



## Chapter 20

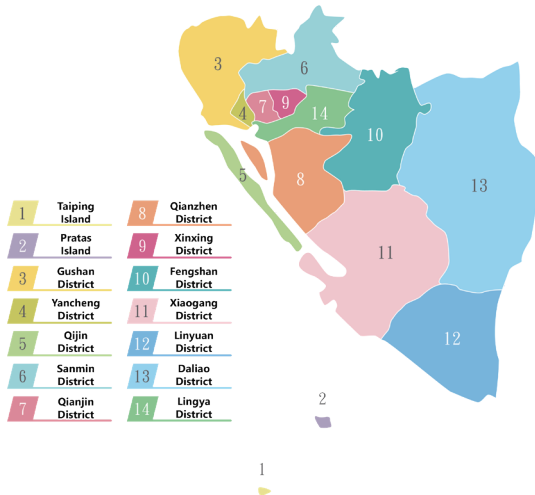
# Taiwan Kaohsiung District Prosecutors Office



### Section 1 Historical Overview

Taiwan Kaohsiung District Prosecutors Office originated from Prosecutors Bureau under Kaohsiung Branch of Tainan District Court which was established by Taiwan Governor-General Office during the Japanese Colonial Rule. In 1940, Prosecutors Bureau under Kaohsiung Branch of Tainan District Court was restructured into "Prosecutors Bureau of Kaohsiung District Court." Shortly after the retrocession of Taiwan, on December 24, 1945, it was renamed "Department of Prosecution of Taiwan Kaohsiung District Court." On December 24, 1989, it was renamed "Taiwan Kaohsiung District Court Prosecutors Office" in conjunction with the amendment of the Court Organization Act. On May 25, 2018, it was again renamed "Taiwan Kaohsiung 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



Geographic Territorial Jurisdiction of the Taiwan Kaohsiung District Prosecutors Office

## Section 3 Office Buildings

### I. The period when the office temporarily borrowed from Kaohsiung Vocational High School of Commerce (from December, 1945 to the end of 1946)

After the retrocession of Taiwan, as the old office (located in Shanxia Village, Gushan District, Kaohsiung City) was dilapidated, Kaohsiung Prosecutors Office borrowed some classrooms from Kaohsiung Vocational High School of Commerce at that time to share the office together.

### II. The period when the office was/is on Hedong Road (from the end of 1946 till today)

On June 25, 1946, Kaohsiung Prosecutors Office borrowed the main building of the then “Kaohsiung Prefecture Office Building” (which is also the site for the current office) on the east bank of Kaohsiung River (now known as Love River) from Kaohsiung City Government for office use. Preliminary renovation was done to the building, and at **the end of 1946**,

Kaohsiung Prosecutors Office officially moved into this building. In 1966, as Prefecture Office Building was dilapidated for years and the existing space was insufficient, the whole building needed to be renovated and expanded. In June of 1966, construction started and at the end of October, 1966, construction was completed. The building was originally in the layout of the Chinese word “口”, and expanded into the layout of the Chinese word “田.” The population and number of cases had both rapidly increased over time in the jurisdiction of Kaohsiung Court and Prosecutors Office, so the construction of a new office became necessary. In June, 1985, a budget was approved for building an office with two floors underground and six floors above ground on the original site. On August 10, 1987, the construction commenced, and on June 1, 1990, the office building was officially opened for use.

## Section 4 List of Former Chief Prosecutors

Precedence in office	Title	Name	Period in office	Notes
1	Leading Prosecutor	Chiang, Yuan-Liang	1946/07/18~1947/07/10	
2	Leading Prosecutor	Fang, Shih-Po	1947/07/10~1949/01/17	
3	Leading Prosecutor	Chiao, Pei-Shu	1949/01/17~1950/06/15	
4	Leading Prosecutor	Liang, Yi-Ching	1950/06/16~1955/05/01	
5	Leading Prosecutor	Tien, Chi-Chi	1955/05/01~1959/02/15	
6	Leading Prosecutor	Wu, Chao-Lien	1959/02/15~1963/02/11	
7	Leading Prosecutor	Li, Chung-Sheng	1963/02/11~1970/11/07	
8	Leading Prosecutor	Shih, Hsi-En	1970/11/07~1973/06/25	
9	Leading Prosecutor	Chang, Yao-Hai	1973/06/25~1981/09/30	
10	Leading Prosecutor	Lu, Yu-Chieh	1981/09/30~1982/02/04	

