

Chapter 17

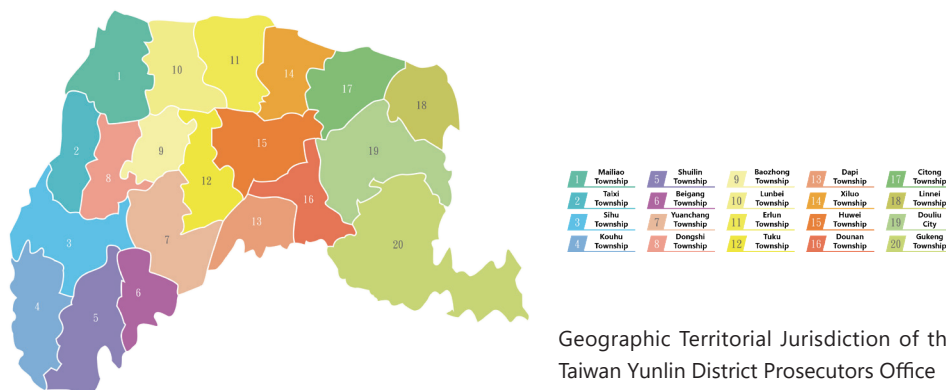
Taiwan Yunlin District Prosecutors Office



Section 1 Historical Overview

In the early days when the government of the Republic of China retreated to Taiwan, the criminal investigation business in the Yunlin area was under the jurisdiction of the “Department of Prosecution of the Chiayi District Court.” Due to the great distance between Yunlin County and the Chiayi Prosecutors establishment, in 1963, at the request of the local gentry, the “Taiwan Chiayi District Prosecutors Yunlin Branch” was established, which was adjacent to the “Yunlin Court of Taiwan Chiayi District Court.” On July 1, 1964, the “Department of Prosecution of the Taiwan Yunlin District Court” was established where the Yunlin Prosecutors office was located. On December 24, 1989, the establishment was renamed the “Taiwan Yunlin District Court Prosecutors Office” in conjunction with the amendment of the Court Organization Act. On May 25, 2018, it was again renamed the “Taiwan Yunlin District Prosecutors Office,” where the wording of “Court” from its organizational name was taken away, in conjunction with the amendment of the Court Organization Act.

Section 2 Territorial Jurisdiction



Section 3 Office Buildings

I. The first office

The office building was a three-story concrete building, which was contracted to and constructed by the Prison Camp Team of Taichung Prison. On May 12, 1964, the construction commenced. On December 22, 1964, construction was completed and the building opened for use. Years later, from April, 1991 to February, 1992, the construction of additions to the building were successively completed, including offices on the third floor, the dormitory of the Prosecutors, the Loot Storage, and the Archives. This building is currently shared with the Taiwan Yunlin District Court for use.

II. The second office

The second office was formerly the Taiwan Yunlin Detention Center. Since 2000, the office had undergone multiple renovations and on December 5, 2005, the construction was completed.



The Library of the Yunlin District Prosecutors Office

III. Renovation of the multimedia classroom

On December 3, 2007, the renovation started and the original multimedia classroom was to be converted into the Library, Knowledge and Care Study Center, and the History Hall. On January 7, 2008, the renovation was completed, providing a reading space for the employees and

those people cared and protected by the three associations, namely Taiwan After-Care Association, Probation Association, and Association for Victims Support; and the History Hall preserved the precious prosecutorial literature and materials of the Yunlin District Prosecutors Office over the years, available to be passed on to future generations.

Section 4 List of Former Chief Prosecutors

Precedence in office	Title	Name	Period in office	Notes
1	Leading Prosecutor	Shih,Ming-Chiang	1964/07/10~1968/10/21	
2	Leading Prosecutor	Lai,Chu-Lung	1968/10/21~1971/03/12	
3	Leading Prosecutor	Lin,Ming-Te	1971/03/12~1972/08/05	
4	Leading Prosecutor	Chung,Ken-Le	1972/08/05~1975/09/27	
5	Leading Prosecutor	Chai,Chi-Chen	1975/09/27~1976/08/17	
6	Leading Prosecutor	Lin,Hsi-Hu	1976/08/17~1979/01/19	
7	Leading Prosecutor	Tsai,Chin-Fang	1979/01/19~1984/10/26	
8	Leading Prosecutor	Hung,Chen-Hsiung	1984/10/26~1986/07/26	
9	Leading Prosecutor	Wu,Kuo-Ai	1986/07/26~1989/07/11	
10	Chief Prosecutor	Tseng,Yung-Fu	1989/07/11~1992/05/23	
11	Chief Prosecutor	Hsieh,Shang-Hui	1992/05/23~1993/07/21	
12	Chief Prosecutor	Chen,Yao-Neng	1993/07/21~1996/01/15	
13	Chief Prosecutor	Chen,Ching-Pi	1996/01/15~1997/08/08	
14	Chief Prosecutor	Chen,Feng-Chi	1997/08/08~1999/04/26	
15	Chief Prosecutor	Yang,Sen-Tu	1999/04/26~2000/06/27	
16	Chief Prosecutor	Lin,Chao-Sung	2000/06/27~2001/04/24	Held ad interim from April 27, 2001 to August 10, 2001 by Head Prosecutor Hsieh,Hsi-He
17	Chief Prosecutor	Liu,Wei-Tsung	2001/08/10~2003/07/31	
18	Chief Prosecutor	Chu,Chao-Liang	2003/07/31~2005/03/16	

