

## Chapter 9

# Taiwan Taoyuan District Prosecutors Office

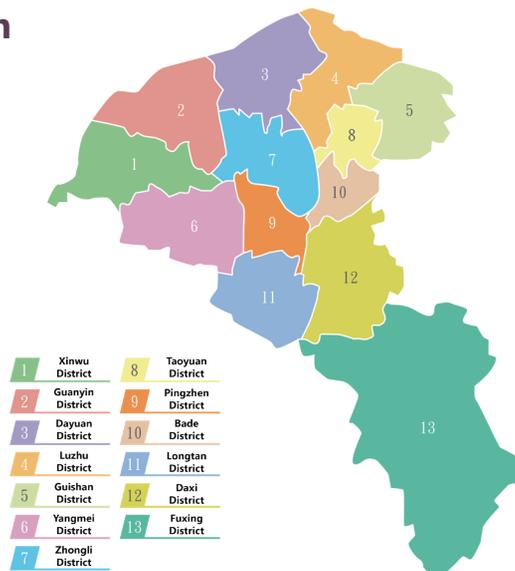


### Section 1 Historical Overview

The predecessor of the Taiwan Taoyuan District Prosecutors Office was the “Taoyuan Branch of Taiwan Hsinchu District Prosecutors Department.” Due to the rapid economic development, the growing population, and the increasing litigation cases over the years, the original Prosecutors Office was insufficient to handle the business. On June 16, 1973, the “Taiwan Taoyuan District Court Prosecutors Department,” separated from the “Taiwan Hsinchu District Court Prosecutors Department,” was established. On December 24, 1989, the Taoyuan Prosecutors establishment was renamed the “Taiwan Taoyuan District Court Prosecutors Office” in conjunction with the amendment of the Court Organization Act. On May 25, 2018, this Taoyuan Prosecutors establishment was again renamed the “Taiwan Taoyuan 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

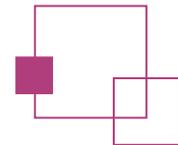
Geographic Territorial Jurisdiction of the Taiwan Taoyuan District Prosecutors Office



## Section 3 Office Buildings

As the number of staff and business volume increased over the years, office space was no longer sufficient. The preparation for the relocation and the construction of the new office started in 1991, with details as follows:

- I. In accordance with the “Six-Year Plan for the Expansion and Relocation of Offices of Procuratorial Authorities at All Levels of the Ministry of Justice” approved by the Executive Yuan in 1992, the “Land in the Zhongfu Planned District” was then under negotiation for procurement from the Taoyuan County Government in 1992. However, the procurement was later not approved by the Ministry of the Interior (“MOI”).
- II. In 1998, together with the Taiwan Taoyuan District Court, the Taiwan Taoyuan District Prosecutors Office negotiated to procure “the Taoyuan Dazhen Reservoir and Canal Wetland” from the Taoyuan Irrigation Association for the construction of new office building for the relocation of the Court and Prosecutors Office.
- III. As of 1999, numerous meetings of “Task Force of Land Acquisition for the Judicial Office of Taoyuan County” were convened, and the resolutions were to plan the “No. 1-12 of Taoyuan Dazhen Reservoir and Canal Wetland” for use as the special administrative zone by the Taiwan Taoyuan District Prosecutors Office, the Taiwan Taoyuan District Court, and the Taoyuan Irrigation Association.
- IV. With the approval of the Ministry of the Interior (“MOI”) of the modification of the urban plans and the expropriation of land, the land ownership was obtained for use by the government agencies in November 2005, and the planning for the construction of the new office building commenced.
- V. In December 2014, the office building was completed and in March 2017, it was officially open for use.



