



# Overview of Prosecutorial Enti

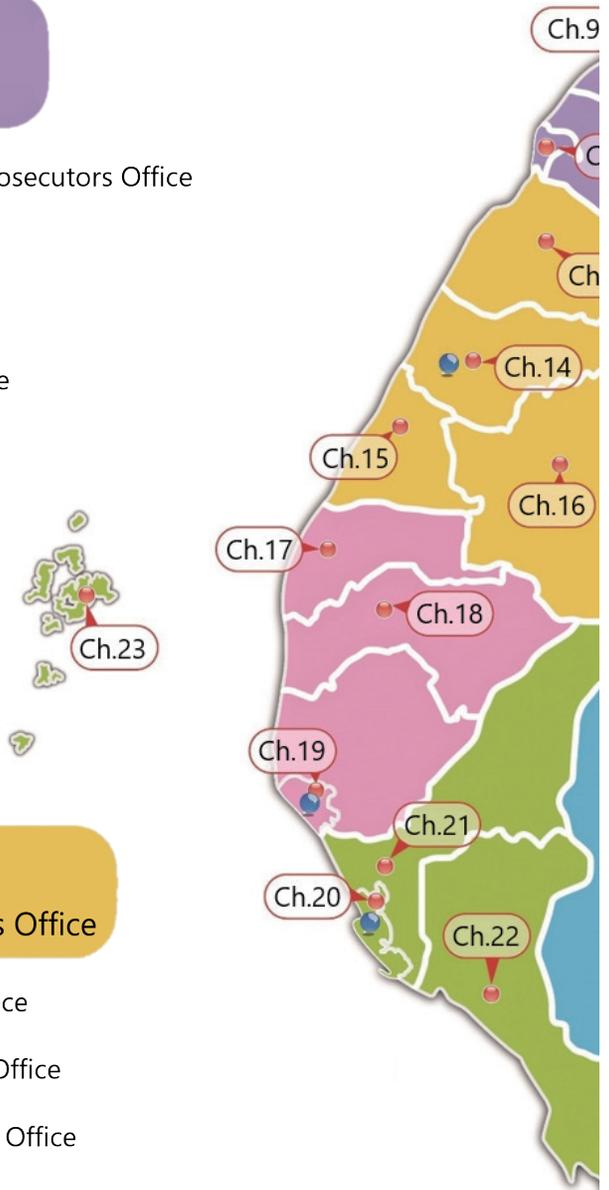
## Taiwan High Prosecutors Office

- Ch.5 Intellectual Property Branch, Taiwan High Prosecutors Office
- Ch.6 Taiwan Taipei District Prosecutors Office
- Ch.7 Taiwan Shihlin District Prosecutors Office
- Ch.8 Taiwan New Taipei District Prosecutors Office
- Ch.9 Taiwan Taoyuan District Prosecutors Office
- Ch.10 Taiwan Hsinchu District Prosecutors Office
- Ch.11 Taiwan Keelung District Prosecutors Office
- Ch.12 Taiwan Yilan District Prosecutors Office

