

Chapter 3

Kaohsiung Branch, Taiwan High Prosecutors Office



Section 1 Historical Overview

Shortly after the retrocession of Taiwan, the Procurator's Office of the Taiwan High Court was established in Taipei City only, which was to govern civil and criminal cases appealed from their first instances in the Taiwan region. On June 1, 1947, the First Branch of Taiwan High Court and Prosecutors Office in Tainan City were established. In 1981, the Provisional City Council of the Kaohsiung City Government suggested the establishment of the Kaohsiung Branch Court of the Taiwan High Court and the Department of Prosecution under that Branch. Accordingly, on February 1, 1990, the "Kaohsiung Prosecutors Office under the Kaohsiung Branch Court of the Taiwan High Court" was established. On May 25, 2018, this establishment was renamed to the "Kaohsiung 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 Kaohsiung Branch, Taiwan High Prosecutors Office

Kaohsiung Branch, THPO

Section 3 Office Buildings

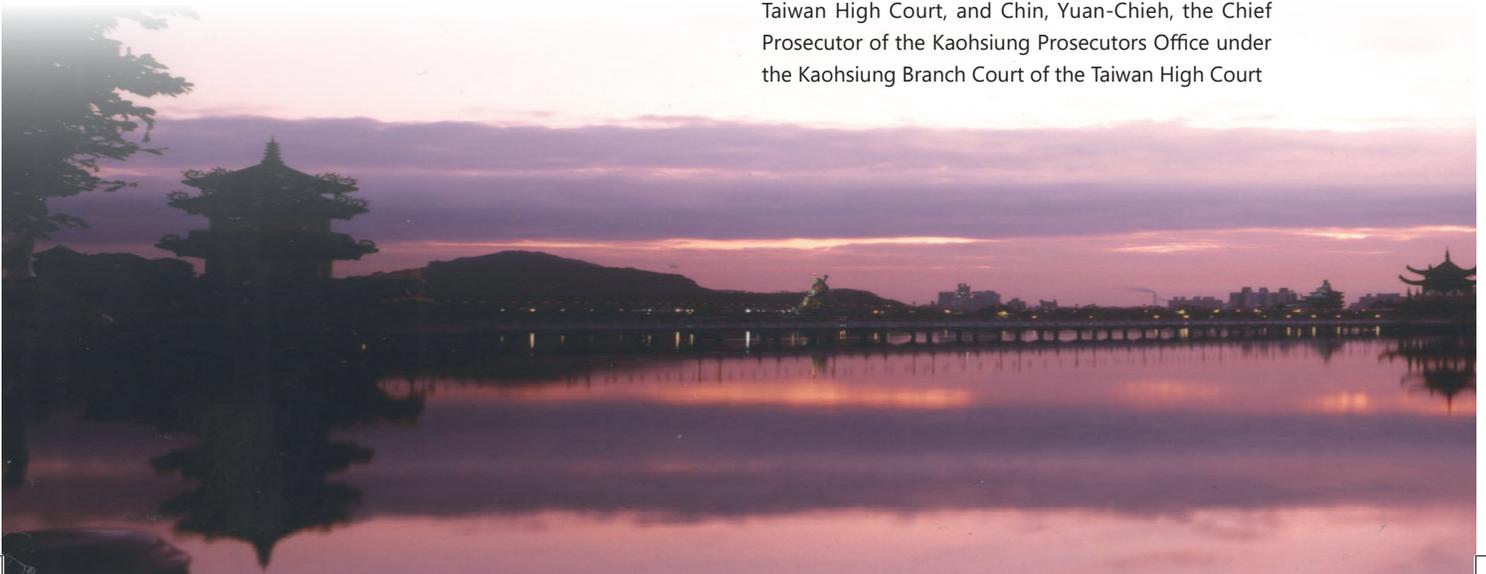
The offices were completed on May 2, 1990, where the Kaohsiung Prosecutors Office under the Kaohsiung Branch Court of the Taiwan High Court and the Kaohsiung Branch Court of the Taiwan High Court had their offices at the same location. The building is located at Parcel No. 1758, Sub-section 2, Longhua Section, Gushan District, Kaohsiung City. The land and buildings are co-owned and co-managed by the Kaohsiung Branch Court of the Taiwan High Court (two thirds of the ownership) and the Kaohsiung Prosecutors Office under the Kaohsiung Branch Court of the Taiwan High Court (one third of the ownership), located in a prestigious section in Northern Kaohsiung, surrounded by the environment full of diverse functions.