## Overview of Prosecutorial Entities

Precedence in office	Title	Name	Period in office	Notes
11	Leading Prosecutor	Chen,Han	1982/03/01~1982/11/09	
12	Leading Prosecutor	Chai,Tsung-Chuan	1982/11/09~1985/03/15	
13	Leading Prosecutor	Chai,Chi-Chen	1985/03/15~1985/07/02	
14	Leading Prosecutor	Liu,Ching-Yi	1985/07/02~1987/05/19	
15	Leading Prosecutor	Chung,Yao-Tang	1987/05/19~1990/09/19	The title was changed to Chief Prosecutor on December 24, 1989
16	Chief Prosecutor	Chang,Shun-Chi	1990/09/19~1996/01/17	
17	Chief Prosecutor	Cheng,Tseng-Tung	1996/01/17~2000/06/27	
18	Chief Prosecutor	Shih,Mao-Lin	2000/06/27~2001/04/27	
19	Chief Prosecutor	Chu,Nan	2001/04/27~2005/03/16	
20	Chief Prosecutor	Ling,Po-Chih	2005/03/16~2007/04/12	
21	Chief Prosecutor	Liu,Wei-Tsung	2007/04/12~2009/07/01	
22	Chief Prosecutor	Chiang,Hui-Min	2009/07/01~2010/07/28	
23	Chief Prosecutor	Hsing,Tai-Chao	2010/07/28~2011/07/20	
24	Chief Prosecutor	Tsai,Jui-Tsung	2011/07/20~2015/05/07	
25	Chief Prosecutor	Chou,Chang-Chin	2015/05/07~2020/03/13	
26	Chief Prosecutor	Chuang,Jung-Sung	2020/03/13 to present	



## Section 5 List of Former Chief Secretaries

Precedence in office	Title	Name	Period in office	Notes
1	Head Clerk	Chang,Yu-Hsiang	1971~1973/06/25	
2	Head Clerk	Li,Chin-Hua	1973/05/26~1979/01/18	
3	Chief Secretary	Chen,Ting-Cheng	1979/01/18~1981/10/23	
4	Chief Secretary	Lin,Yi-Chung	1981/10/23~1982/12/16	
5	Chief Secretary	Lu,Yi-Min	1982/01/18~1985/03/18	
6	Chief Secretary	Liu,Ke -Chien	1985/03/19~1985/07/02	
7	Chief Secretary	Chang,Shang-Ta	1985/07/02~1987/06/09	
8	Chief Secretary	Li,Lung-Yi	1987/06/09~1990/09/01	
9	Chief Secretary	Hsu,Ying-Chin	1990/12/01~1996/05/31	
10	Chief Secretary	Lin,Tien-An	1996/06/01~2001/03/01	
Acting	Chief Secretary	Tsai,Chung-Han	2001/03/01~2002/03/07	
11	Chief Secretary	Tsai,Chung-Han	2004/03/07~2006/06/02	
Acting	Chief Secretary	Lin,Ming-Hsien	2006/06/02~2006/12/07	
12	Chief Secretary	Lin,Ming-Hsien	2006/12/08~2007/05/27	
13	Chief Secretary	Chan,Chung-Chien	2007/05/28~2009/08/01	
14	Chief Secretary	Lin,Ming-Hsien	2009/08/01~2010/12/29	
15	Chief Secretary	Yeh,Shu-Wen	2010/12/30~2011/08/31	Concurrently handled by Head Prosecutors
16	Chief Secretary	Lin,Shun-Lai	2011/09/01 to present	

## Section 6 Excerpts of Major Cases

### I. Violation of the National General Mobilization Act by the Taiwan Provincial Fruit Marketing Cooperative

Taiwan Provincial Fruit Marketing Cooperative (“TPFMC”) was engaged in the marketing of fruits, including bananas and pineapples. It was a civil association where Wu, \*-Jui was the Chairman of the Board of Directors; Chiu, \*-Yin was the Chairman of the Supervisors; Li, \*-Chen was the Manager; Tsai, \*-Shan was the Deputy Manager, also the Director of General Affairs Department; Yang, \*-Chih was the Chief of Accounting Section; and Lo, \*-Yuan was the Chief of the General Affairs Section.



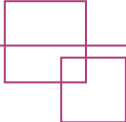
The aim of the TPFMC was to market members’ products, improve sales technology, and increase members’ income. However, after Wu, \*-Jui took the role of the Chairman of the Board of Directors, in 1963 and 1964, he adopted a quotation method for bananas exported to Japan, where Japanese fruit merchants had to bid for Taiwan’s bananas. Wu, \*-Jui privately asked Japanese merchants for kickbacks ranging from USD 1 to 2 per basket. The kickbacks amounted to tens of millions over two years. Moreover, in June, 1966, Wu, \*-Jui increased the consolidation and management fees for packaging materials collected from farmers without the approval of the Board of Directors. From 1966 to 1968 in two years, Wu, \*-Jui had overcharged 24,068,070 NTD.

He had pocketed more than enough interest, but he had no intention in improving the packaging and transportation, thus causing the deteriorated quality of bananas exported to Japan. On many occasions, bananas shipped to Japan were discarded in quantity due to nonconformity or rot.



On the 20th anniversary of the establishment of the TPFMC, Wu, \*-Jui convened a meeting at the Chairman's Office of the Board of Directors of the TPFMC, conspiring with Tsai, \*-Shan, Yang, \*-Chih, and Lo, \*-Yuan to procure gold wares, although Wu, \*-Jui was fully aware that the its Board of Directors and its Affairs Meeting did not make resolutions in giving government officials gold wares, and that gold was prohibited from trading. Therefore, Lo, \*-Yuan first drafted up a purchase request in buying gifts for "those who were helpful to TPFMC's business." It was then approved by Li, \*-Chen for gold wares such as gold plates, gold bowls, and gold cups to be purchased at Jung \* jewelry store in Taipei. These gold wares were presented as gifts to Directors, Supervisors, cadres, and relevant undertakers in government agencies, respectively.

