

Chapter 10

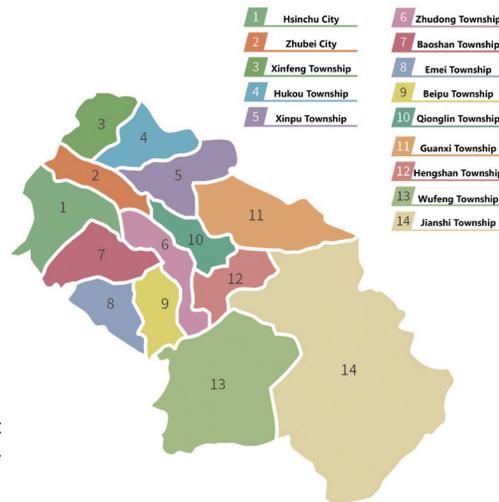
Taiwan Hsinchu District Prosecutors Office



Section 1 Historical Overview

The predecessor of the current Taiwan Hsinchu District Prosecutors Office was the "Hsinchu Branch of the Taipei District Court Prosecutorial Department" (founded in 1899). After the takeover of the Chinese Nationalist Government, it was renamed the "Taiwan Hsinchu District Court Prosecutorial Department." On December 24, 1989, this establishment was renamed the "Taiwan Hsinchu District Court Prosecutors Office" in conjunction with the amendment of the Court Organization Act. On May 25, 2018, it was once more renamed the "Taiwan Hsinchu District Prosecutors Office," where the wording of "Court" from its organizational name was taken away, in accordance with the amendment of the Court Organization Act.

Section 2 Territorial Jurisdiction



Geographic Territorial Jurisdiction of the Taiwan Hsinchu District Prosecutor Office



Section 3 Office Buildings

- I. The former site of the Hsinchu District Prosecutors Office was No. 136, Zhongzheng Road, North District, Hsinchu City, which was once the office of the “Hsinchu Branch of the Taipei District Court” during Japanese Colonial Rule. In 1963, the original two-story wooden building was reconstructed into a two-story reinforced concrete building. In 1980, after the separation of the trial system and the prosecutorial system, the Hsinchu District Prosecutors Office continued to share offices with the Court..
- II. Due to the presence of numerous large-scale industrial districts in the geographic jurisdiction, such as the Hsinchu Science Park, the jurisdiction witnessed the rapid development of industry and commerce and a growing population; hence, the rapid increase in the number of criminal cases and the need for larger office space for the Hsinchu District Prosecutors Office. In January, 2004, an office relocation plan based on a costless land acquisition was reported to and approved by the Ministry of Justice, which was subsequently approved by the Executive Yuan for processing in September, 2009.
- III. On April 25, 2014, the new building in Zhubei City, Hsinchu County was completed, and in February, 2015, it was opened for use and the office relocation was completed. The old office building was then appropriated to the Hsinchu Branch, Administrative Enforcement Agency, Ministry of Justice for takeover, as per the Executive Yuan.



Appearance of the current Hsinchu District Prosecutors Office

Section 4 List of Former Chief Prosecutors

Precedence in office	Title	Name	Period in office	Notes
1	Leading Prosecutor	Chang,Kuang-Chi	1945/12/14~1946/08/15	
2	Leading Prosecutor	Hsieh,Chung-Tang	1946/08/15~1946/11/20	
3	Leading Prosecutor	Mao,Hsi-Ching	1946/11/20~1947/07/10	
4	Leading Prosecutor	Chiang,Yuan-Liang	1947/07/10~1952/10/14	
5	Leading Prosecutor	Chiang,Pang-Liang	1952/10/14~1953/02/24	
6	Leading Prosecutor	Yang,Ming-To	1953/02/24~1960/02/01	
7	Leading Prosecutor	Wu,Chih	1960/02/01~1964/03/26	
8	Leading Prosecutor	Wei,Te-Chang	1964/03/26~1968/10/19	
9	Leading Prosecutor	Shih,Ming-Chiang	1968/10/19~1971/03/01	
10	Leading Prosecutor	Wang,Jui-Lin	1971/03/01~1976/08/15	
11	Leading Prosecutor	Lu,Yu-Chieh	1976/08/15~1979/01/22	
12	Leading Prosecutor	Chai,Chi-Chen	1979/01/22~1985/03/14	
13	Leading Prosecutor	Liu,Hsueh-Kuei	1985/03/14~1989/07/12	
14	Chief Prosecutor	Wu,Kuo-Ai	1989/07/12~1993/07/22	
15	Chief Prosecutor	Hsieh,Shang-Hui	1993/07/22~1995/05/24	
16	Chief Prosecutor	Hsieh,Wen-Ting	1995/05/24~1996/06/01	
17	Chief Prosecutor	Chen,Tsung-Ming	1996/06/01~1997/08/06	
18	Chief Prosecutor	Chen,Mu-Chuan	1997/08/06~1999/04/27	
19	Chief Prosecutor	Wang,Chung-Yi	1999/04/27~2002/04/04	

