

Chapter 13

Taiwan Miaoli District Prosecutors Office

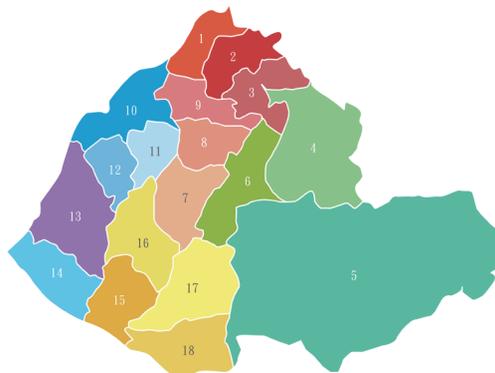


Section 1 Historical Overview

Taiwan Miaoli District Prosecutors Office was originally under the jurisdiction of the “Prosecutors Office of the Taiwan Hsinchu District Court.” On October 12, 1969, for the convenience of residents in Miaoli County, the “Miaoli Prosecutors Office of the Taiwan Hsinchu District Court Prosecutors Office” was established. On January 9, 1997, in order to implement the provisions of the “Court (Prosecutors Office) for One County (City)” of the Court Organization Act, the “ Taiwan Miaoli District Court Prosecutors Office” was established in accordance with the resolutions of the Judicial Yuan and the Ministry of Justice. On May 25, 2018, the establishment was renamed the “Taiwan Miaoli 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

1 Zhunan Township	5 Tai'an Township	9 Zaoqiao Township	13 Tongxiao Township	17 Dahu Township
2 Toufen City	10 Shitan Township	10 Houlong Township	14 Yuanli Township	18 Zhuolan Township
3 Samwan Township	7 Gongguan Township	11 Miaoli City	15 Sanyi Township	
4 Nanzhuang Township	8 Touwu Township	12 Xihu Township	16 Tongluo Township	



Geographic Territorial Jurisdiction of the Taiwan Miaoli District Prosecutors Office

Section 3 Office Buildings

I. Office preparation

To implement the provisions of the "Court (Prosecutors Office) for One County (City)" of the Court Organization Act, the Miaoli District Court and its Prosecutors Office were established in accordance with the resolutions of the Judicial Yuan and the Ministry of Justice. With the consent from Taiwan Sugar Corporation (the land owner) and the Combined Logistics Command (the user) of the Ministry of National Defense, 34 pieces of lands, including Parcel No. 2238, in Shengli Village, Miaoli City, were acquired after the change of the urban plan, to be used as the base of the office building for the Court and Prosecutors Office.



The current office building of the Miaoli District Prosecutors Office

II. Construction history

A Construction Committee was jointly formed by "Taiwan Hsinchu District Court" and the "Prosecutors Office of the Taiwan Hsinchu District Court" for the planning of the office building, and an architect was selected for planning, design, and supervision of the contracting. The construction started on October 28, 1993 and was completed on December 6, 1996. The newly-built office building was located at the current address of No. 1149, Zhongzheng Road, Miaoli City, Miaoli County.

Section 4 List of Former Chief Prosecutors

Precedence in office	Title	Name	Period in office	Notes
1	Chief Prosecutor	Chen, Yueh-Yang	1997/01/09 ~ 1999/04/27	
2	Chief Prosecutor	Hsieh, Jung-Sheng	1999/04/27 ~ 2000/06/27	
3	Chief Prosecutor	Tsai, Ching-Hsiang	2000/06/27 ~ 2001/04/27	
4	Chief Prosecutor	Lin, Yung-Yi	2001/04/27 ~ 2002/04/09	
5	Chief Prosecutor	Chiang, Hui-Min	2002/04/09 ~ 2005/03/16	
6	Chief Prosecutor	Shih, Ching-Tang	2005/03/16 ~ 2007/04/12	
7	Chief Prosecutor	Liu, Chia-Fang	2007/04/12 ~ 2008/08/01	
8	Chief Prosecutor	Lai, Che-Hsiung	2008/08/01 ~ 2010/07/28	
9	Chief Prosecutor	Yang, Hsiu-Mei	2010/07/28 ~ 2013/03/11	
10	Chief Prosecutor	Chang, Hung-Mou	2013/03/11 ~ 2015/05/07	
11	Chief Prosecutor	Kuo, Chen-Ni	2015/05/07 ~ 2016/07/18	
12	Chief Prosecutor	Ke, Li-Ling	2016/07/18 ~ 2019/01/31	
13	Chief Prosecutor	Cheng, Hsin-Hung	2019/01/31 ~ 2021/05/05	
14	Chief Prosecutor	Chen, Sung-Chi	2021/05/05 to present	

