

Chapter 14

Taiwan Taichung District Prosecutors Office

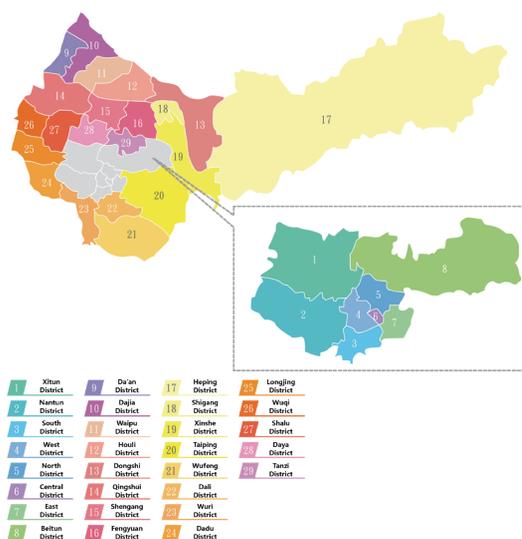


Section 1 Historical Overview

The predecessor of the current Taiwan Taichung District Prosecutors Office was the “Taichung District Prosecutors Bureau” during Japanese Colonial Rule. After the retrocession of Taiwan in 1945, on December 14, 1945, it was renamed the “Taichung District Prosecutors Department.” On January 1, 1946 after the completion of the restructuring of the Taiwan Provincial Courts, the establishment was renamed the “Taiwan Taichung District Prosecutors Department.”

On December 24, 1989, the establishment was renamed the “Taiwan Taichung District Court Prosecutors Office” in conjunction with the amendment of the Court Organization Act. On May 25, 2018, it was again renamed the “Taiwan Taichung 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 Taichung District Prosecutors Office

Section 3 Office Buildings



The Taichung Judicial Building

I. The Taichung Judicial Building

On October 21, 1951, the Taichung Judicial Building was completed, which was a newly-built two-story building, also the first court office building rebuilt after the retrocession of Taiwan. Later, in response to the operational needs of the first and second instances, the old building was demolished and the Taichung Judicial Building was rebuilt,

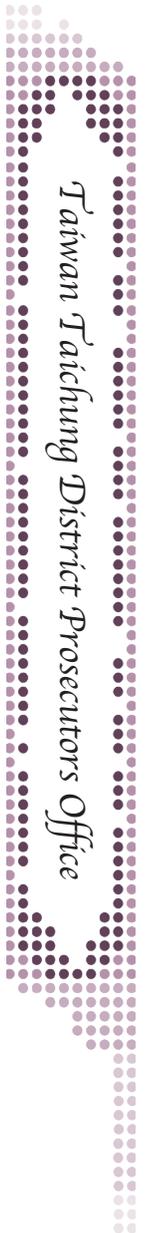
incorporating the Taichung Branch Court of the Taiwan High Court and the Taichung Branch, Taiwan High Prosecutors Office into the new office building. In April, 1989, construction was completed, including six floors above ground, and one floor underground. Four government agencies have used this new office building from that time until today.

II. The Second Office Building

Due to the increase in staff over the years and the undersupply of office space, the Loot Storage and the Forensic Medical Examiner Office were moved to the rear dormitory of the Judicial Building, and the vacated offices were repurposed for use by the (Head) Prosecutor, Records Section, and Enforcement Section. This building was renamed the Second Office Building of Taiwan Taichung District Prosecutors Office.

III. The Third Office Building

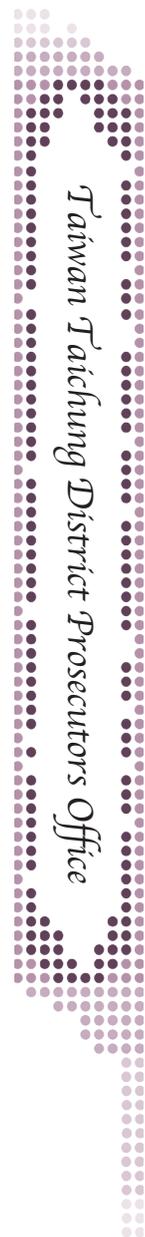
In November, 2008, the building originally used for Archives and Dormitory was repurposed for use by Assistant Probation Officers, and as Probation Office, Archives, Judicial Protection Center, and Colleague Dormitory. This building was renamed the Third Office Building of Taiwan Taichung District Prosecutors Office.