Kaohsiung District Prosecutors Office took the initiative to investigate this case. Under the order of the Prosecutors Office of the Supreme Court, the case was handed over to Kaohsiung City Field Office for further investigation. Meanwhile, the TPFMC was searched, and its account books and gold wares were seized. After interrogation by the Prosecutor, 12 people including Wu, \*-Jui and Tan, \*-Tso were detained. Subsequently, Kaohsiung District Prosecutors Office prosecuted the relevant defendants for breach of trust, business embezzlement, and forgery under the Criminal Code, as well as for violations of the Interim Penal Act of Offenses Against National General Mobilization and the Anti-Corruption Act During the Period of Suppressing Communist Rebellion. The Kaohsiung District Court of first instance sentenced Wu, \*-Jui to imprisonment for eight years. After an appeal, the court of second instance did not find any matters of corruption or breach of law, and Wu, \*-Jui was sentenced for violating the government's order of prohibiting the transaction of gold in accordance with the National General Mobilization Act. On May 10, 1972, the Supreme Court sentenced Wu, \*-Jui to imprisonment for two years and six months.



# CRIME SCENE DO NOT CROSS

## II. The case of serial murder committed by Hsu, \*-Chih

Hsu, \*-Chih met Chang, \*-Shu, a widow who lived a hard life, and developed a relationship. However, due to personalities difference and the complicated monetary relationship, they often quarreled. On the afternoon of January 29, 1976, at their residence in Sanyuan Street, Taipei City, the two people quarreled again. Hsu, \*-Chih continuously hit Chang, \*-Shu's head against the ground and Chang, \*-Shu lost her life. On the next day, Hsu, \*-Chih transported the corpse to the Taichung City and buried the corpse in an suburban area.

In June, 1977, Hsu, \*-Chih met Chiang, \*-Yun who once made a living on drinking wine with customers, and both decided to live together. Meanwhile, Chiang, \*-Yun also had a relationship with Wu, \*. On the evening of August 14, 1977, Hsu, \*-Chih returned to the residence (located in Section 2, Wenhua Road, Banqiao City) where he cohabitated with Chiang, \*-Yun, and saw Chiang, \*-Yun and Wu, \* slept together. Hsu, \*-Chih then killed the two with a high voltage of 220 volts. On the next day, Hsu, \*-Chih transported and buried the two corpses near the place where Chang, \*-Shu was buried.

At the end of 1982, Hsu, \*-Chih and Lin, \*-Shou lied to Kuo, \*, Kuo, \*-Cheng, Wu, \*-Jung that there were treasures left behind by the Japanese in Taimali, Taitung, near the end of the World War II. Listening to the lie without question, Kuo, \* et al. successively handed over money to Hsu, \*-Chih to dig out the treasures. However, Hsu, \*-Chih feared that his trick would be seen through, so he decided to kill all of them including Lin, \*-Shou. First, Hsu, \*-Chih built a large iron barrel, placed it on a motor tricycle, and falsely claimed to all that this iron barrel could be used as a loading tool if treasures were discovered, and that people could also hide in the iron barrel to avoid investigation by the security agency. On the afternoon of January 4, 1983, when this group of people went to explore the Taimali area, a car happened to drive by. Hsu, \*-Chih took the opportunity, lied to Lin, \*-Shou et al. that the security officer was investigating them, shouted at the four people and had them enter the iron barrel, then



he shut the door of the barrel, inserted the bolt, and injected gas into the iron barrel, causing the death of Lin, \*-Shou et al. four people due to respiratory distress. After that, the four corpses were transported to and buried in Guanmiao, Tainan.

In February 1983, victim Wu, \*-Jung's family took Hsu, \*-Chih to the police station, claiming to the police that Hsu, \*-Chih had collected money from Wu, \*-Jung by unfair means and Wu, \*-Jung had disappeared. After the interrogation, Hsu, \*-Chih admitted that he had killed Lin, \*-Shou, Kuo, \*, Kuo, \*-Cheng, Wu, \*-Jung. In March, 1983, he took prosecutors and police to Guanmiao, Tainan to exhume four corpses. Since Hsu, \*-Chih committed multiple crimes throughout Taiwan, the then Lead Prosecutor (now retitled as Chief Prosecutor) of the Procurator's Office of the Taiwan High Court called prosecutors and police from relevant jurisdictions to form a joint task force. In April, 1983, the corpses of Wu, \*, Chiang, \*-Yun, and Chang, \*-Shu were dug out one after another. The examination results of the corpses were consistent with those described by Hsu, \*-Chih. Moreover, the business cards, invoices, and notes seized by the personnel of the task force were also consistent with the situations in the case. Later, the Prosecutor prosecuted Hsu, \*-Chih for murder and other crimes. The court finally sentenced Hsu, \*-Chih to three death penalties, along with the deprivation of his citizen's rights for life. Collectively, Hsu, \*-Chih was to be executed with the death penalty, along with the deprivation of his citizen's rights for life. The case was finalized. The death penalty was executed on May 14, 1984.