Section 5 List of Former Chief Secretaries

Precedence in office	Title	Name	Period in office	Notes
1	Chief Secretary	Chou,Chih-Jung	1997/01/09~1998/09/01	Concurrently handled by Head Prosecutor
2	Chief Secretary	Yao,Ming-Hung	1998/09/01~1999/07/01	Concurrently handled by Prosecutors
3	Chief Secretary	Liao,Hsiu-Ching	1999/07/01~2000/09/02	
4	Chief Secretary	Lai,Ting-Chun	2000/12/18 to present	

Section 6 Business Evolutions

To implement the conclusion on the Prosecutors' full appearance throughout the court hearing for proof presentation and arguments related to "Strengthening the burden of proof of the Prosecutors" as discussed by the second group "Reform of Criminal Procedure System" of the National Judicial Reform Meeting in 1999, the Taiwan Miaoli District Prosecutors Office and the Taiwan Shilin District Prosecutors Office were the first to implement the system, "Dedicated Prosecutors' Full Appearance throughout the Court Hearing during the Prosecution," as per the instructions of the Ministry of Justice. The operating mode of such system was observed to see whether it was affected by the difference between urban and rural areas.

Section 7 Excerpts of Major Cases

I. The murder case committed by Wang, *-Hsing et al.

With a general mens rea to jointly gain illegal profit, at about 1:30 a.m. on August 26, 2003, Yeh, *-Sheng, Tseng, *-Ming, Wang, *-Hsing, Ke, *-Sung and a man nicknamed "A Fu" received 26 women, Chinese nationals, from a China fishing boat (with



unknown boat name) without an entry permit. One half of the 26 women, including Huang, *-Hung et al. 13 people rode on a sampan (No. Yushankangwai 574) driven by Yeh, *-Sheng; whereas the other 13 people, including Tseng, *-Li, Chiang, *, Wang, *, Hsu, *-Chi, rode on another sampan (No. Yushankangwai 222) driven by Wang, *-Hsing (where Wu, * et al. 20 people were investigated separately under another case number which was subsequently concluded by Miaoli District Prosecutors Office). The 26 women hence illegally entered Taiwan. At about 3:20 a.m. on the same day, when the above two sampans approached the open sea near Tongxiao, they were spotted by a patrol boat of the maritime patrol team. Then the two sampans speedily fled towards the seashore. Yeh, *-Sheng and Tseng, *-Ming hustled the Chinese women on the sampan, including Huang, *-Hung et al. 13 people, to jump into the sea and escape. Huang, *-Hung et al. three people then jumped into the sea one after another. Fortunately, the sea water was only as deep as up to their waist that Huang, *-Hung et al. could walk onshore from the sea. Meanwhile, Yeh, *-Sheng and Tseng, *-Ming escaped by boat. On the other sampan, Wang, *-Hsing and Ke, *-Sung were fully aware that at that moment, the line of sight was poor, the water temperature was low, the depth of water was unknown, and everyone was exhausted, but had no idea whether people were able to swim. Under such circumstances, if someone would fall into the water, it was likely that person would inevitably face the danger of drowning. However, in order to reduce the weight of the sampan to speed up and successfully escape, with a general mens rea to jointly commit a deed that could possibly kill others on purpose, Wang, *-Hsing and Ke, *-Sung demanded the Chinese women, including Tan, *-Chi, Chiang, *-Li, et al. 13 people, one after the other to "hurry up and jump into the sea" in an urgent tone. When the Chinese women hesitated over whether to jump or not, Wang, *-Hsing and Ke, *-Sung then pushed and pulled or touched these women's limbs, so as to urge them to jump into the sea, thus resulting in the drowning death of six people, including Tseng, *-Li, Chiang, *, Wang, *, Hsu, *-Chi, and two women over 18 years of age whose names were unknown.