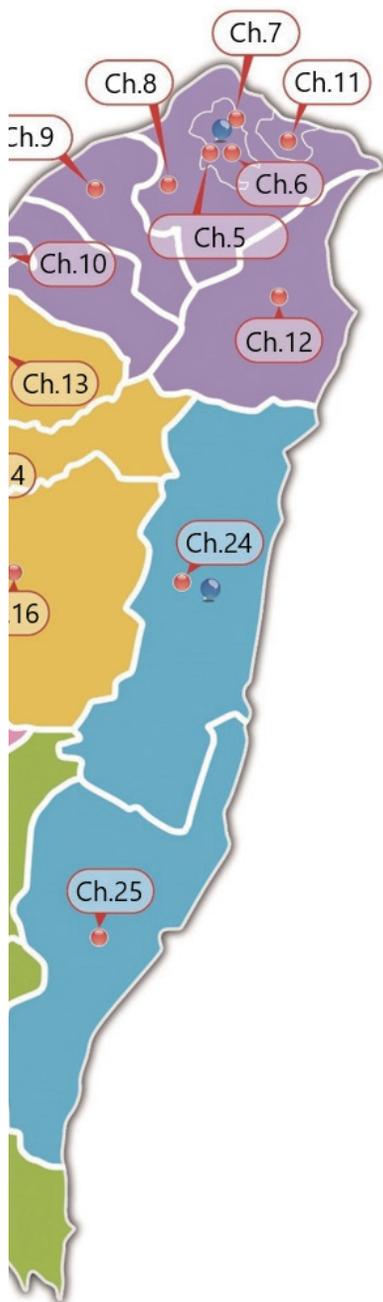
## Chapter 1

### Taichung Branch, Taiwan High Prosecutors Office

- Ch.13 Taiwan Miaoli District Prosecutors Office
- Ch.14 Taiwan Taichung District Prosecutors Office
- Ch.15 Taiwan Changhua District Prosecutors Office
- Ch.16 Taiwan Nantou District Prosecutors Office



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## Chapter 2 Tainan Branch, Taiwan High Prosecutors Office

- Ch.17 Taiwan Yunlin District Prosecutors Office
- Ch.18 Taiwan Chiayi District Prosecutors Office
- Ch.19 Taiwan Tainan District Prosecutors Office

## Chapter 3 Kaohsiung Branch, Taiwan High Prosecutors Office

- Ch.20 Taiwan Kaohsiung District Prosecutors Office
- Ch.21 Taiwan Ciaotou District Prosecutors Office
- Ch.22 Taiwan Pingtung District Prosecutors Office
- Ch.23 Taiwan Penghu District Prosecutors Office

## Chapter 4 Hualien Branch, Taiwan High Prosecutors Office

- Ch.24 Taiwan Hualien District Prosecutors Office
- Ch.25 Taiwan Taitung District Prosecutors Office

## FOREWORD

The selection of the excerpts of major cases listed in this chapter not only refers to the definition of the of major criminal cases, as defined in the Matters for Attention in Handling Major Criminal Cases by the Prosecutorial Authorities and the Matters for Attention in Handling Major Criminal Cases for Timely Trial and Timely Closing by the Courts, but also considers aspects such as the particularity of the major criminal cases, and the cases with much public attention and impact of the major criminal cases on society, etc. The criteria for the selection of the excerpts are as follows: 1. The judgments on those criminal cases result in a death penalty, sentence to life imprisonment, or sentence to imprisonment for not less than ten years; 2. The number of victims amounts to 20 people or more; 3. The illegal criminal proceeds amount to NTD100 million or higher; 4. The narcotic involved in the indictment cases are Category one narcotic and amount to 1,00 kilograms or more, or the illegal uncontrolled guns in the indictment cases amount to 50 guns or more; and 5. Other cases that impose deep and wide impacts on the societal level, involving major examination cases, major criminal cases, cross-border litigation, foreign-related disputed, etc. Finally, the criteria for case quantities selected by each branch and District Prosecutors Office are handled based on the allocation table of head counts in all offices, in proportion to the levels of the office, namely Level-1 to -5, in accordance with the provisions of the Court Organization Act.

從文廟遺址而武廟遺址  
沐昇半島於此地家園氣格初臨  
LIANG JIAO  
April '95 Taipei  
The World R.O.C.H.



The Ministry of Justice/Liang Tan-Feng/National Central Library

# Chapter 1

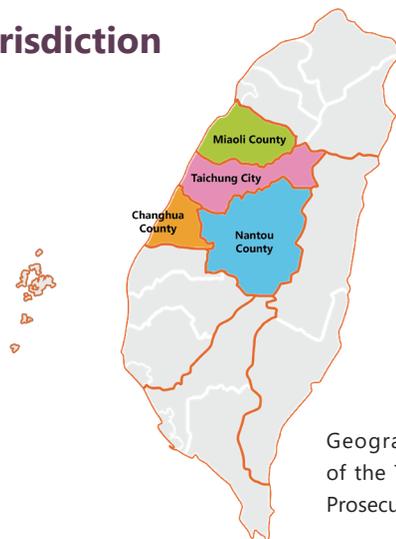
## Taichung Branch, Taiwan High Prosecutors Office



