal justice system. Although designed with specific mandates, this fragmented institutional arrangement inherently creates the potential for jurisdictional overlap. In practice, this potential often manifests itself as overlapping authorities and inter-agency competition in handling strategic criminal cases.

- **Analysis of Points of Contact and Normative Disharmony**

The fragmented institutional design described above directly gives rise to disharmony at the normative level. The point of overlap in authority is most clearly seen in the area of handling corruption crimes.[16] In this area, the three law enforcement agencies, namely the Police, the Attorney General's Office, and the KPK, all have a legal basis for conducting investigations. This overlap is not only potential but is also manifested in various unsynchronized legislative

Indonesia Journal of Law and Social-Political Governance 2, no. 1 (May 2022): 503–15, https://doi.org/10.53363/bureau.v2i1.147.

15 Henry Hilmawan Wibowo, Dimas Fahmi Rizalqi, and Sri Husda Yani, "Pengaruh Revisi Undang-Undang Kpk Dalam Kegiatan Pemberantasan Korupsi Di Indonesia," *Jurnal Sosial Dan Sains* 1, no. 8 (May 2021): 943–50, https://doi.org/10.59188/jurnalsosains.v1i8.187.

16 Darmawan Pranoto and Teguh Kurniawan, "Three Years of the Corruption Eradication Commission's Institutional Reform: A Narrative Policy Analysis," *Integritas : Jurnal Antikorupsi* 8, no. 2 (May 2023): 151–64, https://doi.org/10.32697/integritas.v8i2.943.

products.[17]

The first disharmony occurs between the authority of the Police and the KPK. The Police Law mandates the National Police to investigate all criminal acts, including corruption, without exception. On the other hand, the KPK Law gives the KPK special authority to handle corruption with certain criteria. Although there is a mechanism for the transfer of authority, the original norm that gives initial jurisdiction to these two institutions remains and is often a source of jurisdictional disputes.[18]

This conflict arises because the Police Law and the general criminal procedure framework position the National Police as the general investigator, while the KPK Law constructs a special mandate for corruption cases based on specific criteria. The problem emerges when these two jurisdictional logics operate simultaneously without a clear statutory rule of priority. Although the principle of *lex specialis derogat legi generali* may justify the primacy of special authority, the existing framework does not always provide an operational mechanism to determine institutional competence at the earliest investigative stage. This normative gap creates uncertainty not only regarding institutional authority, but also regarding the procedural validity of investigative acts.

A similar normative conflict also exists between the Attorney General's Office and the KPK. The Attorney General's Office Law explicitly grants prosecutors the authority to investigate corruption crimes, while the KPK Law grants the KPK special investigative authority over corruption cases that meet certain statutory criteria. This overlap is more complex because both institutions possess strong statutory claims in corruption eradication: the Attorney General's Office derives its authority from its prosecutorial function and special criminal jurisdiction, while the KPK derives its authority from an extraordinary institutional mandate to address systemic corruption. Consequently, the conflict cannot be resolved merely by distinguishing ordinary and extraordinary enforcement mandates, but requires measurable statutory criteria to determine priority of jurisdiction. Such criteria may include the subject of the offender, the value of state losses, case complexity, obstruction risk, public significance, and the institutional capacity of the agency handling the case.

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17 Rocky Marbun and Iskandar Muda Sipayung, "Shift in Procedural Law for Examining Pretrial Applications," *KnE Social Sciences*, May 2022, https://doi.org/10.18502/kss.v7i15.12092.

18 Atty Novyanty, "Conceptual Ideal Supervision of the Corruption Eradication Commission in Eradicating Corruption Crimes," *Yuridika* 37, no. 2 (May 2022): 383–98, https://doi.org/10.20473/ydk.v37i2.36277.

Furthermore, this disharmony is not limited to corruption crimes, but also extends to money laundering offences (TPPU). In the anti-money laundering framework, investigative authority is closely connected to the authority to investigate the predicate offence, which allows more than one law enforcement agency to claim competence when the predicate offence falls within overlapping institutional mandates. The involvement of the Financial Transaction Reports and Analysis Center (PPATK), whose analysis results may be submitted to different investigative agencies, adds another layer of jurisdictional complexity. Without a clear statutory protocol for determining which agency should follow up PPATK's analysis, financial intelligence may become an object of institutional competition rather than an integrated basis for criminal law enforcement.

Harmonization efforts through coordination and supervision mechanisms mandated by law have not fully resolved the problem.[19] The KPK's coordination and supervision authority in corruption cases is designed to prevent fragmentation, but it may also intersect with the institutional independence of the Police and the Attorney General's Office when each institution has already initiated investigative steps. The absence of a final and binding mechanism for resolving jurisdictional disputes causes coordination forums to function more as arenas of negotiation than as authoritative mechanisms for determining institutional competence. This shows that coordination norms are insufficient to overcome disharmony in authority norms when the statutory framework itself does not establish clear priority of jurisdiction.