### III. The murder case of Peng, \*-Ju

On November 30, 1996, Peng, \*-Ju, Director of the Department of Women's Affairs of the Democratic Progressive Party ("DPP"), went to Kaohsiung City to attend the DPP Provisional National Party Congress and lobbied at the Jianmei Hotel in Kaohsiung City for women's participation in politics. Since the Jianmei Hotel was too crowded, Peng, \*-Ju at the last minute decided to return to the Grand Hotel in Kaohsiung County and stay overnight. After Peng, \*-Ju took a taxi and left the Jianmei Hotel, she was



never seen again. It was not until December 3, 1996 that the police found Peng, \*-Ju's body in the bushes near a warehouse in Niaosong Township, Kaohsiung County (now restructured to Niaosong District, Kaohsiung City). This case drew the attention of people of all walks of life in society. Under the direction of the Prosecutor of the Kaohsiung District Prosecutors Office, the police formed a task force for the investigation. It was found that Peng, \*-Ju indeed did not arrive at her destination, the Grand Hotel. From the surveillance video recording the moment Peng, \*-Ju left the Jianmei Hotel, we could only see that Peng, \*-Ju raised one hand at the entrance of the hotel. However, it was impossible to tell whether she raised her hand to beckon the taxi, or to say hello to an acquaintance. The witness at the time, the security staff of Jianmei Hotel, said that he had seen Peng, \*-Ju stop a taxi, which might be a Ford Telstar, and the car drove in the direction of Dafeng 2nd Road. A nearby barber shop cctv also caught the image suspected of being the subject taxi. All clues led the task force to reasonably suspect that "Peng, \*-Ju must have got on the taxi and was killed by the taxi driver."

The Prosecutor and police immediately started to compare the finger and palm prints of taxi drivers in five counties and cities in Kaoping area. According to operating guidelines of the police, all holders of profit-seeking enterprise registration certificates for sedans in the five counties and cities in the Kaoping area must undergo a check and comparison of finger and palm prints. In 2009, with thorough investigation, the task force found that the security staff of the Jianmei Hotel actually only saw Peng, \*-Ju carry her luggage across the street, without actually seeing her get into a taxi. So whether the murderer was a taxi driver became questionable. Unfortunately, the crime scene was not strictly controlled at that time, the evidence on the scene was destroyed. The task force tried hard to collect suspicious bloodstains, hair, tissues, etc. from the place where the body was found and in related vehicles, hoping such micro evidence could help identify the killer through DNA comparison as early as possible. However, the physical evidence was insufficient and unclear, thus the case has not been resolved yet. Any new physical evidence will immediately trigger Kaohsiung District Prosecutors Office to get on its feet and take up the investigation again.

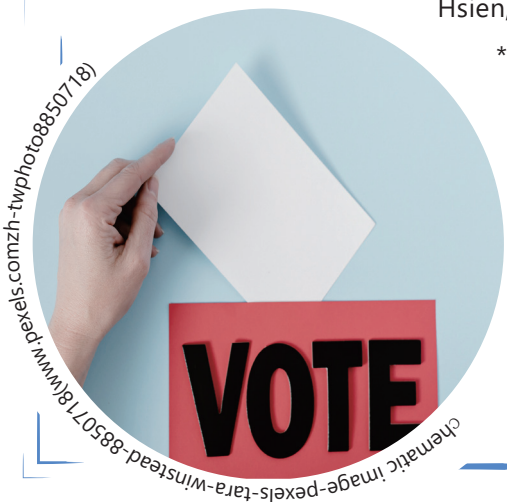


#### IV. The election bribery case of the 6th Speaker of the Kaohsiung City Council

In December 2002, Chu, \*-Hsiung was elected as a Councilor of Kaohsiung City. The Chu, \*-Hsiung couple then actively planned to run for the Speaker. On December 15, 2002, they had dinner at the Linyuan Hotel in Kaohsiung City with Wang, \*-Cheng, the then Commissioner of Civil Affairs Bureau of the Kaohsiung City Government. Together they conspired to receive support from the other Councilors through election bribery. Chu, \*-Hsiung couple then immediately borrowed money from relatives and friends. Wu, \*-Fang (Wu, \*-Mei's sister) also appropriated funds from her subsidiaries to raise funds for the bribes. On the evening of December 18, 2002, Wu, \*-Mei and Wang, \*-Cheng discussed the bribe considerations at the Water Dance Cafe at the intersection of Guanghua Road and Qingnian Road in Kaohsiung City. Huang, \*-Chung and Hsien, \*-Yu, the two that the Chu, \*-Hsiung couple could trust, were responsible for the delivery of the bribes.