At 10 a.m. on July 13, 1988, the groundbreaking ceremony was held for the joint office building of the Kaohsiung Branch Court of the Taiwan High Court and the Department of Prosecution under that Branch



A group photo taken at the announcement ceremony on February 1, 1990, showing Liao, Wei-Hui, the first President of the Kaohsiung Branch Court of the Taiwan High Court, and Chin, Yuan-Chieh, the Chief Prosecutor of the Kaohsiung Prosecutors Office under the Kaohsiung Branch Court of the Taiwan High Court



Section 4 List of Former Chief Prosecutors

Precedence in office	Title	Name	Period in office	Notes
1	Chief Prosecutor	Chin, Yuan-Chieh	1990/02/07 ~ 1991/09/21	Held ad interim from September 21, 1991 to September 26, 1991 by Head Prosecutor Ling, Po-Chih
2	Chief Prosecutor	Hung, Chen-Hsiung	1991/09/26 ~ 1996/01/17	
3	Chief Prosecutor	Chang, Shun-Chi	1996/01/17 ~ 2000/06/27	
4	Chief Prosecutor	Chen, Tsung-Ming	2000/06/27 ~ 2007/01/24	Held ad interim from January 24, 2007 to April 12, 2007 by Head Prosecutor Hung, San
5	Chief Prosecutor	Chen, Shou-Huang	2007/04/12 ~ 2010/05/03	Held ad interim from May 3, 2010 to July 28, 2010 by Head Prosecutor Yang, Hsiu-Mei
6	Chief Prosecutor	Lin, Ling-Yu	2010/07/28 ~ 2015/01/05	Held ad interim from January 5, 2015 to May 7, 2015 by Head Prosecutor Lin, Ching-Tsung
7	Chief Prosecutor	Yang, Chih-Yu	2015/05/07 ~ 2021/05/05	
8	Chief Prosecutor	Chang, Ching-Yun	2021/05/05 to present	

Kaohsiung Branch, THPO



Section 5 List of Former Chief Secretaries

Precedence in office	Title	Name	Period in office	Notes
1	Chief Secretary	Su, Mu-Hsin	1990/03/01 ~ 1996/03/01	
Acting	Chief Secretary	Chen, Ching-Chang	1996/03/01 ~ 1997/03/19	Concurrently handled by Clerk, also acting as the Section Chief of the General Affairs Section
2	Chief Secretary	Chen, Ching-Chang	1997/03/19 ~ 2000/09/13	
3	Chief Secretary	Li, Ching-Sheng	2000/09/13 ~ 2005/06/16	
4	Chief Secretary	Chu, Wen-Pin	2005/06/16 ~ 2005/10/13	Concurrently handled by Prosecutors
5	Chief Secretary	Wang, Teng-Jung	2005/10/13 ~ 2007/08/29	Concurrently handled by Prosecutors
6	Chief Secretary	Chen, Ching-Chang	2007/08/29 ~ 2015/03/02	
7	Chief Secretary	Yang, Ching-Hsueh	2015/03/02 ~ 2015/06/03	Concurrently handled by Clerk, also acting as the Section Chief of the Documentation Section
8	Chief Secretary	Yang, Ching-Hsueh	2015/06/04 to present	

Section 6 Business Evolutions

In order to strengthen the investigation of the cases involving public servants such as high-ranking officials of the central and local governments, and elected representatives, who were suspected of committing major malfeasance in their offices, such as corruption with the business circle, having hooks with the black circles (i.e. people in illegal business) and the white circles (i.e. people in legal business), the Executive Yuan approved the "Action Plan for Sweeping Powerful Politicians Involving with Illegal Money Operations" (also known as the "Black Money Sweeping

Action”) on June 28, 2000, and the Investigation Task Force for Criminal Profiteering Crimes was established on July 1, 2000, including the four Special Investigation Divisions in Taipei, Taichung, Tainan, and Kaohsiung. On July 7, 2000, the Kaohsiung Special Investigation Division was officially put into operation, and was dedicated to the handling of the major black moneycases within its jurisdiction, while integrating the strength of the prosecution, police, and investigation teams in combating illegal crimes and upholding fairness and justice.