The impact of this disharmony goes beyond institutional disputes and directly affects fundamental principles of criminal procedure law. Jurisdictional ambiguity may raise questions regarding the legality of investigative acts and the validity of evidence collected by an institution whose authority is disputed.[20] In addition, when different aspects of a single case are handled by different institutions without an integrated jurisdictional framework, the boundaries of case identity, prosecutorial control, and the application of the *ne bis in idem* principle may become unclear. This procedural uncertainty ultimately weakens

19 M Angga Maulana Hasibuan, "Online Single Submission Risk Based Approach: Conflict of Authority Between Central and Local Government," *Locus Journal of Academic Literature Review*, May 2022, 198–209, https://doi.org/10.56128/ljoalr.v1i4.69.

20 Rr. Dijan Widijowati and Rynaldo P. Batubara, "Reconstruction of the Paradigm of Other Actions and Police Discretion to Minimize Potential Disparities in Fair Law Enforcement," *ENDLESS: International Journal of Future Studies* 5, no. 1 (May 2022): 278–88, https://doi.org/10.54783/endlessjournal.v5i1.60.

legal certainty and the protection of suspects' rights during the investigation process.[21]

Fundamentally, the root of this normative disharmony is the sectoral nature of the legislative process.[22] Each law governing law enforcement agencies tends to be drafted partially without considering the existing legal ecosystem as a whole, a phenomenon that also occurs in the regulation of corporate criminal liability in the forestry sector.[23] The formation of authority norms is carried out in separate legislative "silos," ignoring the need for systemic integration and synchronization. As a result, the resulting legal products actually weaken each other and create irregularities in the system.

- **Implications of Overlapping Jurisdictions on the Criminal Justice System**

The overlapping jurisdictions that arise from a disharmonious institutional design give rise to a series of systemic negative implications.[24] The first and most fundamental implication is the erosion of the principle of legal certainty, which is guaranteed to every citizen by Article 28D paragraph (1) of the 1945 Constitution. For suspects, witnesses, and victims, ambiguity regarding which institution has the authority to handle a case creates procedural confusion. This condition has the potential to weaken the rights of the parties in the judicial process, because each institution sometimes has slightly different operational standards and emphases in conducting investigations.

Furthermore, overlapping jurisdictions inherently trigger institutional rivalries known as "sectoral ego." Competition to handle strategic cases or those that attract public attention can hinder healthy cooperation. Instead of collaborating in accordance with the mandate of an integrated criminal justice system, law enforcement agencies can become trapped in counterproductive competition. This often leads to disruption of the exchange of information and intelligence data that is crucial to the success of an investigation.[25]

21 Wiryani et al., "Problems Associated with Granting Land Rights Owned by Local Government for Community Business Utilization."

22 King Faisal Sulaiman, "Legislative Corruption: Criticism of the Omnibus Law Policy in the Mineral and Mining Sector in Indonesia," in *E3S Web of Conferences*, vol. 440 (EDP Sciences, 2023), 4008, https://doi.org/10.1051/e3sconf/202344004008.

23 Mangkunegara, "Disharmonization Of Corporate Criminal Liability Arrangements In Forestry Law."

24 Widyawati et al., "Urgency of the Legal Structure Reformation for Law in Execution of Criminal Sanctions."

25 Fran Casino et al., "SoK: Cross-Border Criminal Investigations and Digital Evidence," *Journal of Cybersecurity* (Oxford University Press, May 2022), https://doi.org/10.1093/cybsec/tyac014.

This problem can be illustrated in corruption and money laundering cases involving several institutional entry points, such as reports from financial intelligence, allegations involving state officials, or cases initially handled by one agency but later considered to fall within the mandate of another. In such situations, the issue is not merely which institution acts first, but whether the statutory framework provides clear criteria for determining institutional priority. Without such criteria, case handling may be influenced by institutional claims rather than by an integrated assessment of case complexity, evidentiary needs, and the protection of procedural rights. This illustrates that overlapping jurisdiction is not only an administrative problem, but also a structural risk to coherent criminal law enforcement.

From a state resource management perspective, overlapping jurisdictions are a source of inefficiency. The potential for two or more agencies to investigate the same case can lead to duplication of efforts and waste of budget. This may occur, for instance, when several agencies conduct parallel examinations, collect similar evidence, or summon the same witnesses in relation to one corruption or money laundering case. The allocation of time, personnel, and costs becomes suboptimal, even though the principle of administration of justice demands a simple, fast, and inexpensive process. This principle is implicitly contained in the spirit of Article 24 of the 1945 Constitution and the Judicial Authority Law.[26]

Ultimately, the accumulation of these various implications leads to an erosion of public trust in the criminal justice system. When law enforcement agencies are portrayed as institutions that are in conflict with each other rather than working together, their legitimacy in the eyes of the public will decline. The public perception that there are internal disputes among state officials can damage the image and authority of the law as a whole. Low public trust is a serious challenge for law enforcement in a democracy.