Afterwards, Wang, \*-Cheng assisted Chu, \*-Hsiung couple in completing the agreement with Chan, \*-Lung, Tsai, \*-Ken, Cheng, \*-Chu, Chang, \*-Hsiu, Wu Lin, \*-Min and Tseng, \*-Fa et al. to vote for Chu, \*-Hsiung, and the bribes were delivered by Wu, \*-Mei, Hsien, \*-Yu, and Huang, \*-Chung. Either Chu, \*-Hsiung couple themselves or by instructing Hsien, \*-Yu, and Huang, \*-Chung, they contacted with Chu, \*-Ching, Chien, \*-Cheng, Chen, \*-Ching, Lin, \*-Shan et al., and reached an agreement in supporting Chu, \*-Hsiung for 5 million NTD per vote. Huang, \*-Chung and Hsien, \*-Yu were in charge of the handover of the bribes.

However, on December 23, 2002, Chen, \*-Bian, then Chairman of the DPP, clearly pointed out in the



DPP Central Standing Committee that the election bribery for the Speaker of Kaohsiung City Council was not groundless. After extensive news coverage in major newspapers the next day, some of the Councilors from DPP who were determined to support Chu, \*-Hsiung in the first place changed their mind and voted for Kao, \*-Ying instead, the Speaker candidate nominated by the DPP. Although Chu, \*-Hsiung lost multiple votes, he still received 25 votes and was elected. When the news of election bribery first broke out in the newspaper, Kaohsiung District Prosecutors Office had already had the Prosecutors of the Black Money Prosecution Task Force undertake the case. When the election results came out, Kaohsiung District Prosecutors Office immediately prepared the relevant information, applied to the court for 40 search warrants which were approved, and carried out multiple searches concurrently by multiple Prosecutors at various City Councilors' and vote broker's residences or the service offices, respectively.

On the morning of December 28, 2002, the Prosecutor first interviewed the City Councilor Chan, \*-Lung and his wife. After interrogation, the Prosecutor found that Chan, \*-Lung was highly suspected of being involved in the offense. He was arrested on the spot and an application to court for detention of Chan, \*-Lung was approved. On the same day, the Chu, \*-Hsiung couple were also arrested after an interrogation, and the collegiate panel approved of detention of the Chu, \*-Hsiung couple. After reviewing the seized account books, it was found that part of the large sums of money had flowed from Chenan Company to the accounts of Huang, \*-Chung et al. Therefore, the Prosecutor interviewed Huang, \*-Chung to clarify the source of funds, and then interrogated Hsien, \*-Yu and Wu, \*-Fang and applied for detention of the two. The suspect, Wu, \*-Fang, turned into a witness during the detention hearing, confessing the key parts of the case such as fund gathering, bribe handovers to key vote brokers, and Councilors involved in the election

bribery network, which subsequently led to the detention of Hsien, \*-Yu being approved by the court. At the arraignment hearing, Hsien, \*-Yu confessed his handover of the bribes to Wang, \*-Cheng and a list of Councilors.

In order to speed up the investigation and put a timely end to the case, the Kaohsiung District Prosecutors Office released news, urging the Councilors involved in the case to voluntarily surrender themselves and the bribes. Successively, Cheng, \*-Chu, Tsai, \*-Ken, Kao, \*-Ying, Yang, \*-Kuo, Wu, \*-Min et al. surrendered themselves. All of them and Chan, \*-Lung (already in detention) surrendered the bribes they received. In addition, as per the identification by several Councilors involved in the case and the confessions by the Chu, \*-Hsiung couple and Hsien, \*-Yu, Wang, \*-Cheng was seriously suspected of being involved, so the application for detention of Wang, \*-Cheng was approved after Wang, \*-Cheng was interrogated.

On April 4, 2003, the case of election bribery committed by the Chu, \*-Hsiung couple was prosecuted after the investigation was completed. The 21 Councilors accepting the bribes were all convicted by the court, including Lin, \*-Shan, Chan, \*-Lung, Tsai, \*-, Zheng, \*-Zhu, and Zhang, \*-Xiu. Meanwhile, Chu, \*-Hsiung has been found guilty in several trials. At the retrial of first instance, Chu, \*-Hsiung was sentenced to imprisonment for three years and six months. Without further appeal, the sentencing was concluded. However, Chu, \*-Hsiung absconded overseas during the trial and the sentence failed to be executed. He has been wanted by the Kaohsiung District Prosecutors Office until the present. As many as 17 elected Councilors of the 6th Kaohsiung City Council were sentenced for election bribery (none with suspension of punishment announced) and were removed from their positions. As a result, by-elections were held, which set a record in the history of Taiwan's local autonomy.