### Section 1 Historical Overview

Shortly after the retrocession of Taiwan, the Taiwan High Court Prosecutors Department was established in Taipei City only, which was to govern civil and criminal cases appealed from their first instances in the Taiwan region. In 1947, the First Branch of Taiwan High Court and Prosecutors Department in Tainan City were established. To avoid those litigation parties in the central Taiwan region having to travel to and from the Courts and the Procurator's Department in Taipei or Tainan, in 1958, it was planned to establish the Taichung Branch of the Taiwan High Court and the Department of Prosecution, which were later established on November 1, 1962. On December 24, 1989, the Branch was renamed to Taichung Branch of the Taiwan High Court and the Prosecutors Office in conjunction with the amendment of the Court Organization Act. On May 25, 2018, this establishment was again renamed to the Taichung Branch, Taiwan High 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 Taichung Branch, Taiwan High  
Prosecutors Office

## Section 3 Office Buildings

### I. Early stage of the establishment

Initially, the offices of the Taichung District Prosecutors Bureau were used by Taichung Branch of the Taiwan High Court and the Department of Prosecution. In 1963, it was relocated to No. 738, Zhongzheng Road, Bentang Village, Wufeng Township, Taichung County, where the Taichung Branch Court of the Taiwan High Court was also located.

### II. A new building “Taichung Judicial Building” was built

On May 7, 1989, the Taichung Branch of the Taiwan High Court and the Department of Prosecution and the Taichung Branch Court of the Taiwan High Court were relocated from Wufeng Township, Taichung County to their current location at the newly built “Taichung Judicial Building” located at No. 91, Section 1, Ziyou Road, West District, Taichung City. The Taichung Judicial Building totally houses four authorities in the same building, including the Taiwan Taichung District Court, and the Taichung District Prosecutors Bureau.

### III. Relocation of the Taichung Branch Court of the Taiwan High Court

On July 1, 2000, the Taichung Branch Court of the Taiwan High Court was relocated to its current location on Wuquan South Road, Taichung City. The original “Taichung Judicial Building” was still used by the Taichung Branch, Taiwan High Prosecutors Office, the Taiwan Taichung District Court, and the Taiwan Taichung District Prosecutors Office.



Photo of the completion of the Taichung Judicial Building

## Section 4 List of Former Chief Prosecutors

Precedence in office	Title	Name	Period in office	Notes
1	Leading Prosecutor	Hsia,Wei-Shang	1962/11/01~1963/02/14	
2	Leading Prosecutor	Lin,Ping-Jen	1963/02/14~1965/09/21	
3	Leading Prosecutor	Chu,Shih-Lieh	1965/09/21~1967/01/26	
4	Leading Prosecutor	He,Cheng-Pin	1970/02/02~1972/10/03	
5	Leading Prosecutor	Liu,Fa-Yun	1972/10/03~1975/09/15	
6	Leading Prosecutor	Liang,Yi-Ching	1975/09/22~1976/08/21	
7	Leading Prosecutor	Chuang,Peng-Nien	1976/08/21~1979/07/07	
8	Leading Prosecutor	Lu,Yu-Wen	1979/07/07~1980/07/01	
9	Leading Prosecutor	Wang,Jui-Lin	1980/07/08~1981/09/20	
10	Leading Prosecutor	Chang,Yao-Hai	1981/09/30~1986/07/24	
11	Leading Prosecutor	Chin,Yuan-Chieh	1986/07/24~1990/02/07	The title was changed to Chief Prosecutor on December 24, 1989
12	Chief Prosecutor	Li,Kuang-Hua	1990/02/07~1996/01/20	
13	Chief Prosecutor	Huang,Chin-Chen	1996/01/20~1999/02/01	
14	Chief Prosecutor	Hung,Chang	1999/04/29~2002/04/02	
15	Chief Prosecutor	Tsai,Mao-Sheng	2002/04/02~2007/04/12	
16	Chief Prosecutor	Chen,Jung-Tsung	2007/04/12~2013/03/11	
17	Chief Prosecutor	Wang,Tien-Cheng	2013/03/11~2014/05/27	
18	Chief Prosecutor	Chiang,Hui-Min	2014/05/27~2018/05/08	Held ad interim from May 8, 2018 to July 9, 2018 by Head Prosecutor Li,Ching-Yi
19	Chief Prosecutor	Sie,Rong-Sheng	2018/07/09 to present	