Precedence in office	Title	Name	Period in office	Notes
19	Chief Prosecutor	He,Ming-Chen	2005/03/16~2007/04/12	
20	Chief Prosecutor	Hsing,Tai-Chao	2007/04/12~2008/08/01	
21	Chief Prosecutor	Liu,Chia-Fang	2008/08/01~2010/07/28	
22	Chief Prosecutor	Chang,Wen-Cheng	2010/07/28~2013/03/11	
23	Chief Prosecutor	Lin,Hsiu-Hui	2013/03/11~2014/03/03	Held ad interim from March 3, 2014 to May 27, 2014 by Head Prosecutor Lin,Tsung-Chih
24	Chief Prosecutor	Hung,Pei-Ken	2014/05/27~2015/05/07	
25	Chief Prosecutor	Cheng,Ming-Chien	2015/05/07~2018/07/09	
26	Chief Prosecutor	Cheng,Hsin-Hung	2018/07/09~2019/01/31	
27	Chief Prosecutor	Kuo,Yung-Fa	2019/01/31~2020/03/13	
28	Chief Prosecutor	Hung,Chia-Yuan	2020/03/13 to present	

Section 5 List of Former Chief Secretaries

Precedence in office	Title	Name	Period in office	Notes
1	Head Clerk	Tzu,Ke-Kang	1964/07/01 ~ 1967/07/24	
2	Head Clerk	Chang,Yu-Hsiang	1967/07/24 ~ 1968/10/21	
3	Head Clerk	Wang,Cheng-Pang	1968/10/21 ~ 1971/03/12	
4	Head Clerk	Ma,Kuang-Hsu	1971/03/12 ~ 1972/08/05	
5	Head Clerk	Tung,Min-Tse	1972/08/05 ~ 1975/07/03	
6	Head Clerk	Fan,Yi	1975/07/03 ~ 1976/08/17	
7	Acting Head Clerk	Yang,Kun-Yi	1976/08/17 ~ 1978/04/17	
8	Head Clerk	Ou,Hou-Chi	1978/04/17 ~ 1979/01/19	
9	Head Clerk	Pi,Yu-Hsun	1979/01/19 ~ 1984/10/26	
10	Acting Chief Secretary	Li,Po-Wen	1984/10/26 ~ 1989/10/03	
11	Chief Secretary	Huang,Ching-Chih	1989/10/03 ~ 1992/07/21	
12	Chief Secretary	Liang,Chung-Chu	1992/07/21 ~ 1993/09/20	
13	Acting Chief Secretary	Li,Po-Wen	1993/09/20 ~ 2001/09/10	
14	Chief Secretary	Chan,Chung-Chien	2001/09/10 ~ 2003/09/22	
15	Chief Secretary	Huang,Chan-Yi	2003/09/22 ~ 2013/06/03	
16	Chief Secretary	Lin,Po-Tsang	2013/06/03 ~ 2013/08/01	Concurrently handled
17	Chief Secretary	Hsiao,Ju-Chuan	2013/08/01 ~ 2013/12/24	Concurrently handled
18	Chief Secretary	Li,Su-E	2013/12/24 ~ 2015/08/05	Concurrently handled
19	Chief Secretary	Lin,Po-Tsang	2015/08/05 to present	