## **V. The case of corruption committed by Ching, \*-Po**

**I**n 2010, during the investigation of violation of the Pharmaceutical Affairs Act by Ching, \*-Po in his handling of the Chinese medicine clinics case, the Kaohsiung District Prosecutors Office found that Sun, \*-Hui, a shareholder and the financial supervisor of the Malaysian Sun Company, was suspected of importing the weight-loss coffee with banned

ingredients into Taiwan. Ching, \*-Po got to know that Sun, \*-Hui's husband, Liang, \*-Chi, was involved in mineral investment in Malaysia, through a friend Huang, \*-Hsin. Sun, \*-Hui and Liang, \*-Chi then presented a gift of stem cell preparations for Ching, \*-Po through Huang, \*-Hsin, and voluntarily reduced the amount of the investment mining contract with Ching, \*-Po to 15 million NTD, while guaranteeing the doubling of the profits in the mining business. In 2009, Ching, \*-Po received 70 stem cells worth 180,000 NTD from Sun, \*-Hui, and invested 12 million NTD (3 million of which was from Huang, \*-Hsin) to establish a mineral company in Malaysia with Ching, \*-Po's wife Peng, \*-Mei (now renamed Peng, He-\*) as the responsible person. After accepting the bribe from Sun, \*-Hui, Ching, \*-Po concluded the case involving Sun, \*-Hui in the same year.

Also in 2009, Wang, \*-Lin from Kaohsiung and his friend Wu, \*-Ping jointly tendered a bid for the bad debts of Asia Pacific Lon Kang Steel Co., Ltd. ("LONG KANG") handled by Taiwan Financial Asset Service Corporation. After being awarded the bid, Wang, \*-Lin and Wu, \*-Ping suspected that Chiu, \*-Hsuan, the responsible person of LONG KANG, was involved in the sale of the machinery and equipment seized by the court, so they sued Chiu, \*-Hsuan for damaging the creditor's rights. Meanwhile, Wang, \*-Lin and Wu, \*-Ping contacted Lawyer Huang, \*-Ming, a former judiciary officer, through the introduction of Lu \*-Hsun, a former newspaper reporter. After accepting the commission, Huang, \*-Ming indicated that he could ask the Prosecutor to investigate and prosecute Chiu, \*-Hsuan as soon as possible, but an additional 2 million NTD on top of the lawyer's fees would be needed for that. Wang, \*-Lin and Wu, \*-Ping agreed to pay 500,000 NTD first to Huang, \*-Ming. Later, Wang, \*-Lin et al. also got in touch with Ching, \*-Po through Lu \*-Hsun, and expressed the willingness to pay 1.5 million NTD to Ching, \*-Po who then promised to assist in the prosecution of Chiu, \*-Hsuan provided another 150,000 NTD for the case assignment fee. Through Lu \*-Hsun, a total of 1.65 million NTD was delivered to Ching, \*-Po. After receiving the bribes, Ching, \*-Po then conspired with Huang, \*-Ming, and they planned to take advantage of the rule of "Latter case involving the same defendant as that in the previous case shall be incorporated into the previous case" adopted by the District Prosecutors Office. First, Ching, \*-Po picked



the defendant “Yang, \*-Shui” in one of the cases Ching was handling, asking Huang, \*-Ming to put down “Yang, \*-Shui” as the defendant in Wang, \*Lin’s claims of creditor’s rights against Chiu, \*-Hsuan, and to file such a criminal complaint with false content at the Kaohsiung District Prosecutors Office. The case was accordingly assigned to Ching, \*-Po for handling. On the next day, Huang, \*-Ming then applied to the Kaohsiung District Prosecutors Office for correction of the defendant’s name to “Chiu, \*-Hsuan” on the grounds of typing error. Since the case was already assigned to Ching, \*-Po, the case was still handled by Ching, \*-Po after correcting the name. Shortly after, Ching, \*-Po prosecuted Chiu, \*-Hsuan as per agreement.

In 2012, Ching, \*-Po and his wife Peng, He-\* et al., were prosecuted. At the trial of first instance, the Kaohsiung District Court sentenced Ching, \*-Po to imprisonment for 12 years for accepting bribes violating his civil servant’s duties, plus four months for disclosing secrets relating to matters other than national defense, where sentences could be converted into a fine. Ching, \*-Po’s wife Peng, He-\* was acquitted due to insufficient evidence. In July, 2012, Huang, \*-Hsin fell to his death from a building, so the prosecution against him was not accepted. Sun, \*-Hui was exempted from punishment for her frank admission to her offenses during the investigation. Liang, \*-Chi was sentenced to imprisonment for six months for committing joint bribery, along with suspension of punishment for two years, and the deprivation of his citizen’s rights for one year. After the appeal to the second instance, Ching, \*-Po was re-sentenced to imprisonment for 11 years and six months. However, Ching, \*-Po escaped overseas while on bail, and was wanted by the Kaohsiung District Prosecutors Office, and remains at large today.

In 2016, Huang, \*-Ming, who had jointly accepted bribes with Ching, \*-Po, was prosecuted by the Kaohsiung District Prosecutors Office. At the trial of first instance, Huang, \*-Ming was sentenced to imprisonment for eight years for accepting bribes relevant to his duties, along with the deprivation of his citizen’s rights for four years. At the trial of second instance at Kaohsiung Branch Court of Taiwan High Court on March 31, 2021, the same sentencing was remained and the case was closed. Appeal was still possible.