Section 4 List of Former Chief Prosecutors

Precedence in office	Title	Name	Period in office	Notes
1	Leading Prosecutor	Huang,Ching-Hsiu	1945/12~1946/04	
2	Leading Prosecutor	Chen,Cheng-Cheng	1946/04~1947/02	
3	Leading Prosecutor	Wu,Chao-Lien	1947/02~1950/06	
4	Leading Prosecutor	Chiao,Pei-Shu	1950/06~1955/04	
5	Leading Prosecutor	Yen,Fu-Chun	1955/04~1959/01	
6	Leading Prosecutor	Liang,Yi-Ching	1959/01~1964/03	
7	Leading Prosecutor	Wu,Chih	1964/03~1968/10	
8	Leading Prosecutor	Wei,Te-Chang	1968/10/21~1971/03/01	
9	Leading Prosecutor	Shih,Ming-Chiang	1971/03/01~1975/09/25	
10	Leading Prosecutor	Chung,Ken-Le	1975/09/25~1979/01/23	
11	Leading Prosecutor	Lu,Yu-Chieh	1979/01/23~1981/09/29	
12	Leading Prosecutor	Liu,Ching-Yi	1981/09/29~1985/07/01	
13	Leading Prosecutor	Li,Kuang-Hua	1985/07/01~1990/02/07	The title was changed to Chief Prosecutor on December 24, 1989
14	Chief Prosecutor	Chang,Shun-Chi	1990/02/07~1990/09/17	
15	Chief Prosecutor	Wang,Ping-Hui	1990/09/17~1997/08/06	
16	Chief Prosecutor	Chen,Tsung-Ming	1997/08/06~1999/04/29	
17	Chief Prosecutor	Shih,Mao-Lin	1999/04/29~2000/06/27	
18	Chief Prosecutor	Chu,Nan	2000/06/27~2001/04/27	
19	Chief Prosecutor	Wang,Tien-Cheng	2001/04/27~2003/07/31	

Precedence in office	Title	Name	Period in office	Notes
20	Chief Prosecutor	Chen,Shou-Huang	2003/07/31~2005/03/16	
21	Chief Prosecutor	Chiang,Hui-Min	2005/03/16~2007/04/12	
22	Chief Prosecutor	Chang,Tou-Hui	2007/04/12~2013/03/11	
23	Chief Prosecutor	Yang,Hsiu-Mei	2013/03/11~2016/07/18	
24	Chief Prosecutor	Chang,Hung-Mou	2016/07/18~2019/01/31	
25	Chief Prosecutor	Chen,Hung-Ta	2019/01/31~2020/03/13	
26	Chief Prosecutor	Mao,Yu-Tseng	2020/03/13~2021/05/05	
27	Chief Prosecutor	Huang,Mou-Hsin	2021/05/05 to present	



Section 5 List of Former Chief Secretaries

Precedence in office	Title	Name	Period in office	Notes
1	Head Clerk	Liu,Chin-Sheng	1968/10/21~1971/03/10	
2	Head Clerk	Lou,Jung-Chang	1971/03/08~1975/09/26	
3	Head Clerk	Fan,Yi	1975/09/25~1979/01/23	
4	Head Clerk	Lin,Yi-Chung	1979/01/23~1981/10/21	
5	Chief Secretary	Chang,Shang-Ta	1981/10/21~1985/07/02	
6	Chief Secretary	Peng,Mu-Ping	1985/07/04~1990/03/02	
7	Chief Secretary	Huang,Tang-Liang	1990/03/02~1997/10/09	
8	Chief Secretary	Li,Ching-Sheng	1997/10/09~1999/06/25	
9	Chief Secretary	Tang,Hui-Tung	1999/06/25~2000/09/13	

Precedence in office	Title	Name	Period in office	Notes
10	Chief Secretary	Lu,Tung-Jung	2000/09/13~2002/09/01	
11	Chief Secretary	Chang,Lung-Chih	2002/09/01~2011/01/16	
12	Chief Secretary	Chang,Kuang-Hsing	2011/02/09~2015/01/16	
13	Chief Secretary	Lin,Hsi-Mei	2015/02/17 to present	Concurrently handled by Clerk, Lin,Hsi-Mei, also acting as the Section Chief , from January 16, 2015 to February 17, 2015

Section 6 Business Evolutions

- I. Innovatively, an automatic loot identification system with wireless radio frequency was adopted, so as to improve the efficiency of loot storage management and ensure the safety of the loot.
- II. The digitization of public prosecution files was implemented, where paper files were scanned into PDF electronic files, and information security and personal data were strictly protected, so that through the application of the editing software, the efficiency of public prosecution could be enhanced, and the benefits of energy saving and carbon reduction could be achieved. In 2012 and 2013, certificates of ISO 27001 Information Security Management System were granted.
- III. Handling the sale realization of the seized property:
 - (I) In order to avoid the devaluation of the seized property due to relevant investigation procedures, thus affecting the rights and interests of the defendant, and impairing the effectiveness of the enforcement after a confirmed judgment, the sale realization of seized property was handled in accordance with the Matters for Attention in Handling Sale

Realization of the Seized Property during the Investigation of Criminal Cases by the Prosecutorial Authorities formulated by the Ministry of Justice.