Precedence in office	Title	Name	Period in office	Notes
20	Chief Prosecutor	Chen,Yun-Nan	2002/04/04~2005/03/16	
21	Chief Prosecutor	Hung,Wei-Hua	2005/03/16~2007/04/12	
22	Chief Prosecutor	Wu,Shen-Chih	2007/04/12~2008/08/01	
23	Chief Prosecutor	Sung,Kuo-Yeh	2008/08/01~2010/07/28	
24	Chief Prosecutor	Chu,Chia-Chi	2010/07/28~2013/03/11	
25	Chief Prosecutor	Chou,Chih-Jung	2013/03/11~2014/05/27	
26	Chief Prosecutor	Peng,Kun-Yeh	2014/05/27~2016/07/18	
27	Chief Prosecutor	Chiang,Kuei-Chang	2016/07/18~2018/07/09	
28	Chief Prosecutor	Hsu,Hsi-Hsiang	2018/07/09~2019/01/31	
29	Chief Prosecutor	Wang,Wen-Te	2019/01/31~2020/03/13	
30	Chief Prosecutor	Kuo,Yung-Fa	2020/03/13 to present	

Section 5 List of Former Chief Secretaries

Precedence in office	Title	Name	Period in office	Notes
1	Head Clerk	Lou,Tsun-Tang	1945/07~1945/12/14	
2	Head Clerk	Lin,Chung	1945/12/14~1946/11/01	
3	Head Clerk	Chang,Tu-Min	1946/11/01~1952/11/01	
4	Head Clerk	Hu,Yen-Cheng	1952/11/01~1956/07/21	
5	Head Clerk	Chen,Yu-Tsai	1956/07/21~1957/05/08	
6	Head Clerk	Lin,Yi-Chung	1957/05/08~1964/04/10	

Precedence in office	Title	Name	Period in office	Notes
7	Head Clerk	Liu,Chin-Sheng	1964/07/21~1968/10/21	
8	Head Clerk	Lou,Jung-Chang	1968/10/21~1971/03/08	
9	Head Clerk	Feng,Ting-Lan	1971/03/10~1976/08/31	
10	Head Clerk	Lin,Yi-Chung	1976/09/01~1978/12/31	
11	Chief Secretary	Liu,Ke-Chien	1979/02/01~1985/03/19	
12	Chief Secretary	Lin,Chun-Nan	1985/03/21~1993/09/20	
13	Chief Secretary	Liang,Chung-Chu	1993/09/20~1996/08/12	
14	Chief Secretary	Li,Ching-Sheng	1996/08/13~1997/10/08	
15	Chief Secretary	Lin,Chun-Nan	1997/10/09~1998/08/12	
16	Chief Secretary	Huang,Wei-Tsu	1999/06/17~2013/03/04	
17	Chief Secretary	Yang,Mei-Jung	2013/03/28 to present	



YiMin Temple, ChuJen Pavilion, Hsinchu/2018.10/Yeh, Tzu-Hsin

Section 6 Business Evolutions

The plan to “Innovatively handle industry-academia cooperation, and select graduate students for internship in the Hsinchu District Prosecutors Office” was carried out as follows:

I. Background

In order to integrate judicial and educational resources, provide multiple channels for graduate students to get involved in judicial practices, so that theory and practice can be mutually verified, and excellent judicial talent can be cultivated, in February, 2012, the Hsinchu District Prosecutors Office reached a cooperative agreement with the National Chiao Tung University School of Law (“NCTU School of Law”) in selecting graduate students for internships in the Hsinchu District Prosecutors Office.