Section 6 Excerpts of Major Cases

I. The case of corruption committed by Magistrate Chang, *-Wei of the Yunlin County et al.

Onyx Ta-Ho Environmental Service Co., Ltd. ("ONYX TA-HO") had formed a bidding consortium since Chang, *-Wei served as the Speaker of the Yunlin County Council, intending to win the BOO Project of the Linnei Incineration Plant. The responsible person of ONYX TA-HO was fully aware that the acquisition of land for the plant construction, the environmental impact assessment, and many other matters prior to the completion stage inevitably depended on the cooperation of many officials, including the Magistrate, Director of the Environmental Protection Bureau ("EPB"), Speaker, Deputy Speaker, and Councilors of the County Council, Township Mayor of the Linnei Township (i.e. the development base), and representatives of the Linnei Township Representative Council, et al. who could communicate with the protesting residents on behalf of ONYX TA-HO. Therefore, since Chang, *-Wei served as the Speaker of the Yunlin County Council, the responsible person of ONYX TA-HO had intentionally bribed the abovementioned officials, so as to obtain the development rights to the construction and operation of the BOO Project of Linnei Incineration Plant. Moreover, Hsing, *-Liang, President of ONYX TA-HO, believed that Hsu, *-Kuo, the responsible person of Hsuting Company, had a solid and good relationship with the Yunlin County Government and other public departments, as well as with other local people. He also mistakenly believed that a relationship with Chang, *-Wei could be established through Hsu, *-Kuo. Since Hsu, *-Kuo was deeply appreciated for his professional ability and command of the foreign language in communication for the BOO Project of Linnei Incineration Plant, the French CGEA Company, which was also a member of the ONYX TA-HO bidding consortium, had also trusted Hsu, *-Kuo. Therefore, Hsing, *-Liang contacted Hsu, *-Kuo and expressed his intention to cooperate with Hsu in participating in the BOO Project of Linnei Incineration Plant.

Through Hsu, *-Kuo, Hsing, *-Liang et al. approached some local people in Yunlin County who then introduced Hsing, *-Liang to Chang, *-Wei, trying to have Chang, *-Wei pass the review of the environmental impact assessment on the BOO Project of the Linnei Incineration Plant. In order to do so, they disclosed to ONYX TA-HO the bottom price of the BOO Project in advance, and helped to acquire relative permits (including Class B waste disposal permit, air pollution discharge permit, and water pollution discharge permit) for the Project. They also changed the application of land category for the construction site from the original "general agricultural and pastoral lands" to "special purpose lands," as well as facilitated the issue of the construction permit and dissolved local people's protest. Hsu, *-Kuo was requested to confirm with Chang, *-Wei the amount of bribery first, so that such bribery amounts could be calculated into the construction costs of the bidding, which could be reimbursed by the Environmental Protection Administration and the Yunlin County Government. Finally, Hsu, *-Kuo bribed Chang, *-Wei with an amount of 80 million NTD prior to the commencement of the construction.

Due to the excessive markups of the pricing and random combination of the data in the BOO Project of Linnei Incineration Plant, ONYX TA-HO would be able to enjoy nearly 18% return on investment every year for 20 years. Pertaining to the excessive markups of the land costs, Chang, *-Wei and Yen, *-Hsien would jointly benefit ONYX TA-HO with an amount of 1.2+ billion NTD.

After the case was prosecuted, it had been sent back by the Supreme Court to a court of lower instance for retrial four times. Finally, in Judgement No. (104)-Zhong-Shu-Shang-Geng-Si-zi-26 by the Tainan Branch Court of the Taiwan High Court sentenced Chang, *-Wei to imprisonment for eight years along with the deprivation of his citizen's rights for four years. Again, in Judgement No. (106)-Tai-Shang-zi-2180, the appeal was dismissed by the Supreme Court.



Xiluo Bridge . Yunlin (雲林西螺大橋) / Chen, Ying-Nan/Tourism Bureau, Ministry of Transportation and Communications

II. The largest election bribery case in electoral history

In January, 2008, the election of legislators was held. The Yunlin District Prosecutors Office conducted a large-scale investigation of a collective election bribery committed by the former legislator Chang, *-Wen, and prosecuted a total of 230 people, including Chang, *-Yuan, i.e. Chang, *-Wen's father and the President of the Yunlin Irrigation Association, his key vote brokers, and those people who exchange their votes with other interests. This case greatly shocked Yunlin County. Later in June, 2008, the elected legislator Chang, *-Wen was ruled by the court as invalidly elected, and was immediately removed from the legislator's position, which imposed a great intimidating effect on any candidates who intended to be elected by bribery.

At the time, Chang, *-Yuan was the incumbent (the 1st and 2nd) Chairman of the Yunlin Irrigation Association of Taiwan Province, and the President of the National Joint Irrigation Association. He is also the father of Chang, *-Wen, the 6th legislator. With a mens rea to bribe votes in assisting his son to win the election of the 7th legislators held on January 12, 2008, Chang, *-Yuan transported stacks of cash back to Yunlin from Taipei where he prepared the cash in various denominations. Chang, *-Yuan divided the constituency (i.e. the second constituency in Yunlin County) into areas of accountability, and led the bribery campaign in five districts, namely Zhenxi Village in Douliu City, Mingde Village in Douliu City, Chongguang Village in Douliu City, Dadong Village in Dounan Township, and Erlun Township in Xiluo District.