## Section 4 List of Former Chief Prosecutors

Precedence in office	Title	Name	Period in office	Notes
1	Leading Prosecutor	Chen,Jui-Tang	1973/06/16~1978/09/11	
2	Leading Prosecutor	Chang,Shun-Chi	1978/09/11~1984/07/18	
3	Leading Prosecutor	Tai,Yu-Shan	1984/07/18~1989/12/23	
4	Chief Prosecutor	Hsiao,Shun-Shui	1989/12/23~1993/08/03	
5	Chief Prosecutor	Lin,Chieh-Te	1993/08/03~1996/01/16	
6	Chief Prosecutor	Huang,Shih-Ming	1996/01/16~1997/07/08	Held ad interim from July 8, 1997 to August 13, 1997 by Head Prosecutor Liu,Te-Cheng
7	Chief Prosecutor	Shih,Mao-Lin	1997/08/13~1999/04/28	
8	Chief Prosecutor	Chu,Nan	1999/04/28~2000/06/27	
9	Chief Prosecutor	Wang,Tien-Cheng	2000/06/27~2001/04/27	
10	Chief Prosecutor	Chen,Shou-Huang	2001/04/27~2003/07/31	
11	Chief Prosecutor	Tsai,Ching-Hsiang	2003/07/31~2005/03/16	
12	Chief Prosecutor	Liu,Wei-Tsung	2005/03/16~2007/04/12	
13	Chief Prosecutor	Fei,Ling-Ling	2007/04/12~2009/06/08	Held ad interim from June 8, 2009 to July 1, 2009 by Deputy Head Prosecutor Chang,Chin-Feng
14	Chief Prosecutor	Shih,Ching-Tang	2009/07/01~2010/07/28	
15	Chief Prosecutor	Lin,Chao-Sung	2010/07/28~2011/07/20	
16	Chief Prosecutor	Chang,Chiu-Yuan	2011/07/20~2014/05/27	
17	Chief Prosecutor	Chu,Chao-Min	2014/05/27~2016/07/18	
18	Chief Prosecutor	Peng,Kun-Yeh	2016/07/18~2019/03/29	
Acting	Chief Prosecutor	Kuo,Wen-Tung	2019/03/29~2020/03/13	
19	Chief Prosecutor	Wang,Chun-Li	2020/03/13~2021/11/14	
Acting	Chief Prosecutor	Chen, Wei-Lien	2021/11/15 to present	

## Section 5 List of Former Chief Secretaries

Precedence in office	Title	Name	Period in office	Notes
1	Head Clerk	Kao,Kuang-Hsu	1973/06/16~1974/01/08	
2	Head Clerk	Pao,Jung-Tung	1974/01/08~1978/10	
3	Head Clerk	Li,Chih-Nan	1978/10/16~1980/10	
4	Chief Secretary	Tsai,Chun-Yu	1980/11~1982/03/01	Concurrently handled
5	Chief Secretary	Lin,Ching-Shou	1982/03/01~1984/08/01	
6	Chief Secretary	Ting,Pao	1984/08/01~1990/01/23	
7	Chief Secretary	Li,Kuang-Yuan	1990/01/17~1993/08/01	
8	Chief Secretary	Yu,Pu-Yuan	1993/09/13~1996/06/01	
9	Chief Secretary	Tang,Hui-Tung	1996/06/01~1999/06/25	
10	Chief Secretary	Lu,Tung-Jung	1999/06/25~2000/09/13	
11	Chief Secretary	Hsu,Chu-An	2000/09~2003/12/25	Concurrently handled
12	Chief Secretary	Chang,Pao-Chu	2003/12/25~2005/05	Concurrently handled
13	Chief Secretary	Chan,Chung-Chien	2005/05/16~2007/05/28	
14	Chief Secretary	Kang,Su-Hua	2007/05/28~2009/06/08	
15	Chief Secretary	Yeh,Mei-Hui	2009/06/08~2010/02/01	Concurrently handled
16	Chief Secretary	Chan,Chung-Chien	2010/02/01~2012/04/02	
17	Chief Secretary	Wu,Wen-Shu	2012/04~2012/07/01	Concurrently handled
Acting	Chief Secretary	Lin,Wen-Cheng	2012/07/01~2020/05/11	Concurrently handled
18	Chief Secretary	Lin,Wen-Cheng	2020/05/12 to present	

## Section 6 Excerpts of Major Cases

### I. Zhongli Incident

In 1977, it had been nearly six years since the Republic of China withdrew itself from the United Nations. The diplomatic situation of Taiwan had become increasingly isolated, and people's voices demanding democratization and liberalization were rising day by day. Hsu, \*-Liang, a then Provincial Councilor who was once regarded as a young talent in the Kuomintang ("KMT"), decided to break from the KMT, trying to challenge the KMT's long-term ruling in Taoyuan County during the five public service elections held on November 19, 1977. During the election campaign, rumors were widespread that the KMT would try to safeguard the position of the county mayor of Taoyuan by committing malfeasance.