## Section 5 List of Former Chief Secretaries

Precedence in office	Title	Name	Period in office	Notes
1	Head Clerk	Chao,Shan-He	1962/11/01~1965/09/24	
2	Head Clerk	Huang,Chun-Yen	1965/09/24~1970/05/01	
3	Head Clerk	Sie, Ji-Min	1970/06/01~1971/07/01	
4	Head Clerk	Chen, Ta-San	1971/07/01~1971/11/25	
5	Head Clerk	Chang, Hung-Shih	1971/11/25~1972/10/16	
6	Head Clerk	Yang, Ching-Fei	1972/10/16~1975/09/25	
7	Head Clerk	Liang, Chih-Hsiao	1975/09/27~1976/08/23	
8	Head Clerk	Lu, Fei-Shu-Sheng	1976/08/23~1979/07/07	
9	Head Clerk	Chang, Shang-Ta	1979/07/26~1981/10/21	
10	Head Clerk	Hung, Wen-Tso	1981/10/29~1986/08/15	
11	Chief Secretary	Su, Mu-Hsin	1986/08/25~1990/03/01	
12	Chief Secretary	Peng, Mu-Ping	1990/03/02~1996/06/03	
13	Chief Secretary	Lu, Shui-Sen	1996/06/03~2002/04/02	
14	Chief Secretary	Peng, Mu-Ping	2002/06/19~2003/06/02	
15	Chief Secretary	Liang, Chung-Chu	2003/11/21~2007/03/02	
16	Chief Secretary	Huang, Ching-Nan	2007/09/06 to present	

Taichung Branch, TJPPO

## Section 6 Business Evolutions

- I. In accordance with the "Sweeping away Organized Crime and Corruption Action Plan" (also known as the "Black Gold Sweeping Action") approved by the Executive Yuan on June 28, 2000, the Taichung Special Investigation Division of the Investigation Task Force for Criminal Profiteering Crimes was established, which was put into operation on July 7, 2000 to effectively investigate black gold operations.
- II. A procedure for consulting the opinions of Prosecutors of the first instance was created, which was implemented on April 16, 2013, where Prosecutors of the first instance were consulted for their opinions, if any to be sent through FAX, on whether appeals shall be granted for certain cases such as major cases resulting in not-guilty convictions, cases attracting the eyeballs of society, sensitive cases, cases showing a significant discrepancy between the punishments sought after by the Prosecutors and the actual punishments imposed on the convicted, and cases showing a significant discrepancy between the punishments sentenced in the first and second instances. The decision of granting appeals for certain cases is to refer to the Prosecutors' opinions and feedbacks.
- III. To fully implement the digitalization of court technology, trial digital operations for viewing prosecution files and exhibits were put in place as of November 2014. As of September 26, 2018, coordination with the Taichung Branch Court of the Taiwan High Court was conducted for the exchange of digital files and exhibits between the Taichung Branch Court of the Taiwan High Court and the Taichung Branch, Taiwan High Prosecutors Office. Thus far, such exchange operations have been quite successful.
- IV. As of 2015, a "Prosecutorial Business Inspection Team" was set up, where Prosecutors in this Inspection Team are to jointly visit the District Prosecutors Offices within their jurisdiction for annual business inspections. Such inspections are to be compiled showing the ranking among the achievements, and strength and weakness percentage in the performance of the inspected offices, as well as to be referred to by the inspected District Prosecutors Offices, so as to enhance their case handling efficiency and the judicial reputation.