- (II) On December 27, 2014, the Facebook Fan Page “Taichung District Prosecutors Office’s Auction” was set up to spread the auction information to friends who joined the fan page, and attract the general public to bid, and provide publicity.



“Taichung District Prosecutors Office’s Auction” -- Facebook Fan Page

- IV. “Investigation Data Analysis Team” was established to build various crime databases, use software to analyze information such as communication records, mobile phone numbers, vehicles, etc., to locate possible criminals, so that Prosecutors could draw up investigation plans and command the judicial police in handling cases.



Section 7 Excerpts of Major Cases

I. The case of auditorium collapse at Feng Yuan Senior High School

In 1973, Taiwan Provincial Feng Yuan Senior High School ("Feng Yuan High School") decided to build a teaching building for specific subjects, with classrooms on the first floor, and an addition on the top for use as the auditorium. First, Li, *-Jui Architects Firm was entrusted to supervise the design and construction. The construction was to be conducted in four phases, where all four phases of construction tenders were awarded to Changli Construction Company. The responsible people, the two brothers Wang, *-Chung and Wang, *-Jung, were in charge of planning the construction. In Phases 2 to 4 of the auditorium, Wang, *-Chung and Wang, *-Jung brothers even dared to implement the construction without following the drawings, and even violated the construction practices by cutting corners without authorization. Architect Li, *-Jui and Fu, * (the Head of the General Affairs Sub-Section of Feng Yuan High School, as well as a member of the Construction Committee) found out the cutting corners situation when inspecting the site, but they still had the inspection passed.

About one year after the auditorium was completed in 1977, rain began to leak into the building, due to poor roof construction. In 1983, Feng Yuan High School decided on a complete repair and entrusted architect Hsieh, *-Jung to change the design of the auditorium's roof, where the original flat rooftop was to be changed to a slope rooftop. According to the joint site survey by the Specialist Pan, *-Wu of the General Affairs Office, along with Director Wang, * of the Architecture Department of the Taiwan Provincial Taichung Industrial Senior High School, it was decided to keep the flat roof of the auditorium. Taking the opportunity, Pan, *-Wu recommended the First-Class Enterprise Limited Company (the "First-Class Co.") to undertake the auditorium leakage-proof project and also the heat-proof project. Chang, Wu-*, the responsible person of the First-Class Co., then ordered his brother



Chang, Chung-*, the Chief Engineer of the company, to draw the engineering drawing of the Auditorium project of Feng Yuan High School first. Such drawing was referred to by the architect Hsieh, *-Jung before he designed the rooftop change. It was decided to deploy retaining walls for water storage all around the roof, and set up four drainage outlets on the retaining walls to facilitate the drainage.

Later, the First-Class Co. was awarded the above-mentioned construction project. After officially starting construction, Chang, Chung-* and Chang, Wu-* even dared to implement the construction without following the drawings, and even violated construction practices by only installing two drainage outlets on the retaining walls, and lower edge of the outlets was even as high as 20 cm above the rooftop, thus causing the water accumulated to exceed that of the design water storage volume. Moreover, during the rainy season in summer, the level of water accumulated on the rooftop rose and the load-bearing weight increased tremendously. Limited by the ultimate strength of the original design, the rooftop of the auditorium was gradually damaged. On top of that, due to the insufficient lap joint of the reinforcing bars on the pillars of the auditorium and lack of bonding in the concrete, the partial building of the supporting structure of the steel truss and the reinforced concrete exceeded the allowable stress before the water started to accumulate on the building surface. Under the circumstance of overload of the water storage on the rooftop, some welds became damaged a lot earlier, resulting in the pool phenomenon. As well, due to the poor construction at the bottom of the pillar, the pillars on the south side were dragged down and collapsed, thus resulting in a major tragedy where 26 new students were crushed to death by the pillars and 84 people suffered minor or major injuries.

With Case No. (73)-Zhen-zi-4076, this case was investigated by the Prosecutor of the Taichung District Prosecutors Office, and the defendants Wang, *-Chung, Wang, *-Jung,



Chang, Chung-*, Chang, Wu-*, Li, *-Jui, Liu, *-Chiang, Sha, *-An, Tung, *-Chung, Huang, *-Shu, Hsieh, *-Jung, Pan, *-Wu, Kao, *-Yuan, Fu, *, Wang, * were prosecuted. Among the defendants, the four construction venders were suspected of causing the death of others due to business negligence, including Wang, *-Chung, Wang, *-Jung, Chang, Chung-*, and Chang, Wu-*, and were sentenced to imprisonment for three years and four months along with a fine of NTD 15,000, four years along with a fine of NTD 20,000, four years, and two years, respectively.