On November 19, 1977, the voting day, Fan, \*\*-Lin, the Supervisory Director of the election for No. 213 Polling Station (located at Zhongli Elementary School), Zhongli City, Taoyuan County was accused by a citizen, Chiu, \*-Pin, of cheating. However, the eyewitness who made the accusation was sent to the police station, yet the accused Supervisory Director continued to perform his election supervisory duties at the Polling Station. After the news broke out, hundreds of people protested at the No. 213 Vote Polling Station and entered into conflict with the police who came to support the situation. After such news broke out, more and more people went to besiege the Zhongli Police Precinct, the Taoyuan County Police Bureau. Hsu, \*-Liang, once having learned about the situation, also asked voters to go to the police bureau to show their "concerns" about the situation. Later, more than 10,000 people besieged the Zhongli Police Precinct, the Taoyuan County Police Bureau, and the Provincial Highway No. 1 in front of the Zhongli Police Precinct was completely blocked. At about 3:40 p.m., the crowd broke the first glass window of the Zhongli Police Precinct. Shortly after, all glass of the Zhongli Police Precinct was smashed with stones. In the early evening, the crowd overturned police cars, riot suppression vehicles, and security vehicles dispatched by the military police in support of the situation. After nightfall, the conflict between the crowd and the police became even more intense. Police cars near the Zhongli Police Precinct were all overturned while some



crowd entered the Police Precinct to vandalize property. The police fired tear gas but failed to make the crowd recede. At about 11 p.m. on November 19, 1977, the Zhongli Police Precinct was set on fire. The fire spread to the dormitory and fire brigade. The crowd did not recede until about 3 a.m. on November 20, 1977.

After the investigation of this case, Fan, \*-Lin was ruled for non-prosecution by the prosecutor on the grounds of insufficient evidence, whereas Chiu, \*-Pin was prosecuted for perjury, etc., and sentenced to imprisonment for a fixed term of one year and six months, along with probation period of 3 years.

## II. 12 hijacking incidents between 1993 and 1994

1	1993.04.06	On April 6, 1995, with riot control guns and fake explosives (actually radios instead), Huang, Shu-Kang and Liu, Pao-Tsai hijacked a passenger plane, Flight No. B2811 of China Southern Airlines, which landed at Taoyuan Chiang Kai-Shek ("CKS") International Airport.	In this case, at the time of prosecution, the Prosecutors Office of the Taoyuan District Court Prosecutors Office believed that the key requirements for voluntary surrender were met. Nevertheless, the Taoyuan District Court ruled that the act of the defendant did not constitute voluntary surrender. Upon the appeal from the prosecutor, the Supreme Court took the prosecutor's legal opinion and found that the key requirements for voluntary surrender were met and such an opinion was later adopted as a unified opinion for subsequent hijacking cases.
2	1993.06.24	On June 24, 1993, with a dagger, Chang, Wen-Lung hijacked a passenger plane, Flight No. B2501 of Xiamen Airlines, which landed at Taoyuan CKS Airport.	This case was prosecuted by the prosecutor, and Chang, Wen-Lung was sentenced to imprisonment for a fixed term of 9 years.
3	1993.08.10	On August 10, 1993, with fake sulfuric acid (actually shampoo instead), Shih, Yueh-Po hijacked a passenger plane of Air China, which landed at Taoyuan CKS Airport.	This case was prosecuted by the prosecutor, and Shih, Yueh-Po was sentenced to imprisonment for a fixed term of 9 years.