Led by Chang, *-Yuan, those vote brokers arranged by Chang, *-Yuan at various levels in each district were asked to estimate and report on the number of voters to be bribed by cash and the total funds needed. Chang, *-Yuan then distributed the bribery funds in a top-bottom manner. Finally, at the cost of 500 NTD per vote, bribes were released to the eligible voters in the second constituency of Yunlin County (including Douliu City, Linnei Township, Citong Township, Dounan Township, Dapi Township, Gukeng Township, Xiluo Township, Erlun Township, and Lunbei Township), and the voters accepting the bribes agreed to vote for



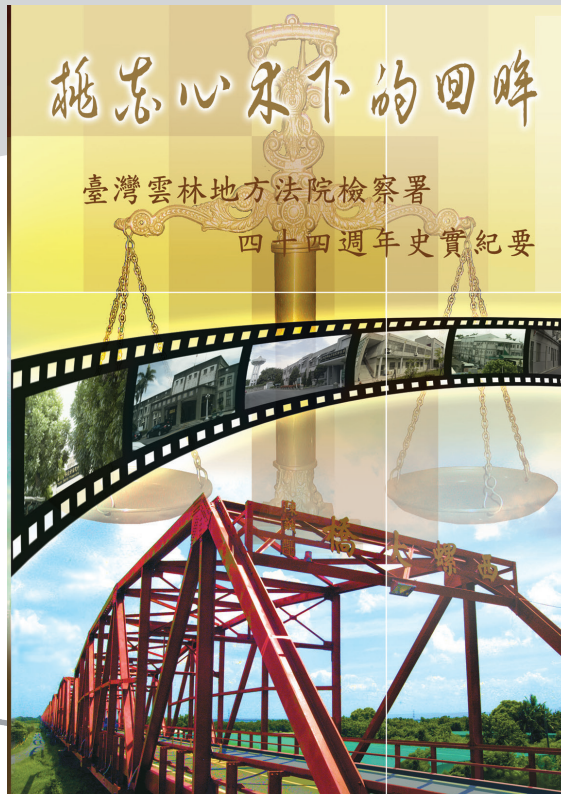
Chang, *-Wen in the election of the 7th legislators. Among those vote brokers, Huang, *-Hsueh, the Village Chief of Zhenxi Village, admitted that he was entrusted by a female employee, with last name Yang, of the Yunlin Irrigation Association to bribe the residents. Consequently, as many as 1,400 voters accepted the bribes. This case marks the largest bribery case in electoral history in Taiwan.

After the case was prosecuted by the Yunlin District Prosecutors Office, the Yunlin District Court sentenced Chang, *-Yuan to imprisonment for five years along with the deprivation of his citizen's rights for six years, plus a fine of 2 million NTD. Later the cases went through the second instance at the appeal, and the Supreme Court sent the case back to a court of lower instance for retrial. Finally, in Judgement No. (99)-Xuan-Shang-Geng-I-zi-89, the Tainan Branch Court of the Taiwan High Court sentenced Chang, *-Yuan to imprisonment for four years and six months, along with the deprivation of his citizen's right for six years, plus a fine of 2 million NTD. The appeal was dismissed by the Supreme Court.

The "Investigation Team for Criminal Profiteering Crimes" (i.e. the so-called "Special Investigation Division") of the Yunlin District Prosecutors Office marks the first Special Investigation Team, not limited to working with specific District Prosecutors Offices, that was established with the approval of the Ministry of Justice, as proposed by the then Chief Prosecutor on June 1, 2007. In the early days, the Special Investigation Team was dedicated to the investigation of the abovementioned bribery involved in the election of the 7th legislators. They had cracked down on 20 to 30 cases of cash bribery in elections, including the largest case of election bribery in the electoral history of Taiwan. With millions of election bribes seized, this Special Investigation Team outperformed other teams on bribery crack-downs, and its performance was published in the journal of the Ministry of Justice, marking glory for the Yunlin District Prosecutors Offices unprecedented since its inception.



Section 7 Cover page of the History of Prosecutors Office and the link of global website



桃
李
心
木
下
的
回
眸



- ▲ The Chronicle of the Taiwan Yunlin District Prosecutors Office at its 44th Anniversary

Publication date: July,2008

- ▶ Justice No.8

Publication date: July,2008