To summarize these various negative impacts, the following table presents the implications of overlapping investigative jurisdictions.

TABLE 1. Implications of Overlapping Jurisdictions on the Criminal Justice System

Affected Aspect	Manifestation of the Legal and

[26] Imam Koeswahyono and Diah Maharani, "Rasionalisasi Pengadilan Agraria Di Indonesia Sebagai Solusi Penyelesaian Sengketa Agraria Berkeadilan," *Arena Hukum* 15, no. 1 (May 2022): 1–19, https://doi.org/10.21776/ub.arenahukum.2022.01501.1.

	Problem	Institutional Consequences Institutional
Legal Certainty	Ambiguity regarding which authority is competent to handle a case	Weakening of the protection of the rights of suspects, witnesses, and victims
Institutional Relations	The emergence of "sectoral ego" and rivalry in case handling	Weakening of coordination, cooperation, and exchange of intelligence
Resource Allocation	Potential duplication of investigative steps by different agencies	Waste of state budget, time, and personnel
Public Trust	Public perception of internal conflict among law enforcement agencies	Erosion of the legitimacy and authority of the criminal justice system

Source: Compiled by the author from several sources, 2025

The implications at the technical-legal level are also very significant, especially in terms of investigation administration and the evidentiary process. The initial handling of a case by different institutions can result in case files with different focuses and approaches. If a case is taken over, issues arise regarding the legal status of the evidence that has been collected, which must meet the formal and material requirements of Article 184 of the Criminal Procedure Code. The process of synchronizing this evidence can be complicated and risks creating procedural loopholes.

Furthermore, institutional rivalry triggered by overlapping jurisdictions can lead to the phenomenon of "criminal policy capture." The direction of law enforcement against a particular type of crime may be determined more by institutional interests to demonstrate their existence, rather than by a rational and integrated crime eradication strategy.[27] The handling of cases that are strategically valuable or highly publicized becomes a competition, which can overshadow the handling of other cases that may have a greater impact on the wider community.[28]

Essentially, this series of negative implications, ranging from the weakening of legal certainty to the scramble for criminal policy, are not isolated issues. They are all interrelated symptoms that stem from one main source, namely institutional design flaws. Failure to systematically design a coherent authority architecture results in dysfunction at the operational level. Therefore, partial solutions such as improving coordination alone will never be enough to completely resolve the problem.

B. Institutional Design Reconstruction for Harmonization of Investigative Authority

Before formulating a reconstruction model, it is necessary to clarify the institutional relationship between the National Police, the Attorney General's Office, and the KPK within the criminal justice system. The relationship among these institutions should not be understood merely as a parallel distribution of investigative authority, but as a functional relationship that must ensure coordination, supervision, accountability, and jurisdictional certainty. In the current framework, the three institutions may simultaneously act as investigators in corruption-related cases, but the law has not provided a sufficiently clear mechanism to determine priority when their authorities intersect. Therefore, the reconstruction of investigative authority must be directed toward a three-model scheme: Clear Jurisdictional Differentiation, Limited Functional Integration, and Institutional Jurisdictional Adjudication.

1. Ideal Principles of Institutional Design in a State Based on the Rule of Law

Efforts to reconstruct institutional design must be based on solid theoretical

27 Muhammad Irkham Firdaus, "Critism Analysis Of The Effectiveness Of Iindonesia's Economic Criminal Policy In The Perspective Of Islamic Law" *JCH (Jurnal Cendekia Hukum)* 8, no. 1 (May 2022): 85, https://doi.org/10.33760/jch.v8i1.570.

28 Doris Rahmat and Santoso Budi Nursal Umar, "Law Enforcement in Criminal Cases Based on Restorative Justice by the Prosecutor's Office," *East Asian Journal of Multidisciplinary Research* 2, no. 8 (May 2023): 3399–3408, https://doi.org/10.55927/eajmr.v2i8.5761.

principles in order to produce an ideal system. The first principle is clear demarcation of jurisdiction.[29] In the Indonesian context, this principle requires a precise statutory boundary between the National Police as the general investigator, the Attorney General's Office as a prosecutorial institution with limited investigative authority, and the KPK as a special anti-corruption body. Each law enforcement agency must have a scope of authority that is clearly defined, exclusive, and minimally ambiguous in law.[30] Without such demarcation, the distribution of investigative authority will continue to generate overlapping mandates and institutional contestation rather than functional specialization.