4	1993.09.30	<p>On September 30, 1993, with daggers and fake explosives, Yang, Ming-Te, Han and Feng-Ying, along with their unwitting son, Yang, Yang, hijacked a passenger plane, Flight No. B2625 of Sichuan Airlines, which landed at Taoyuan CKS Airport.</p>	<p>This case was prosecuted by the prosecutor, and Yang, Ming-Te and Hang, Feng-Ying were sentenced to imprisonment for fixed terms of 9 years and 6 years, respectively, whereas *, Yang still remains in Taiwan.</p>
5	1993.11.05	<p>On November 5, 1993, with two fruit knives, Chang, Hai hijacked a Boeing 73715-00 passenger plane, Flight No. B2592 of Xiamen Airlines, which landed at Taoyuan CKS Airport.</p>	<p>The court sentenced Chang, Hai to imprisonment for a fixed term of 9 years.</p>
6	1993.11.08	<p>On November 8, 1993, with fake explosives (actually bars of soap wrapped in newspaper and entangled with electrical wires, instead) Wang, Chih-Hua hijacked a passenger plane of CNAC Zhejiang Airlines, which landed at Taoyuan CKS Airport.</p>	<p>The court sentenced Wang, Chih-Hua to imprisonment for a fixed term of 10 years.</p>
7	1993.11.12	<p>On November 12, 1993, with scalpels and suitcases suspected of carrying explosives, Li, Hsiang-Yu and Han, Shu-Hsueh hijacked a passenger plane, Flight No. 2138 of China Northern Airlines, which landed at Taoyuan CKS Airport.</p>	<p>Li, Hsiang-Yu and Han Shu-Hsueh were sentenced to imprisonment for fixed terms of 13 years and 11 years, respectively.</p>
8	1993.12.08	<p>On December 8, 1993, with scalpels, Kao, Chun, accompanied by his unwitting girlfriend Chiang, Shu-Mei, hijacked a passenger plane of China Northern Airlines, which landed at Taoyuan CKS Airport.</p>	<p>Kao, Chun was sentenced to imprisonment for a fixed term of 10 years, and his girlfriend Chiang, Shu-Mei was repatriated via the same airplane on its return flight back to China.</p>
9	1993.12.12	<p>On December 12, 1993, with his left hand stuck inside the pocket of his pants, pretending the explosive detonator was inside the pocket, Chi, Ta-Chuan hijacked a Boeing 737 passenger plane, Flight No. B2516 of Xiamen Airlines, which landed at Taoyuan CKS Airport.</p>	<p>Chi, Ta-Chuan was sentenced to imprisonment for a fixed term of 12 years.</p>

		detonators, dry batteries, etc., Lo, Chang-Hua and Wang, Yu-Ying, along with their unwitting son Lo, Wang-Huan, hijacked a passenger plane, Flight No. B3447 of Fujian Airlines, which landed at Taoyuan CKS Airport.	sentenced to imprisonment for a fixed term of 9 years and 7 years, respectively, whereas Lo, Wang-Huan was repatriated via the same airplane on its return flight back to China.
11	1994.02.18	On February 18, 1994, with a fruit knife and fake gunpowder (made of a teacup and a fuse), Lin, Wen-Chiang, along with his unwitting family, including his mother Li Yu-Ying, his wife Huang, Chun-Lien, his sons Lin, Chang-Yi and Lin, Chang-Hao, hijacked a passenger plane, Flight No. B-2599 of China Southern Airlines, departing from Changsha for Fuzhou, which landed at Taoyuan CKS Airport.	Lin, Wen-Chiang was sentenced to imprisonment for a fixed term of 9 years, whereas his family members were repatriated via the same airplane on its return flight back to China.
12	1994.06.03	On June 3, 1994, with a utility knife and a fake explosive (made of a flashlight), Tsou, Wei-Chiang hijacked a Boeing 737 passenger plane, Flight No. B2542 of China Southern Airlines, which landed at Taoyuan CKS Airport.	Tsou, Wei-Chiang was sentenced to imprisonment for a fixed term of 12 years.

### III. Air crash incidents over the years

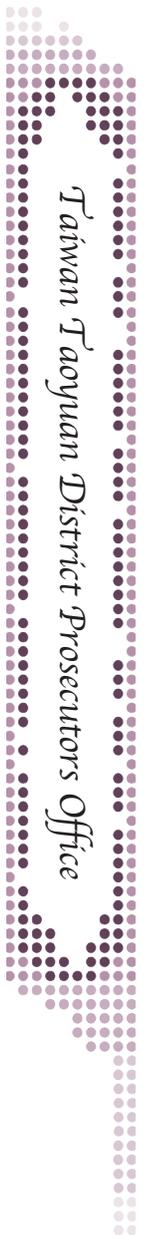
#### (I) The air crash incident of TransAsia Airways in Guishan

**F**light No. B-22717 of the TransAsia Airways ("TransAsia"), of aircraft model No. ATR72-200, was on its return trip with empty passenger cabin from Penghu Magong Airport to Taipei Songshan Airport, departing at 7:13 p.m. on January 30, 1995. At 7:41 p.m. that night, the pilot crew reported to the airport of them having the airport in sight and requested visual approach; and the Taipei Approach