## VI. Memoir of the investigation of the Kaohsiung gas explosion



At 11:57 p.m. on July 31, 2014, the largest gas explosion related to industrial safety in Taiwan history occurred in Qianzhen and Lingya District of Kaohsiung City, causing 32 deaths and 321 injuries. At the time, a series of gas explosion occurred around the area of Kaixuan 3rd Road, Ersheng Road, and Sanduo 1st Road. The manhole covers exploded, the hundreds of meters of asphalt road were blown up, and the explosion flame rushed up to the

height of 15-story building. More than 20 police officers, fire fighters, and volunteer firemen who first arrived at the scene earlier that day were struck by the disaster and fire trucks were either destroyed or fell down to the collapsed road blown up by the explosion. Some people were thrown from the road to the top of the fourth floor in the explosion, and some cars were blown up to the top of the third floor. The total scope affected by the gas explosion ranged six kilometers, of which 4.4 kilometers of urban roads were destroyed, affecting a range of three square kilometers.

At the time of the gas explosion, the Kaohsiung District Prosecutors Office set up an examination team and an investigation team to separately handle the related affairs. The examination team was under the command of the Head Prosecutor, striving to complete the corpse examination in the shortest time, while assisting the Kaohsiung Branch of the Association for Victims Support in opening a service base in the municipal funeral parlor to comfort and serve the deceased's family. The investigation team was under the charge of the Prosecutor designated under this case, and the Head Prosecutor was responsible for





dispatching colleagues to assist in the investigation of the responsibility of the pipeline users. Besides, the Head Prosecutor of the Black Money Task Force was responsible for dispatching colleagues to assist in the investigation of the civil servants' handling procedures on the night of the explosion and the responsibility for the initial burial and layout of the pipelines. This single event marks the case involving the most manpower ever in the history of the Kaohsiung District Prosecutors Office.

The three Head Prosecutors jointly planned and set up the examination and investigation teams, consisting of eight sub-teams for investigations step by step. Finally, in the box culvert exploded at the intersection of Kaixuan Road and Ersheng Road, holes were found on one of the three pipelines belonging to CPC Corporation, CDPC, and LCY Chemical Corp. The petrochemical gas (propylene) escaped along the urban rainwater drainage system to a wide extent, resulting in such a huge disaster area. Afterwards, the purging procedure proved that the said holes were the only spots leaking gas in the entire pipeline.

After 140 days of prudent hard working, a total of 29 Prosecutors were mobilized to participate in the investigation, 32 corpses of victims were examined, and as many as 510 people, including the defendants, witnesses, and the complainants, were interrogated. Finally, on December 9, 2014, under the assistance of the judicial police and the foundations, i.e. the Industrial Technology Research Institute and the Metal Industries Research & Development Centre, that voluntarily sponsored the forensic science, the investigation was completed and a total of 12 people were prosecuted. According to the judgement by the court, three city government officials were guilty: Chao, \*-Chiao was sentenced to imprisonment for three years and six months, Yang, \*-Jen to two years and six months, Chiu, \*-Wen to three years and six months, and nine vendors were found not guilty. The case was finalized.

## VII. The incident of violent escape from Kaohsiung Prison

At 4 p.m. on February 11, 2015, six prisoners namely Cheng, \*-Te, Huang, \*-Sheng, Wei, \*-Ying, Chin, \*-Sheng, Huang, \*-Yen, Chin, \*-Ming, who were serving their sentences in Kaohsiung Prison, took the opportunity of seeking medical care in the Department of Health and Hygiene in the Prison and that the prison supervisor failed to fully search the prisoner's body, to make a move. They entrained the sharp scissors used in the tailoring workshop and the steel bars hidden in advance, held the supervisor with threat and weapons, destroyed the lock to the armoury room in the Department of Security, and grabbed Type 65 K2 rifles, rifle bullets, etc. Then they abducted the Warden, Deputy Warden and Chief of the Department of Security who had come to coordinate the situation. The prisoners' move detonated a prison escape incident involving violent abduction of the Warden, which shocked the whole island.

After the Kaohsiung District Prosecutors Office received the report, the Head Prosecutor et al. rushed to the scene. During the communication with the escaped prisoners, the family members of the six prisoners were called to the scene, trying to exert their family affection in persuading the prisoners to give in. Moreover, the prisoner Cheng accepted an interview with the media through connection, his five major requests were reported by the media. After learning that his requests could not be fully accepted, he then made a new request asking for the sorghum liquor, and the Chief of the Department of Security was released. During the

course of communication, prisoner Cheng repeatedly expressed the intention of committing suicide.

Although persuaded benevolently by the relevant personnel, Mr. Cheng was firm in his intention. In fact, surrounded by the powerful armed police, the prisoners realized the impossibility of escape. They were not willing to serve their remaining



sentences or die old in prison, and resolutely decided to end their lives. As of 5 a.m. the next day, "Bump! Bump! Bump! Bump!" four gunshots broke through the silent dark sky, and the police responsible for monitoring the siege reported that four prisoners had killed themselves with guns, and the main suspects Mr. Cheng and Mr. Chin fired more shots at the four dead prisoners to ensure their death before pointing guns at themselves at 5:36 a.m. on the same day. At this time, the Warden escaped by himself.