The second principle is the existence of a binding coordination and dispute resolution mechanism. Even though jurisdiction has been clearly divided, case overlaps in the field cannot be completely avoided, particularly in corruption and money laundering cases involving several institutional entry points. In the Indonesian context, coordination between the National Police, the Attorney General's Office, and the KPK must therefore be complemented by a formal mechanism capable of issuing final decisions on which agency has priority to handle a case.[31] This mechanism serves as a safety valve to prevent deadlock, rivalry, and fragmented case handling in matters that fall into a jurisdictional "gray area."

The ideal institutional design must also be built on the principle of checks and balances. Granting significant authority to law enforcement agencies must be balanced with effective oversight mechanisms, both internal and external.[32] This principle ensures that no single institution is absolutely superior without being subject to control. This balance is important to prevent abuse of authority and to ensure that each institution remains accountable. The next principle is transparent institutional accountability. Every law enforcement agency must be accountable to the public and representative institutions for the exercise of its authority. This accountability is realized through regular reporting mechanisms,

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29 Widyawati et al., "Urgency of the Legal Structure Reformation for Law in Execution of Criminal Sanctions."

30 Naufal Akbar Kusuma Hadi, "Penegakan Hukum Di Indonesia Dilihat Dari Perspektif Sosiologi Hukum," *Jurnal Hukum Dan Pembangunan Ekonomi* 10, no. 2 (December 29, 2022): 227, https://doi.org/10.20961/hpe.v10i2.62834.

31 Antonio Obregón García, "Key Elements of the Criminal Law Conflict System, with Special Reference to Spanish Criminal Law," *Ius Novum* 17, no. 3 (May 2023): 1–18, https://doi.org/10.2478/in-2023-0018.

32 Aprilian Sumodiningrat, Azuan Helmi, and Tb Rifat, "Desain Lembaga Khusus Bidang Legislasi Dan Evaluasi Peraturan Perundang-Undangan Partisipatif," *Jurnal Legislasi Indonesia* 19, no. 3 (May 2022): 380–95, https://doi.org/10.54629/jli.v19i3.879.

performance audits, and openness of information regarding case handling.

Thus, the public can assess the performance and integrity of institutions, which in turn will strengthen the legitimacy of the legal system as a whole. Finally, the overall institutional design must be oriented towards the ultimate goal of the criminal justice system, namely the achievement of substantive justice. This means that the architecture of authority should not be designed solely for the interests of bureaucracy or institutions. The structure, procedures, and division of labor between institutions must efficiently support the process of discovering material truth and protecting human rights, in line with the values contained in Pancasila and the 1945 Constitution. Efforts to achieve substantive justice do not only depend on institutional design improvements, but also require methodological innovation in judicial practice, such as through the discovery of law (rechtsvinding) by judges to fill normative gaps.[33]

2. Institutional Models of Law Enforcement: A Comparative Study

Efforts to reconstruct institutional design in Indonesia will be enriched by conducting comparative studies. Analysis of practices in other countries provides a spectrum of institutional options, but these models cannot be transplanted mechanically into the Indonesian legal system. Their relevance must be evaluated based on compatibility with Indonesia's constitutional structure, criminal procedure tradition, institutional culture, and anti-corruption policy needs. The foundation of all successful models is adherence to the principle of legality, which requires that state authority be regulated by clear and precise legal norms that do not give rise to multiple interpretations. Without clear norms of authority, the goal of creating an integrated criminal justice system will be hampered by internal conflicts.[34]

The Netherlands, as one of the historical sources of Indonesia's legal system, implements a model of public prosecutor dominance in the investigation architecture. The Public Prosecution Service (*Openbaar Ministerie*) not only has the authority to prosecute, but also holds the highest authority over investigations conducted by the Police (*Politie*).[35] Under the doctrine of unity

33 RM. Armaya Mangkunegara, "Juridical Analysis of Forestry Criminal Law Enforcement by Corporations in Environmental Fiqh Framework," *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat* 24, no. 1 (June 30, 2024): 235–52, https://doi.org/10.19109/vs92sa64.

34 Marbun and Muda Sipayung, "Shift in Procedural Law for Examining Pretrial Applications."

35 Elena Sergeevna Alekseeva et al., "Models of Procedural Management of Criminal Prosecution in Russia and Foreign Countries," *SHS Web of Conferences* 108 (May 2021): 04005, https://doi.org/10.1051/shsconf/202110804005.

of prosecution (*eenheid van het Openbaar Ministerie*), prosecutors have the authority to order, direct, and even terminate investigations. This model is relevant for Indonesia because it shows that rivalry between investigators can be reduced when the law clearly determines a hierarchical relationship between investigation and prosecution. However, its adoption in Indonesia would require careful adjustment because the National Police, the Attorney General's Office, and the KPK have developed distinct constitutional, statutory, and institutional mandates.