Control Tower granted the visual approach. At 7:43 p.m., the pilot crew reported in their last radio communications with the ground, acknowledging their being informed of the availability of the runway, and the information of altimeter setting and its proceeding to access the runway. At 7:44 p.m., the airplane suddenly crashed in Tuzikeng of Guishan Township, Taoyuan County (now restructured to Guishan District, Taoyuan City), catching fire, exploding, and being totally destroyed. It was New Year's Eve that night and the plane carried no passengers on board, except for two pilots and two cabin crew members. All four people died. After receiving the report, the Taoyuan District Court Prosecutors Office inquired for information from witnesses to learn the course of the air crash. On the afternoon of February 7, 1995, the victims' corpses were examined by the Forensic Center of the Taiwan High Court Prosecutors Office carried along with the prosecutor of the Taoyuan District Court Prosecutors Office, where alcohol, toxicant and drug tests were conducted, yet no abnormality was detected. As per investigation, the cause of this accident was due to poor coordination between the pilot and the co-pilot, and due to the relaxed atmosphere of the Lunar New Year where the crew members in the front cabin crew chatted with each other without the need to care for customers, and gradually put down their guard against the surrounding environment. During the flight, the crew members did not maintain their visual approach situations and were unaware of the ground barriers; and the instrument landing system ("ILS") received false signals, but the flight crew did not refer to other navigation aids facilities to discern the situation. Due to these composite factors, the aircraft crashed into the mountainous area. Since the pilot and the co-pilot had lost their lives in the air crash, naturally there was no way to hold them accountable for their negligence; hence it was ruled for non-prosecution.

## (II) The air crash incident of China Airlines in Dayuan

**F**light No. CI676 of China Airlines, of aircraft model Airbus No. A300, was on its return trip from Bali, Indonesia to Taoyuan CKS Airport (now renamed Taiwan Taoyuan International Airport) on February 16, 1998. It was about to land at the Taoyuan CKS Airport at 8:05 that night but suddenly deviated from the runway. It crashed into the Provincial Highway No. 15 and then the houses on Guoji Road of Houcuo Village, Dayuan



Township (now restructured to Houcuo Village, Dayuan District), which was 350 meters away from the Provincial Highway No. 15. During the fall, the head of the aircraft hit a taxi on the Provincial Highway No. 15. The four people in the taxi were killed on the spot. There were 14 crew members and 182 passengers on board. The plane instantly exploded and caught fire. The wreckage of the plane and corpses were fragmented and scattered within a radius of nearly 1 kilometer. The disaster scene was brutally messy and unbearable to see. Among those residential houses being hit, five were totally destroyed and four were partially destroyed. A woman and a child in a house were killed. A total of 202 people died. This accident marks the most serious air crash in the aviation history of Taiwan. As per the investigation result, this accident was due to the improper operation of the pilot during his attempt in regaining a proper flight. However, since the pilot had died in the air crash, it was ruled for non-prosecution.

### **(III) The air crash incident of Singapore Airlines at the Taoyuan CKS Airport**

**A**t about 11:17 p.m. on October 31, 2000, when Typhoon Xangsane struck Taiwan, Flight No. SQ-006 of Singapore Airlines was about to take off from the Taoyuan CKS Airport to depart for Los Angeles, the US. The pilot accidentally intruded into the right lane of the partially closed Runway No. 05 under construction and hit the guardrail and construction equipment and tools on the runway. The powerful impact force and the subsequent fire caused the complete destruction of the aircraft. Out of the totally 159 people on board, including three pilots, 17 cabin crew members, and passengers, the casualties consisted of 83 deaths, 39 people with serious injuries, and 32 with minor injuries.

The Taoyuan District Court Prosecutors Office immediately interrogated the three surviving pilots, the controlling personnel at the Air Traffic Tower, and other related personnel, and the three pilots were listed as the defendants. Since the three pilots are Singaporean and Malaysian nationals, they were subject to abscondence. Therefore, they were also restricted from exiting Taiwan. Investigations were undergone on the criminal liabilities for the death due to negligence in the course of carrying one's occupational duty.