V. For those corruption cases judged by the court of first instance as not guilty, after each District Prosecutors Office issues a letter attached with a report of "Cases of Corruption and Malfeasance by the Court of First Instance Judgment Analysis and Review Report," such cases will be forwarded to the Prosecutors present at those court hearings for verification. Subsequently, case meetings analyzing the reasons for the non-guilty judgments will be held at a scheduled time, where joint discussions and case analyses are to help supplement the grounds for the appeal, or strengthen and collect more solid physical evidence. Accordingly, more experience can be passed down, case handling skills can be strengthened, and professional knowledge and capabilities investigation can become more solid.

## Section 7 Excerpts of Major Cases

### The judgment on the case of Cheng, \*-Tse's murder case is determined, and the convicted applied for retrial

On the evening of January 5, 2002, 7 people including Lo, \*-Hsiung and Cheng, \*-Tse, et al., were drinking and having fun at the "Thirteen Aunt KTV" in Fengyuan City, Taichung County. During the night, Lo, \*-Hsiung was dissatisfied with the service of the KTV, so he shot around in the compartment where he was in, using the gun he carried in his waist. Later, Lo entered in gun fight with the police who arrived at the scene. At the end, Investigator Su, \*-Pi died of severe gunshot wounds, Lo, \*-Hsiung also died on the spot, and Cheng, \*-Tse was shot in the leg.

After the case was prosecuted in the first instance, the Taichung Branch Court of the Taiwan High Court sentenced the defendant, Cheng, \*-Tse, to death on November 30, 2005, at the second instance court, along with an ancillary punishment of the deprivation of his citizen's rights for life. It was determined in the judgment that Cheng, \*-Tse was the one who shot Su, \*-Pi to death, but not Lo, \*-Hsiung. The defendant, Cheng, \*-Tse, was disagreed with the judgment from the second instance and appealed to the court for the third instance, and the Supreme Court decided on May 25, 2006 to have the appeal dismissed. The Prosecutor-

General of the Supreme Prosecutors Office believed that there was doubt about such judgment, and filed an extraordinary appeal on August 20, 2014. Accordingly, on August 27, 2015, the Supreme Court maintained their position on "Appeal Dismissed" in Letter No. (104)-Tai-Fei-zi-212, indicating that the adoption of the applicable laws was not a violation of any law in their decision. During November 2015, seeing that numerous critics arose from the Control Yuan, the media, and some non-governmental organizations on the case, the Taichung Branch, Taiwan High Prosecutors Office appointed Prosecutors to access the case file and have a special team formed to study whether there were any improper judgments on this case. Due to the lack of scientific and integrated identification in this case, the evidence was immediately forwarded to the College of Medicine, National Taiwan University on February 3, 2016. In conjunction with the Department and Graduate Institute of Forensic Medicine, College of Medicine, National Taiwan University, a joint comprehensive identification was completed, based on which the Taichung Branch, Taiwan High Prosecutors Office firmly believed that the death of Su, \*-Pi was not caused by the shot from Cheng, \*-Tse, and a wrong judgment had indeed been made. Based on the prosecutor's obligation to also address the benefit of the defendant, the Prosecutor of the Taichung Branch, Taiwan High Prosecutors Office applied for a retrial in Letter No. (105)-Zai-zi-1 dated March 16, 2016 to safeguard the benefit of the accused (Later on, Cheng, \*-Tse also applied for a retrial).

Accordingly, the Taichung Branch Court of the Taiwan High Court approved the retrial in Letters No. (105)-Sheng-Zai-zi-50 and 61 dated on May 2, 2016, while stopping the execution of the penalty on Cheng, \*-Tse. Later, Cheng, \*-Tse was released by the Taichung Branch, Taiwan High Prosecutors Office on May 3, 2016. The whole case was restored back to and resumed from the proceeding before the second trial. Numerous Judges were assigned to this case throughout the proceedings, and finally Cheng, \*-Tse was judged as "not-guilty" on October 26, 2017. Without further appeal from the Prosecutor of the Taichung Branch, Taiwan High Prosecutors Office against such judgment, the case was finalized and closed on November 20, 2017.