II. Development situation

After two semesters of trial, the internship program was further extended and deepened in February, 2014, where the internship program was drafted by the Head Prosecutor to continue to strengthen, promote, and deepen the internship affairs for graduate students.

III. Internship results

By the end of 2017, the NCTU School of Law had selected more than 40 interns who successfully completed their internships. Highly motivated in participating in the internship program, graduate students were able to engage in deep learning through practical exercise, thus reaping tremendous benefits for their academic research and reshaping their stereotype impressions of the Prosecutors Office.

IV. Impacts of the industry-academia cooperation

In Taiwan, the NCTU School of Law marks an important presence for researches on intellectual property rights. This School continues to provide Prosecutors with the latest foreign literature and theories, so that Prosecutors can stay in line with the international community in investigating intellectual property cases.

Section 7 Excerpts of Major Cases

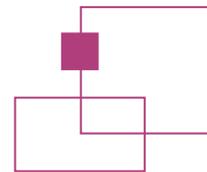
I. The case of turning over the Toucian River Railway Bridge of Tze-Chiang Limited Express of Taiwan Railways Administration

At 8 a.m. on March 8, 1981, Tze-Chiang Limited Express ("TC-Express") No. 1002 departed from Kaohsiung, traveling northward to Keelung, and arrived at the local railroad crossing commonly known as "Jiujiapu," also the southern section of the Toucian River Railway Bridge in Hsinchu City, at 11:30 a.m. It was then the truck driver hired by Ying * Enterprise Co., Ltd. crossed the Type-4 railroad crossing which was only equipped with warning signs, without crossing gates and alarms, and the driver of the TC-Express urgently braked the train after spotting the truck; however, the train failed to avoid the truck and the truck was demolished by the crash on the spot. Under the huge impact, the TC-Express continued to move forward another 80 meters against the truck. By then, the rear wheels of the TC-Express had slipped off the track, thus making the 10th to 7th cars all tilted to the right, fell under the Toucian River Railway Bridge, and dropped down to the dry river bed, with the 6th car suspended on the Railway Bridge. The gravel truck pushed forward by the TC-Express fell to the left side of the Toucian River Railway Bridge, which was torn to pieces and the driver to whom the accident was attributed was killed on the spot. The driver and passengers of the TC-Express suffered various degrees of injury, and bloody body parts were flying around in the cars. Some passengers' heads, hands, and legs were separated from the rest of their



body. The accident caused 30 deaths and 145 minor and serious injuries in total, which marks one of the major disasters in Taiwan's railway history.

The Hsinchu District Prosecutors Office inspected the accident scene seven times and interviewed 18 people, including the wounded and related parties. Pertaining to the key evidence, i.e. whether the driver of the TC-Express had adopted adequate emergency brake measures around the time of the accident, the speedometer of the TC-Express was taken to the NCTU four times which was entrusted with the examination. As per the detailed investigation, it was found that the two train drivers did take adequate emergency measures at the right time; however, the train could not be stopped by the brake due to the lack of sufficient distance for the braking, that was why the train continued moving forward for another 80 meters after hitting the truck before it finally fell over the bridge. The situation was not something the two train drivers could prevent; therefore, no negligence could be blamed on the train drivers. Since the driver of the gravel truck was killed, no criminal liability could be pursued against him. However, the truck belonged to Cheng, *-Hsueh, the responsible person of Ying * Enterprise Co., Ltd., who violated the provisions of Paragraphs 1 and 3 of Article 15 of the previous Company Act because Cheng operated business other than the business items registered under the Company. In Indictment No. (70)-Zhen-zi-1199, Cheng, *-Hsueh was prosecuted by the Hsinchu District Prosecutors Office, and subsequently in Judgement No. (70)-Yi-zi-353 dated April, 29, 1981, Cheng was penalized by the Taiwan Hsinchu District Court with a fine of NTD 3,000.