The United Kingdom implements a functional integration model that is highly relevant to the handling of serious crimes through the Serious Fraud Office (SFO). This institution combines investigative and prosecutorial functions under one roof for complex fraud, bribery, and corruption cases.[36] By combining these two crucial functions, the UK model reduces the gap between investigation and prosecution, which often becomes a weak point in fragmented criminal justice systems. For Indonesia, the SFO model offers an important lesson that limited functional integration may be useful for complex corruption cases requiring continuity between evidence collection and prosecution strategy. However, its adoption must be limited and carefully designed so that it does not create excessive concentration of authority or weaken external oversight.

Germany, with its federal system, presents an example of a model with clear jurisdictional demarcation between the federal and state levels. The *Bundeskriminalamt* (BKA), or Federal Criminal Police Office, has jurisdiction over crimes that cross state borders, threaten federal interests, or have international dimensions.[37] Meanwhile, most ordinary criminal investigations fall under the jurisdiction of the *Landespolizei* or state police. Although Indonesia is not a federal state, the German model remains relevant because it demonstrates the importance of dividing investigative authority based on objective criteria, such as territorial scope, type of crime, institutional capacity, and the transregional character of the offence. The lesson for Indonesia is not to replicate federalism, but to adopt the principle of clear jurisdictional criteria to prevent overlapping mandates among law enforcement agencies.

The United States displays a model of centralized federal authority through

36 Lutfi et al., "Enhancing the Supervisory Board of the Corruption Eradication Commission: Insights from Hong Kong, the United Kingdom, and European Union."

37 Agnie Imania Wildan, Atikah, and Ranip Fahmi, "Public Administration in Germany," *International Public Management Journal* 28, no. 4 (May 2025): 621–23, https://doi.org/10.1080/10967494.2024.2405705.

the Federal Bureau of Investigation (FBI). Although there are various other federal law enforcement agencies, the FBI serves as the primary investigative agency for most federal crimes.[38] Its broad but clearly defined jurisdiction in federal legislation provides legal certainty regarding which crimes fall under the authority of the central government. The existence of a single dominant investigative agency at the federal level minimizes jurisdictional disputes that often occur in more fragmented systems. However, for Indonesia, the relevance of this model lies not in adopting a centralized federal structure, but in ensuring that investigative jurisdiction is formulated in clear statutory terms so that institutional authority can be identified from the beginning of the case-handling process.

The four models from these countries-prosecutorial dominance, functional integration, clear demarcation, and federal centralization-differ in their approaches but all share one commonality: clarity of design. This clarity is key to mitigating what is described in Bureaucratic Political Theory, which states that there is a natural tendency for every state institution to compete for influence, budget, and jurisdiction. For Indonesia, the comparative lesson is not to adopt one foreign model in its entirety, but to identify design principles that can be adapted to the national legal system. This comparative experience confirms that overlapping authorities are not inevitable, but rather a design choice that can and must be improved to create a coherent and credible law enforcement system.

3. Key Challenges in Implementing Reconstruction

The challenges in implementing institutional design reconstruction can be categorized into five main dimensions: legal, political, institutional, budgetary, and legal-cultural challenges. These categories are interrelated because reforming investigative authority does not only require statutory amendment, but also political consensus, institutional acceptance, financial support, and changes in the working culture of law enforcement agencies. Therefore, the implementation of reconstruction must be understood as a gradual and multidimensional reform agenda rather than a merely technical revision of legislation.

Although institutional design reconstruction is a necessity, its

38 Erik J Dahl, "The Localization of Intelligence: A New Direction for American Federalism," *International Journal of Intelligence and CounterIntelligence* 34, no. 1 (May 2021): 151–78, https://doi.org/10.1080/08850607.2020.1716563.

implementation faces significant legal challenges. Efforts to harmonize investigative authority require simultaneous revisions to various laws. This process requires an integrated legislative mechanism capable of synchronizing changes to the Criminal Procedure Code, the Police Law, the Attorney General's Office Law, and the Corruption Eradication Commission Law in a single policy breath. Without such a comprehensive approach, the resulting changes risk remaining partial and failing to address the root of the problem.[39]

The next challenge, which is no less difficult, is the political challenge. Any fundamental change to the structure and authority of law enforcement agencies will always be a tough political discourse. Strong political will is needed from the government and the House of Representatives to initiate and oversee this reform process until its completion.[40] Without consensus and solid political support, even the best ideas for reconstruction will be difficult to translate into positive legal norms.

From an institutional perspective, potential resistance from existing institutions poses a real challenge. Any institution that is well-established with its authority, budget, and work culture tends to be resistant to changes that could reduce its jurisdiction or influence.

The "sectoral ego" that has been a problem so far can actually become a major obstacle in the reform process itself. Therefore, strong leadership and a persuasive approach are needed to manage these institutional dynamics.[41]

The implementation of reconstruction will also face budgetary challenges. Changes in institutional structure, whether in the form of mergers, separations, or the establishment of new mechanisms, will have significant financial implications. The state needs to allocate budgets for transition costs, human resource training, and the development of supporting infrastructure. This financing aspect must be carefully planned so that the reform process does not stop halfway due to budget constraints.[42]

Finally, the most fundamental challenge is changing the legal culture.