In April 2002, after the release of the investigation report on the accident by the Aviation Safety Council, the Prosecutors of the Taoyuan District Court Prosecutors Office also referred to information available at International Flight Safety Foundation to see how various countries had prosecuted international air crashes cases. Simulated flights were conducted as well. Finally, it was believed that the three pilots had negligence in not noticing the differences between the width and lighting of the runway they were on and those of the right lane of the Runway No. 05, as well as in not noticing the signs on the runway and taxiway, thus mistakenly entering the right lane of Runway No. 5 which was under construction. The pilots were evidently at fault. However, considerations were taken with the facts that the pilots did periodically report to the competent authority while being restrained to Singapore Airlines's custody, along with the Singapore Airlines, the pilots were trying to reach an amicable settlement with the victims and their families, and the existence of the poor weather condition on the day when the accident took place. On June 7, 2002, the pilot and the co-pilot were given deferred prosecution, who were suspended from duty for one year and shall fulfill their community services in Singapore pursuant to the performance matters under the deferred prosecution. As for the third pilot, he was not prosecuted because he was to take over the piloting after the pilot and co-pilot had done the take-off. Since he had no obligations in watching the piloting yet at the time of the incident, it was ruled non-prosecution.

#### IV. The murder of Liu, \*-Yu

At around 8:15 a.m. on November 21, 1996, an astonishing and bloody slaughter was reported in the residence of the Mayor of Taoyuan County. At that time, nine people were on the premises, including the County Mayor Liu, \*-Yu and his Executive Secretary, Hsu, \*-Kuo, two County Councilors, Chuang, \*-Hsing and Teng, \*-Chang, the Mayor's driver, Liu, \*-Ming, the Mayor's two security guards, Liu, \*-Liang and Liu, \*-Chi, the Mayor's housekeeper aid, Liu, \*-Mei, and Chang, \*-Mei, the wife of the Development Agriculture of the Taoyuan County Government and a technician of the Department of Public Health. Two intruders who broke into the Mayor's premises blindfolded the nine people with tape, put them all in

the security guard room, and shot them all with handguns at their heads at close range. After committing the slaughter, the two intruders spotted a car parked outside the Mayor's premises, where the Volvo car belonged to the Councilor, Chuang, \*-Hsing, and Chuang's female Secretary, Liang, \*-Chiao, was inside the car. The two offenders hijacked the secretary and drove the car away from the scene. Later in Hutoushan, they ordered the secretary to get off the car. The empty car was later found parked in an empty field across No. 3, Gongyuan Road, Taoyuan City, Taoyuan County. The whereabouts of the two offenders were unknown. After the Service Center of the Taoyuan Police Department was notified of this incident, the Taoyuan Police Department rushed to the scene, rushing the nine victims to the Taoyuan Provincial Hospital, Minsheng Hospital, and Taoshin Hospital for emergency treatment. Since they were all fatally shot in the head, all had been pronounced dead on November 21, 1996, except for Teng, \*-Chang, who survived but suffered severe injuries. Due to the special identities of the victims in this case, the sophisticated entanglement of the grievances and interests, and the lack of critical direct evidence, the bottleneck of the case remained unbreakable. However, the investigation of the Special Task Force continued to proceed based on suspicious objects and tips from all corners and directions. It aimed to have a breakthrough on the fingerprint and DNA matching with the latest Forensic identification technology.

On November 21, 2016, marks the expiry date of the 20-year period of limitation of prosecution on the slaughter case at Liu, \*-Yu's premises. People from all walks of life were concerned about the issue of the period of limitation of prosecution. The Taoyuan District Prosecutors Office specifically stated that in accordance with the provisions of the Criminal Code prior to July 1, 2006, once the Prosecutor implemented the investigation on the case, the right of prosecution shall not be superannuated, hence no such issue as the period of limitation of prosecution per say. The valid period of the right of prosecution shall refer to individual suspects, but not to the entire case.

## V. The Hung, \*-Chiu case

Sergeant Hung, \*-Chiu, serving his compulsory military under 542 Armor Brigade (in Hukou Township, Hsinchu County), was scheduled to be discharged from his military service on July 6, 2013. On June 23, 2013, when returning from his vacation, Hung, \*-Chiu brought a smart phone with camera function into the military base, which violated the provisions of the "National Military Information Security Reward and Punishment Regulations." A violation reviewed by the "Personnel Evaluation Committee" in the military ruled the implementation of a seven-day penitence on Hung, \*-Chiu (according to the regulations, only punitive admonition could be implemented). At 9 a.m. on June 28, 2013, Hung, \*-Chiu was transferred to the penitence room in 269 Mechanized Infantry Brigade (in Yangmei City, Taoyuan County) for the implementation of the seven-day penitence. During the afternoon exercise on July 3, 2013, Hung, \*-Chiu was sent to the hospital due to physical

discomfort. Later at 7:12 a.m. on July 4, 2013, he was pronounced dead because of disseminated intravascular coagulation ("DIC") caused by heat stroke and heat exhaustion. The investigation was initiated by the Prosecutor of the Prosecutors Office of the Military Court of the Ministry of National Defense ("MND").