II. The air crash of Far Eastern Air Transport in Sanyi, Miaoli

On August 22, 1981, a Boeing 737-200 (registration no. B-2603) with flight no. 103 was originally scheduled to fly to Penghu, but it returned to the departure airport after 10 minutes in the air due to loss of pressure in the cabin. After inspection and repair, the flight was rearranged to fly to Kaohsiung at 9:55 a.m. Just 14 minutes after takeoff, the plane arrived in the sky over Sanyi, Tongluo, Yuanli, and Tongxiao in Miaoli, where the fuselage dismantled in the air. All six crew members and 104 passengers on board were killed, including the famous female Japanese writer Ku* *da and 18 other Japanese tourists.

As indicated in the accident investigation report, the cause of the accident was due to the corrosion on the skin structure at the bottom of the cargo compartment in the front of the fuselage where the skin structure had become thinner and holes and cracks were present. With the constant high pressure applied to the cabin during regular flights, the corrosion had worsened. Finally, when the plane was up in the air at a certain altitude, the pressure difference between the interior and exterior of the fuselage led to its rapid rupture, and the cabin, floor and related structures could no longer bear such pressure, thus causing the fuselage to suddenly dismantle.

After receiving the report at about 10:30 a.m. on the day of the air crash, the Chief Prosecutor of Hsinchu District Prosecutors Office immediately instructed the Prosecutors of the Miaoli Branch, by phone, to go to the scene of the accident, as well as a Head Prosecutor to conduct evidence collection and inspection work, along with multiple Clerks and Forensic Medical Examiners. Meanwhile, the Hsinchu District Prosecutors Office stayed



in close contact with the police in Miaoli and related authorities to stay on top of the progress of the rescue. Due to the sizzling sun on the day of the accident, corpses were prone to decay and remains could not be shipped out after being identified; therefore, corpses and objects found at the scene were labelled with numbers, photos taken, and together transferred to the Funeral Parlor of Taipei Mortuary Services Office for centralized custody and identification by the victims' families.

On the day after the accident, Prosecutors were dispatched to the scene of accident in Sanyi Township for search and examination of remains, at which time all subsequent remains were transferred to the abovementioned Funeral Parlor under the same case number. Since the remains were severely burned and could not be individually identified, the victims' family members applied to jointly claim the remains and share the ashes after the cremation. To this point, except for one corpse of a male Canadian national that was set aside in a freezer separately by the police, all examinations were completed.

The Chief Prosecutor of the Hsinchu District Prosecutors Office personally directed the investigation of the cause of the air crash, and Head Prosecutor and undertaking Prosecutors were also assigned to collaborate in the joint investigation. It was verified that the corrosion at the belly of the fuselage was due to Far Eastern Air Transport failing to adequately apply antirust agent, thus causing the penetrative holes and cracks on the skin. The scope of the corrosion on the skin had exceeded 0.04 inch or 10% of the thickness specified in the 737 Structural Repair Manual and Technical Notification. It was evident that maintenance and repairs were inadequate which involved business negligence. However, since the families of the deceased filed a private prosecution with the Taipei District Court, Hsinchu District Prosecutors Office no longer continued the investigation according to the law. The case was transferred to Taipei District Court for trial under the same case number. In Judgement No. (72)-Jiao-Zi-zi-24 by the Taipei District Court, all of the defendants were found "not guilty". Furthermore, in Judgment No. (74)-Tai-Shang-zi-1639 by the Supreme Court, all of the defendants were found "not guilty" and case was finalized.