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39 Pranoto and Kurniawan, "Three Years of the Corruption Eradication Commission's Institutional Reform: A Narrative Policy Analysis."

40 Tengku Arif Hidayat, "Reform Against Criminal Corruption," 2020, https://doi.org/10.2991/assehr.k.200529.298.

41 Rizal Irvan Amin and Isharyanto, "Asymmetrical Sequential Decentralization: Resetting The Paradigm Of Regional Autonomy," *Journal of Governance and Regulation* 11, no. 4 (May 2022): 24–32, https://doi.org/10.22495/jgrv11i4art3.

42 João Paulo Braga and Ekkehard Ernst, "Financing the Green Transition. The Role of Macro-Economic Policies in Ensuring a Just Transition," *Frontiers in Climate* 5 (May 2023), https://doi.org/10.3389/fclim.2023.1192706.

Reconstructing laws and institutions will not be enough without accompanying changes in the mentality and work habits of law enforcement officials. Eroding sectoral egos and building a spirit of synergy as a unified criminal justice system is a long-term task. This effort requires internal reform in every institution, improvements to the education system, and exemplary leadership from top officials.

4. Opportunities and Strategic Recommendations

Amidst the various challenges that exist, there are also opportunities and momentum that can be utilized to encourage institutional design reconstruction.[43] The post-election political dynamics and the ongoing national legal reform agenda can be a window of opportunity. Increased public and media scrutiny of the performance of law enforcement agencies also creates positive pressure on policymakers.[44] Collective awareness of the urgency of improving this system is a valuable social asset for initiating change.

As a first strategic recommendation, an independent Law Enforcement Institutional Reform Commission should be established. This commission should be composed of experts from various backgrounds, such as constitutional and criminal law academics, senior practitioners, and representatives from civil society. Its main task is to conduct a comprehensive and objective review of the current institutional design. The result of this review should be an academic paper or blueprint containing the most feasible models for reconstruction in Indonesia.

The second recommendation is the implementation of legislative reform through a centralized and synchronized approach. The blueprint produced by the independent commission should be the main guideline for the legislative process legislation in parliament. Changes to the Police, Attorney General's Office, and Corruption Eradication Commission (KPK) laws should ideally not be carried out separately, as has been the case so far. An integrated revision process will ensure that each newly formulated norm of authority is interlocking and harmonious with one another, closing any overlapping gaps.

The third strategic recommendation is to encourage internal reform and change management within each law enforcement agency. Changes at the

43 Vahid Suljic, "Strategic Leadership in AI-Driven Digital Transformation: Ethical Governance, Innovation Management, and Sustainable Practices for Global Enterprises and SMEs," *SBS Journal of Applied Business Research* 13, no. 1 (May 2025): 17, https://doi.org/10.70301/jour/sbs-jabr/2025/13/1/2.

44 Hidayat, "Reform Against Criminal Corruption."

legislative level will be meaningless without adjustments at the operational and cultural levels. This includes revising joint Standard Operating Procedures (SOPs), developing joint training programs for investigators, and establishing clear and binding protocols for case transfers and joint investigations.

Ultimately, this series of recommendations must be viewed as an inseparable whole. The establishment of an expert commission, followed by a synchronized legislative process and supported by internal reforms, is a logical and structured roadmap. These strategic steps can transform existing challenges into a managed path of reform. The ultimate goal is not merely to end jurisdictional overlap, but to build a more coherent, accountable, and trustworthy criminal justice system.

In practical terms, the implementation may be carried out through several gradual steps. First, the Government and the House of Representatives need to conduct a comprehensive audit of investigative authority norms in the Criminal Procedure Code, the Police Law, the Attorney General's Office Law, the KPK Law, and related special criminal laws. Second, the results of this audit should be used as the basis for formulating a synchronized legislative blueprint and a binding jurisdictional dispute resolution mechanism. Third, the legislative reform must be followed by the preparation of joint operational protocols, integrated training, and periodic evaluation to ensure that the new design can operate effectively in practice.