White Shirt Military Movement organizes 250,000 protesters on Ketagalan Avenue/ Lo,Pei-Te/Liberty Times

During the investigation of the case, Legislator Chen, Ting-Fei held a press conference and pointed out that Chen, \*-Ming, the Political Director of the 269 Mechanized Infantry Brigade, was suspected of ordering the destruction of key surveillance video files in the penitence room where Hung, \*-Chiu was confined, thus violating the offense of destruction of evidence as referred in the Criminal Code. According to the then legal system, this crime should

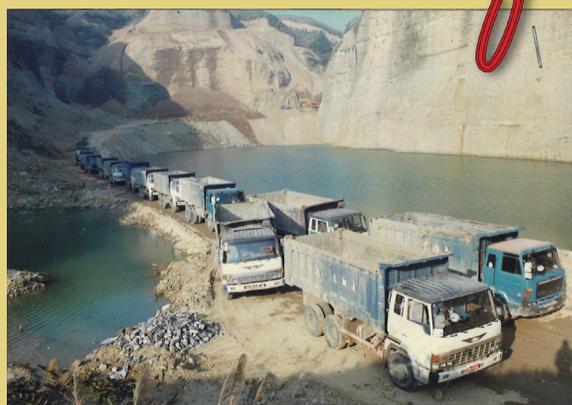
be subject to the investigation and trial in the ordinary judicial authority. Therefore, on the afternoon of July 20, 2013, the Prosecutors Office of the High Military Court of the MND transferred the case of Chen, \*-Ming's offense of destruction of evidence to the Prosecutors Office of the Taiwan Taoyuan District Court for investigation and trial.

With the appointment of the Taoyuan District Prosecutors Office, a special case task force was set up by the Head Prosecutor of the Major Criminal Cases Team, for the investigation of the disappearance of the video files in the penitence room on July 1, 2013, and the afternoon of July 3. Later it was found that during the monitoring recording process on the afternoon of July 1, 2013. In the penitence room, none of the monitoring video files could be saved due to the power interruption, as the maintenance personnel needed to turn off the power supply to the computer to repair the abnormal network. There was no such thing as that the files were deleted or altered afterwards. As for the loss of the images taken from the camera on the afternoon of July 3, 2013, it was due to the unsteady power supply caused by a non-human factor such as the parallel connection of the wiring and voltage overload, but not by any human factor such as purposely unplugging the signal line. Accordingly, Chen, \*-Ming, the Political Director of the 269 Mechanized Infantry Brigade, should not be involved in the video files. Due to insufficient evidence, Chen, \*-Ming was ruled for non-prosecution.

**[Impact]** This case led to the amendment of the Military Trial, where the investigation and trial power on the incumbent servicemen during peace time shall be completely transferred to the ordinary judicial authorities, hence the historic new system "2-in-1 for investigation-and-trial" for the non-war time was completed. Regarding the transfer of the case of abusing Hung, \*-Chiu from the military prosecutorial authority to the Taoyuan District Court, the new law was implemented in two stages. To this end, the Taoyuan District Prosecutors Office convened the "Liaison Meeting between the Prosecutorial Authorities and the Military Authorities" in Taoyuan area to establish contacts for the military authorities in the jurisdiction, so as to facilitate the smooth transfer of the military investigation and implementation cases to the Taoyuan District Prosecutors Office on August 15, 2013 and January 15, 2014, respectively. This new system marks an important impact on Taiwan's legal system.



Photos on the top and the right: A scene of the illegal mining of sandstones prevalent in the mountain area of Guishan, Taoyuan from 1987 to 1991.



A practical example of a greeting card explosive sent from the gangster to the judicial personnel, reflecting the prevalence of the gambling-oriented video games in Taoyuan area from 1986 to 1991.

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



惟明克允  
·  
臺灣桃園地方檢察署署誌

▲ The Chronicle of Taiwan Taoyuan District Prosecutors Office

Publication date: November, 2021