III. The case of murder and robbery committed by Wu, *-Hua group

From the 1981 to 1986, the Wu, *-Hua criminal group committed several major criminal cases of murder and robbery with knives in the northern Taiwan. The brutality and dehumanization demonstrated in their criminal tactics were unprecedented. There were 10 members in this criminal group, headed by Wu, *-Hua, including nine other group members, namely Wu, *-Yuan, Wu, *-Sheng, and Wu, *-Tai (Wu, *-Hua's three brothers, who grew up together in Hsinchu military dependents' village), as well as Liang, *-Hsiao, Tai, *-Yu, Tu, *-Chien, Li, *-Pai, Li, *-Shan, and Hu, *-Liang.

The crimes committed by the Wu, *-Hua criminal group included the multiple killing of taxi drivers who were abandoned after their vehicles were seized, the looting of jewelry stores and banks, killing of sentries on duty to snatch their guns, robbing of vehicle shops and killing of the responsible persons, breaking in and killing homeowners, etc. Meanwhile, in fear of betrayal by his sworn brother Tsou, *-Cheng who might disclose the group's crimes, Wu, *-Hua together with Wu, *-Sheng, Wu, *-Tai, Liang, *-Hsiao, Tu, *-Chien, et al. killed Tsou, *-Cheng and his girlfriend Tsai, *-Mei, and the two victims' corpses were burned on November 25, 1986. Later, another the neighbor who helped the group in selling the stolen goods was also killed. An even more evil crime was that they killed a businessman Wu, *-Lung simply for the purpose of misleading the investigators.

On December 15, 1986, Wu, *-Hua et al. totally six people stabbed Tsai, *-Yen, the responsible person of the Feng-Yi jewelry store on Guangfu Road in Hsinchu City, and Tsai, *-Yen's son Li, *-Chu, and stole gold, jewelry, etc. worth more than NTD one million. On December 27, 1986, Wu, *-Hua was wanted by the Prosecutors and police for the Feng-Yi jewelry store murder. Wu, *-Hua escaped with Li, *-Pai with guns, and a policeman Lin, *-Sheng was shot at Taishan toll station on the national highway when the two escapees were on their way through the toll station. On the evening of December 3, 1987, Wu, *-Hua was arrested at Puching Hotel in Taoyuan City by the police after being rounded up. After being prosecuted by the Hsinchu District Prosecutors Office, in Judgement No. (77)-Shang-Zhong-Er-Su-zi-7

by the Taiwan High Court, Wu, *-Hua was finally sentenced to 10 death penalties. Later, the Supreme Court dismissed the appeal from the defendant, the case was finalized, and the death sentence for Wu, *-Hua was executed on May 27, 1988.

IX. The riot case in Hsinchu Juvenile Prison

At noon on November 9, 1996, seven prisoners at the sixth workshop of the Hsinchu Juvenile Prison swarmed and beat up administrator Meng, *-Jui when Meng went to the toilet, because they were dissatisfied with the management method of the prison. At 11 p.m. on the same day, 86 prisoners rioted in the workshop, locked the workshop from inside, and hijacked the administrator. Later, the riot escalated, nearly 600 prisoners made clamor in the cells, burned quilts, smashed doors and windows, and pounded the center console of the prison. After the military police and the police fired tear gas to suppress the riot, prisoners acting in the riot were arrested. Prosecutors of the Hsinchu District Prosecutors Office immediately rushed to the scene to calm down the prisoners, then the largest prison riot ever in Taiwan's history cooled off. According to the investigation results of the task force of the Ministry of Justice, it was believed that the case was due to improper discipline implemented by the prison, and overtime and overload work being implemented in the workshop; therefore, the 12 personnel in dereliction of their duties were punished and the juvenile prison no longer accommodated short-term prisoners. All juvenile prisoners were transferred to Chengjheng High School which was dedicated to the accommodation of these juvenile prisoners.