5. Case Studies and Comparative Analysis

Based on an analysis of ideal principles, comparative studies, and implementation challenges, several models for institutional design reconstruction in Indonesia can be formulated. Each model has different characteristics, advantages, and legal and institutional consequences. These models are not intended as a single solution, but rather as material for academic discourse to encourage more fundamental reform. In this article, the reconstruction scheme is formulated into three potential models: Clear Jurisdictional Differentiation, Limited Functional Integration, and Institutional Jurisdictional Adjudication.[45]

The first model is Clear Jurisdictional Differentiation. This approach maintains the existing institutions but completely overhauls their respective

45 Hajairin Hajairin, Muhammad Mustofa, and Tofik Yanuar Chandra, "Criminal Justice Reform: From Due Process Model to Reintegrative Model as an Alternative to Criminal Case Resolution," *Asian Journal of Social and Humanities* 1, no. 10 (July 25, 2023): 601–9, https://doi.org/10.59888/ajosh.v1i10.82.

mandates to eliminate any overlap.[46] The main principle is inspired by practices in Germany, with clear demarcation between federal and state police, and the United States, with clearly defined federal FBI jurisdiction. In Indonesia, this could mean that the KPK's jurisdiction is made exclusive to certain levels of corruption, while the Police and the Attorney General's Office are assigned clearly defined investigative domains based on statutory criteria. Such criteria may include the type of crime, the subject of the offender, the value of state losses, the complexity of the case, and the strategic impact of the offence.

The implementation of this Strict Jurisdictional Differentiation model requires the most radical and comprehensive legislative changes. Its success depends on the ability of lawmakers to formulate very precise and unambiguous jurisdictional boundaries among the National Police, the Attorney General's Office, and the KPK. In addition, procedural legal norms must also be established to regulate the hierarchy, transfer of cases, and dispute resolution mechanisms in case "gray areas" are still found in the future. Its main advantages are a high degree of legal certainty and the potential for a significant reduction in sectoral egos.

The second model is Limited Functional Integration, which directly references the practice in the United Kingdom through the Serious Fraud Office (SFO). This model does not separate jurisdictions horizontally, but rather integrates the functions of investigation and prosecution for certain types of crimes under one roof.[47] In the Indonesian context, this could mean that investigation and prosecution functions for certain complex corruption crimes are integrated within a special institutional mechanism, including but not limited to the KPK structure. Thus, the friction that often occurs during the handover of case files can be reduced, particularly in cases requiring continuity between evidence collection, case construction, and prosecution strategy. However, this model must be accompanied by external oversight to prevent excessive concentration of authority within a single institution.

The third model, which is perhaps the most realistic from a political perspective, is Institutional Jurisdictional Adjudication. This model does not drastically change the existing institutional structure, but rather establishes a dispute resolution "referee" to determine priority of jurisdiction when investigative authorities overlap. This principle is logically similar to the

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46 Hajairin, Mustofa, and Chandra.

47 Lutfi et al., "Enhancing the Supervisory Board of the Corruption Eradication Commission: Insights from Hong Kong, the United Kingdom, and European Union."

hierarchical supervision mechanisms that are dominant in the Netherlands and Japan.[48] In both countries, the public prosecutor has the final authority to direct investigations. The model for Indonesia could be a special council under the Supreme Court or an independent jurisdictional panel established by law that has the final authority to determine which institution handles cases in the event of a jurisdictional dispute.

To be effective, this jurisdiction adjudication mechanism must operate based on objective criteria that are clearly regulated in law. These criteria may include several things, such as which institution initiated the investigation first, the complexity of the case, the amount of state losses, the involvement of state officials or law enforcement officers, and the risk of obstruction of justice. Another consideration is the availability of resources and technical expertise most relevant to the case. The decision of this adjudication council must be final and binding on all law enforcement agencies.

After weighing the advantages and challenges of each model, the Institutional Jurisdiction Adjudication Model is considered the most pragmatic starting point for reform in the current Indonesian context. Although it does not immediately resolve overlapping issues at the normative level, this model can effectively manage and neutralize conflicts at the operational level. This model can be implemented with more measured legislative changes and can serve as a transitional bridge toward clearer jurisdictional differentiation or limited functional integration. Its success could pave the way for more fundamental reforms in the future.[49] To summarize and visualize the comparison of the three models, the following is a comparative table.

TABLE 2. Comparative Analysis of Investigation Authority Reconstruction Models for Indonesia

Reconstruction Model	Basic Idea	Main Advantage	Main Challenge	Relevance for Indonesia
Clear Jurisdictio	Separates investigative	Provides high legal	comprehe	Relevant for establishing

[48] Kusano Yoshiro and Kawata Sozaburo, "Mediation In Indonesian And Wakai/Chotei In Japan: A Comparative Study," *Yuridika* 35, no. 3 (September 1, 2020): 593, https://doi.org/10.20473/ydk.v35i3.21635.