On September 23, 2003, the case was prosecuted by the Prosecutor of the Miaoli District Prosecutors Office, and the Taiwan Miaoli District Court sentenced the defendant Wang, *-Hsing to death for jointly committing multiple murders, and to the deprivation of the citizen's rights

for life; where the death penalty shall be executed and his citizen's rights shall be deprived. Ke, *-Sung was sentenced to life imprisonment for jointly committing multiple murders and the deprivation of his citizen's rights for life; where the life imprisonment shall be executed. Both the defendants and the Prosecutor filed the appeal as they were dissatisfied with the sentencing. In Judgment No. (93)-Shu-Shang-Zhong-Su-zi-4 by the Taichung Branch Court of the Taiwan High Court, the sentencing from the first instance remained. Again, the two defendants re-appealed to the Supreme Court due to dissatisfaction with the original judgment. In Judgment No. (93)-Tai-Shang-zi-4429 by the Supreme Court, the appeal was dismissed and the case was finalized. The defendant Wang, *-Hsing was executed on the night of January 13, 2005 at the execution place of Taichung Prison of the Agency of Corrections of the Ministry of Justice.

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(www.pexels.comzh-twphoto259027)

II. Violations of the Banking Act of the Republic of China, the Money Laundering Control Act, etc. by Huang, *-Ying et al.



Huang, *-Ying (aka "Tairen" by the depositors) was the current responsible person of the "Hung Fu Hai" Deposit-Accepting Group ("HFH Group", which had never been registered). Lin, *-Yi was the husband of Huang, *-Ying and was responsible for the investment business using the illegal gains of the HFH Group. Huang, *-Yin was the younger sister of Huang, *-Ying, who was responsible for the financial management of the HFH Group.

Huang, *-Ying joined a spiritual practice organization run by Wang, *-Tung more than three decades ago. Wang, *-Tung siphoned money from his fellow practitioners in the name

of spiritual practice, promising a monthly interest rate of 3% (i.e. annual interest rate of 36%). After Wang, *-Tung passed away, Huang, *-Ying took over the spiritual practice organization. Fully aware that HFH Group, without a special permit to run the banking business of accepting deposits, was not a bank, three people, namely Huang, *-Ying, Lin, *-Yi, et al., knowingly conspired to provide the service of accepting deposits. Following the business model designed by Wang, *-Tung, Huang, *-Ying made groups of depositors from the spiritual practice organization, where each group was led by a “group line” (group leader) responsible for servicing downline depositors in his/her group as well as acting as a contact person between the spiritual practice organization and the downlines. The group lines recruited downlines into their groups, and the downlines recruited further downlines into their groups, claiming that this spiritual practice organization provided a place to people for practice spiritual rites, life improvement, and receive great returns on investment, such as interest rates higher than banks’ rates, principal guarantee upon maturity of the investment, etc. To this end, numerous unspecified people were solicited to invest with this group.

On March 17, 2011, the police along with the prosecutor conducted a search, and seized illegal gains of NTD 270,964,922 and 25 stocks in the amount of NTD 400,416,800. From the time of taking over the spiritual practice organization on December 3, 2003, till the time the Prosecutor and the police tracked down the HFH Group, Huang, *-Ying had received in total 15,190 deposits, which involved 8,056 victims, and the obtained illegal money amounted to as high as NTD 19.96 billion.

On May 11, 2011, the case was prosecuted by the Prosecutor. In Judgement No. (100)-Jin-Zhong-Su-zi-1 by Taiwan Miaoli District Court, the defendant Huang, *-Ying was sentenced to imprisonment for 12 years along with a fine of NTD 400 million, whereas both the defendants Huang, *-Ying and Lin, *-Yi were sentenced to 10 years along with a fine of NTD 100 million, respectively.

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



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