Many people witnessed the incident when the above incident occurred, and there was no doubt that prisoner Cheng et al. killed themselves with guns. However, relevant evidence had still to be preserved as much as possible, and various inspection reports for the examination and reexaminations had to be completed as soon as possible, so as to give the public a reasonable and clear account of the facts. Although some people later questioned the cause of death of the six prisoners including Cheng, whether the Warden was an accomplice, whether they were murders instead of suicides, whether bribery was involved in the prison for the prisoners to escape, and whether there was a 7th prisoner conspired to escape in Kaohsiung Prison, among various other questions with political agenda or intentional blame. However, based on the detailed verification and explanations by the Prosecutors, all kinds of specious statements failed to stand. Aside from the comprehensive survey and evidence collection conducted on the firearms captured by the prisoners, and the inspection report issued by the Institute of Forensic Medicine, the Prosecutors also compared the information obtained through the investigation and the inspection of the surveillance images. Thus, the evidence was allowed to speak for itself. Moreover, with the professional and thorough opinions from the Director of the Forensic Center of the Criminal Investigation Bureau and forensic expert Dr. Li, Chang-Yu, it was proven that all kinds of questions were merely groundless hearsay.

## VIII. The case of heroin brick smuggling through the fishing boat Yongfusheng

At the end of 2016, the Kaohsiung Second Reconnaissance Brigade of the Coast Guard Administration (“CGA”) received a report alleging that the fisherman nicknamed Tsai Sai, named Tsai, \*-Chang, from Qijin District, Kaohsiung City, planned to use the Kaohsiung-registered fishing boat Yongfusheng to transport drugs from Cambodia to Taiwan for profits. The report also said that the Yongfusheng fishing boat was parked south of the fishing port in Qijin District, Kaohsiung City. After receiving the intelligence, the Kaohsiung District Prosecutors Office immediately set up a task force with the Offshore Flotilla 5 of the CGA for the joint investigation.

The task force first retrieved the ownership registration application and the details of the entry and exit records of the Yongfusheng fishing boat, and started a 24-hour monitoring of the movement of the Yongfusheng fishing boat. They found that the ownership of the Yongfusheng fishing boat was sold on September 22, 2016 and the alteration of registration was made. Since then, no records existed about its entering and exiting ports under normal fishing. It was not until February 1, 2017 that the Yongfusheng fishing boat had a sea sailing record. However, that particular record showed that Tsai, \*-Chang was the owner of the boat, and the boat returned to Qihou Port within three days after the short navigation. The task force determined that the purpose of the navigation was to find out whether any investigation unit was monitoring their activities, while to test the equipment and instruments of the fishing boat to see if they were suitable for a long-distance voyage.

On April 17, 2017, the task force once again discovered that the Yongfusheng fishing boat departed from the Qihou Port of Kaohsiung after declaration. After checking the details of the fishing boat’s entry and exit records, it showed five people going to sea, namely captain Tsai, \*-Chang, deck officer Kuo, \*-Te and Chiu, \*-Tung, acting chief engineer officer Kuo, \*-Sheng, and engineer officer Hsu, \*-Chu. Nearly a month after the Yongfusheng fishing boat went to sea, the task force estimated that it would take the Yongfusheng fishing boat 40 days to



return to Taiwan, based on its tonnage, sea state and the location of the drugs to be transported. Therefore, they applied to the court for a warrant to search the Yongfusheng fishing boat and the five people on board.

On May 24, 2017, the task force found that the Yongfusheng fishing boat appeared in the Taiwan Strait. However, due to the poor state of the sea, the Offshore Flotilla 5 contacted the Captain of the Kinmen naval vessel of the Central Sector Flotilla of the Maritime Patrol Directorate General of CGA, for assistance in the search. On the morning of May 25, 2017, the Coast Guard personnel of the Kinmen naval vessel carried out the search on the Yongfusheng fishing boat, successfully controlling the crew members on board. On the same day, they were escorted back to the official dock of the Offshore Flotilla 5. The task force cleared and searched the ship where they seized 15 fenders from the top of the steering cabin and of the rear cabin. Two yellow linen bags were found in each fender, and 60 heroin bricks in each yellow linen bag, totalling 1,800 heroin bricks (with gross weight approximately 693 kg) seized.

On July 18, 2017, the five defendants in this case were prosecuted by the Kaohsiung District Prosecutors Office for violation of the Narcotics Hazard Prevention Act. The court of first instance sentenced Tsai, \*-Chang to life imprisonment, and the other four were sentenced to imprisonment ranging from 17 years to 18 years and six months. At the court of second instance, except for Chiu, \*-Tung who was sentenced to 19 years, the other four were sentenced to life imprisonment. After appealing to the third instance, Tsai, \*-Chang was in the end sentenced to life imprisonment, and the other four to imprisonment ranging from 17 years to 18 years and six months.



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



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▲ The Chronicle of the Taiwan Kaohsiung District Prosecutors Office at its 66th anniversary

Publication date: July, 2011



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