[49] Edward James Sinaga, "Implementation of Regulatory Policy in Government Agency," *Jurnal Ilmiah Kebijakan Hukum* 16, no. 2 (July 28, 2022): 323–40, https://doi.org/10.30641/kebijakan.2022.V16.323-340.

nal Differentiation	authority among law enforcement agencies based on clear statutory criteria.	certainty and reduces overlapping mandates.	nsive legislative reform and precise jurisdictional boundaries.	exclusive domains for the National Police, the Attorney General's Office, and the KPK.
Limited Functional Integration	Integrates investigation and prosecution functions for certain complex crimes under a special institutional mechanism.	Reduces friction between investigation and prosecution and strengthens case continuity.	Risks excessive concentration of authority if not balanced by external oversight.	Relevant for complex corruption cases requiring continuity between evidence collection and prosecution strategy.
Institutional Jurisdictional Adjudication	Establishes a final and binding mechanism to determine which institution has priority when jurisdictional disputes arise.	Politically more pragmatic and capable of managing operational conflicts.	Does not immediately eliminate overlapping norms at the statutory level.	Relevant as a transitional model before broader legislative synchronization is implemented.

Source: Compiled by the author from several sources, 2025.

The table above briefly visualizes the spectrum of reform options available to Indonesia, each with different consequences. This comparison confirms that there is no single perfect solution; each model offers a trade-off between the level of legal certainty, the solidity of enforcement, and the realism of implementation. Clear Jurisdictional Differentiation provides the strongest guarantee of legal certainty, Limited Functional Integration strengthens continuity between investigation and prosecution, while Institutional Jurisdictional Adjudication offers the most pragmatic mechanism for managing jurisdictional disputes in the short term. The choice between these models is not merely a technical-legal issue, but also a fundamental political-legal decision. This decision must carefully weigh institutional readiness and political will to undertake fundamental change.

Conclusion

This study finds that the overlap of investigative authority between law enforcement agencies in Indonesia is not an anomaly or a casuistic incident. This phenomenon is a logical consequence of an incoherent and fragmented constitutional institutional design. The sectoral nature of the legislative process has resulted in a series of overlapping and unintegrated norms of authority within a coherent system. As a result, disharmony at the normative level systematically triggers jurisdictional conflicts at the operational level. The theoretical implication of this finding is that overlapping investigative authority should not be understood merely as a problem of statutory disharmony or weak inter-agency coordination. Rather, it must be placed within the broader discourse of constitutional institutional design, particularly regarding how the state distributes, limits, and controls investigative power within the criminal justice system. This perspective contributes to the development of legal scholarship by connecting criminal procedure, institutional design, and the principle of legal certainty. It also confirms that the architecture of law enforcement institutions is a decisive factor in the realization of an integrated criminal justice system. To overcome this fundamental problem, the solution offered must go beyond partial improvements such as strengthening coordination mechanisms. This article argues that the most substantive solution is through the reconstruction of the institutional design itself. Models such as Clear Jurisdictional Differentiation, Limited Functional Integration, or Institutional Jurisdictional Adjudication are strategic alternatives. The choice between these models must be based on a comprehensive study that considers political realism and systemic needs. The practical implication of this study is the need to clarify the operational relationship between the National Police, the Attorney General's Office, and the KPK in handling corruption and money laundering cases. Investigative authority must be supported by clear criteria regarding jurisdictional priority, transfer of cases, supervision, and dispute resolution. Without such criteria, coordination forums will remain vulnerable to institutional negotiation rather than functioning as mechanisms for determining legal competence. Therefore, the criminal justice system requires a more binding institutional framework to prevent fragmented case handling.

Thus, it can be concluded that the current constitutional institutional design triggers overlapping jurisdictions due to the absence of clear demarcation of authority and a final dispute resolution mechanism. Therefore, institutional design reconstruction is necessary to create a more coherent system that is in line with the principle of legal certainty. The Institutional Jurisdiction Adjudication Model is recommended as the most pragmatic first step to manage operational conflicts while preparing for more fundamental reforms. This model should be understood as a transitional mechanism that can support broader reforms toward clearer jurisdictional differentiation or limited functional integration. As a policy recommendation, this study advises the Government and the House of Representatives to establish an independent commission. This commission would be tasked with conducting an in-depth review of the institutional design of law enforcement and formulating a blueprint for reform. The results of this review should form the basis for a comprehensive and synchronized process of revising relevant laws, with a view to permanently ending overlapping authorities. As a policy roadmap, reform may begin with an audit of investigative authority norms, followed by the formulation of binding jurisdictional adjudication mechanisms, synchronized legislative revision, joint operational protocols, and periodic institutional evaluation. This institutional reform must also be supported by strengthening criminal law enforcement capacity in strategic sectors that are prone to corporate crime, such as the forestry sector, which also requires an approach based on environmental justice values (Mangkunegara, 2024). The process of revising relevant laws in an integrated and synchronized manner is key to permanently ending overlapping authorities. This study also recommends further academic research to deepen the analysis. Future research could focus on a more in-depth comparative study of one of the reconstruction models offered in this article. In addition, empirical research to quantitatively measure the impact of inefficiency and state losses due to overlapping authorities is also needed to reinforce the urgency of reform. Further research may also examine how jurisdictional disputes affect the validity of evidence, the duration of investigations, the protection of suspects' rights, and public trust in criminal justice institutions.

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