Section 7 Excerpts of Major Cases

I. Crime of insurgency committed by Chou, *-Lung

Chou, *-Lung became an official member of the Communist Party of China (“CPC”) in 1985, and later became a national cadre of the CPC. Under the supervision of his leader, Sun, *-Tien, Chou, *-Lung was dispatched to Taiwan to develop organization and do work for CPC. On August 19, 1990, Chou, *-Lung went to Macau after obtaining a Macau Identification Card and a Macau passport under the alias of “Tang, *-Hsiung.” On August 23, 1990, Chou, *-Lung flew from Hong Kong, via Singapore, to the Dominican Republic, using his fake Macau passport. He also purchased from an unknown person, at a cost of USD12,000, a long-term residence permit showing that he had resided in the Dominican Republic since 1982. Meanwhile, Chou, *-Lung also obtained an overseas Chinese ID under the fake name “Tang, *-Hsiung,” and applied to the Embassy of the Republic of China in the Dominican Republic for a passport of the Republic of China. On January 4, 1991, the fake Tang *-Hsiung arrived at Taiwan with the fake purpose of sightseeing. In order to be able to reside in Taiwan for a long term, he also applied to the Entry and Exit Bureau of the Ministry of the Interior (“MOI”) for an extension of the visa till July 6, 1991 on his passport. While developing their underground organization and waiting for further instructions from his superiors, Chou, *-Lung was caught by the Investigation Bureau of the Ministry of Justice (“MJIB”) on March 19, 1991. This case marks the first prosecuted case after the investigation since the establishment of the Kaohsiung Prosecutors Office under the Kaohsiung Branch Court of the Taiwan High Court in 1990. And Chou, *-Lung was sentenced to imprisonment for a term of one year and six months by Kaohsiung Branch Court, Taiwan High Court.

II. Offense against the external security of the state committed by Liu, *-Fa (formerly known as Liu, *-Kuo) — Violations of the military intelligence regulations

Liu, *-Fa used to be a member of the 20th of the Specialized Program of the Military Academy, who was discharged from the military service in 1979. Later in 1988, he went to China and engaged in illegal work such as human smuggling, antique smuggling, and fake passports selling, etc. He was arrested and detained by the public security of China until 1989. Later, he was recruited by a Chinese intelligence officer "Chang, *," a member of the Fujian Provincial Committee Office, and was released for him to return to Taiwan to collect Taiwan intelligence. Since August, 1992, he had collected military, transportation, and highway information (classified as confidential documents not related to the national defense) all over Taiwan, made unauthorized photocopies of military documents during the opportunity of visiting his brother Liu, *-Sheng (who was serving as in the Air Force 737th Tactical Fighter Wing), and collected military intelligence documents related to the national defense with the cooperation of his son Liu, *-Lung (serving as the Coding Petty Officer 2nd Class in the Navy on the Xinjiang warship) who was solicited due to kinship. Subsequently, Liu, *-Fa went to China successively to deliver the information he collected to his superior "Chang, *" for monetary rewards.

In 2000, the Kaohsiung Prosecutors Office under the Kaohsiung Branch Court of the Taiwan High Court set up a Special Investigation Division. Based on the investigation, Liu, *-Fa was prosecuted for the offense against the external security of the state, as per File No. (91)-Zhen-zi-1 in 2002. After four years of litigation, on September 28, 2006, the case was finalized and the Supreme Court sentenced Liu, *-Fa to imprisonment for a term of eight years, with an ancillary punishment of the deprivation of his citizen's rights for five years, as per Judgment No. (95)-Tai-Shang-zi-5359.