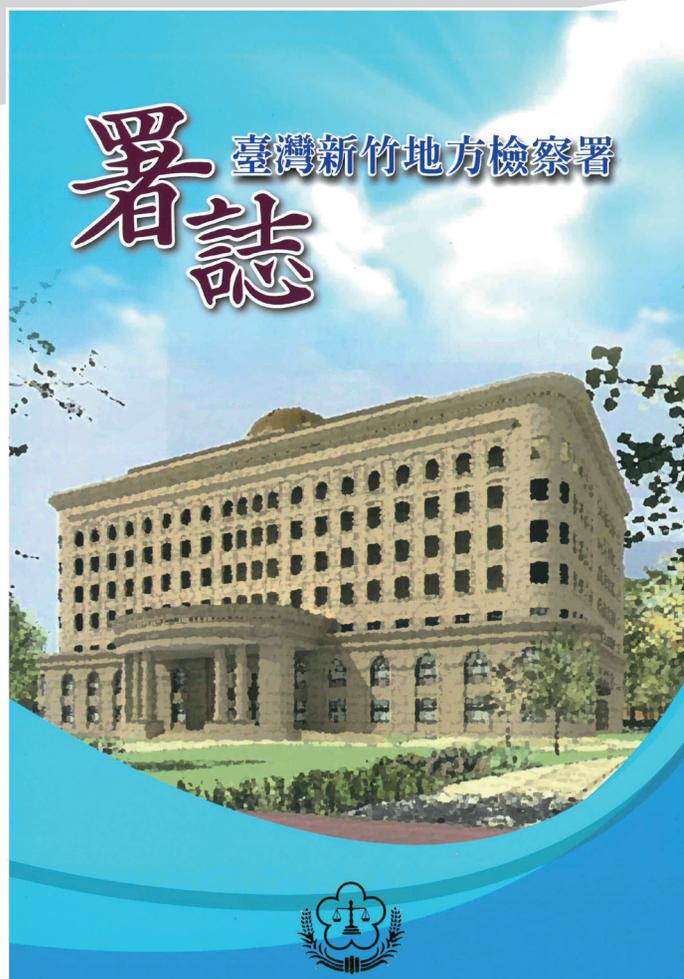
V. The air crash of For* Airlines in Hsinchu

At around 7:29 p.m. on March 18, 1998, Flight No. B12255 of For* Airlines took off from Hsinchu Airport. At 7:31:46 p.m. on the same evening, the Hsinchu Zhongzheng Approach Control Tower quickly lost the radio communications with the flight. At 7:32:02 p.m., the light spot of the plane disappeared from the radar screen at 2,700 foot and the plane fell into the open sea off the Nanliao Fishing Port in Hsinchu, killing a total of 13 people. Later, on April 26, 1998, a so-called "black box," i.e. flight data recorder, was found at the seabed 2.5 nautical miles west of the Fengbi Tunnel on the West Coast Expressway in Xinfeng Township, Hsinchu

County. A big hole was found on the belly of the fuselage wreckage. The big hole showed that the breaking force was from inside towards outside, and serious distortions surrounded the hole. Under the instructions of the Prosecutor of the Hsinchu District Prosecutors Office, the fuselage wreckage was transferred to Hsinchu Airport for examination, and flight maintenance and repair records about the aircraft covering the period of six months prior to the air accident were seized. Moreover, from the maintenance and repair records about the aircraft, black box data, and cockpit call recorder, Prosecutor found out that the pilot Fei, *-Pang, co-pilot Hung, *-Pin, and maintenance personnel Wu, *-Ying had conversations about the problem of the aircraft's electrical system before the takeoff, but they proceeded with the takeoff anyway.

On July 3, 1998, the Civil Aeronautics Administration ("CAA") of the Ministry of Transportation and Communications ("MOTC") released the results of its investigation. CAA believed that there was a problem with the main circuit board on the right side of the power system prior to the takeoff, the plane quickly deviated from its course of flight three minutes after the takeoff, and the plane dove into the sea (in a position of head down, belly up) at a high speed of 340 nautical miles per hour (although the speed limit for this type of aircraft is 250 nautical miles per hour), and there was no indication of fire and damage caused by external forces during the flight. In addition, the plane flew in the dark night without an obvious reference line outside the aircraft. It was possible that the pilot was in a state of spatial disorientation, thus being unable to realize that the plane was flying upside down already. It was believed that the accident was caused by mechanical failure plus human negligence. Since the pilot was killed in the accident, there was no criminal charge thereagainst.

Section 8 Cover page of the History of Prosecutors Office and the link of global website



臺灣
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