II. The fire instance of the Weierkang Club

In July, 1990, Chen, *-Chin organized and prepared for the establishment of the "Weierkang Club Limited Company" ("Weierkang Club") to run a restaurant business, who also arbitrarily expanded the business scope without authorization. Under his instruction for the decoration construction, the bar counter was set up on the first floor near the stairway entrance to the second floor, thus blocking the escape route in a fire. In addition, the area on the second floor facing Taichung Port Road was tightly blocked with safety glass. All the floor area was covered with carpet, and flammable materials such as plywood were dominantly adopted in the decorations. Moreover, under his instruction to the contracting installers, a 16-mm gas pipeline was privately buried from the inner pillar on the first floor to the bar area; however, no main gas switch was installed at the bar area for bar staff to timely turn off the gas to avoid major disasters. Meanwhile, two plastic hoses that were prone to cracking and melting by heat were installed as gas lines to supply gas to the upper four-port coffee stove and the middle two-port cooking stove on the bar counter. The two plastic hoses were even exposed in area susceptible to the gas flames and heat. The restaurant was already full of highly dangerous hazards by the time the decoration and equipment installation were completed.

The Weierkang Club was open 24 hours a day. A large pan on the two-port stove was



constantly used in boiling water and making desserts. The flame spread horizontally and continued to adversely impact the plastic hoses, causing the hoses to crack and harden. On the night of February 15, 1995, Lo, *-Tang and Ku, *-Chi did not pay attention to controlling the flame, and the flame under the pan continued to spread to worse the gas hoses. The hoses finally ruptured, and a huge amount of gas leaked. Fed by the gas as the fuel, the fire got even more intense and was continuously squirting, making an extremely powerful fire stream, igniting all flammable decoration equipment nearby. After more than ten seconds, due to the combustion in the leaked gas mixed with the air, a gas explosion erupted. Wu, *-Feng, Lo, *-Tang et al. fled from the scene one after another. Becoming aware of the fire, other employees and customers in the Weierkang Club fought to escape as well. Unfortunately, due to the blockade of access to the escape route, poor availability of the escape equipment, and lack of safety facilities, and because the gas was still in use in other kitchens, and the natural gas used by the restaurant spread upwards in no time, finally 64 people, including customers and employees, were killed, either by burn or by smoke; as well as many more others suffered minor or serious injuries. In addition, nearby the restaurant, three cars, 35 motorcycles, and two housing buildings were totally destroyed. This fire had caused terrible loss of lives and property.

After the incident, the defendants Lo, *-Tang, Ku, *-Chi, and Chen, *-Chin were informed by the Prosecutor to be detained and forbidden from meeting people for being suspected of committing serious crimes and acting in collusion (where the Prosecutor still had the detention right at that time). In order to find out whether there was any collusion between officials and businesses or any offense of malfeasance, on the afternoon of the same day, four Prosecutors along with their teams, respectively, searched the places including the responsible person Chen, *-Chin's residence, the Public Works Department of the Taichung City Government, the Chief Accountant Chang, *-Hsiu's residence, and the Fire Brigade, where the related evidence and



documents were seized, and the related persons were interrogated, etc. In the evening, the undertaking Prosecutor and his team went back to the fire scene to search for the three large vaults in the office on the third floor of Weierkang Club. The crimes of corruption, public danger, causing others' death due to negligence, embezzlement, and forgery of official documents, and violations of the Business Entity Accounting Act involved in this case were quite complicated. A total of 22 persons were prosecuted. Among the defendants, Chen, *-Chin was sentenced to imprisonment for five years and five months by the Taichung District Court; Huang, *-Tung to three years and three months; both Lo, *-Tang and Ku, *-Chi to three years and six months; Wu, *-Feng, Wang, *-Chen, Wu, *-Chang, and Liao, *-Yu to three years and two months; both Chen, *-Yu and Hsieh, *-San to five months; Hsieh, *-Chen to seven months; and Lai, *-Kuan was judged not guilty. After appealed by the Prosecutor, Taichung Branch Court of the Taiwan High Court revoked the previous sentence and Lai, *-Kuan was re-sentenced to imprisonment for seven months. However, Lai, *-Kuan appealed again, and the Supreme Court had the case sent back to a court of lower instance for retrial. The Taichung Branch Court of the Taiwan High Court ruled the appeal to be dismissed, and the sentence for Lai, *-Kuan was finalized. As for the civil servants charged, all were judged not guilty.

III. The 921 Major Earthquake

Since the major earthquake occurred on September 21, 1999, Taichung District Prosecutors Office had fully mobilized to examine the corpses of the victims since day one. By October 31, 1999, the mobilization included a total of 296 person-times of actions by Head Prosecutors and Prosecutors; 335 person-times by Clerks; and 230 person-times by Forensic Medical Examiners and volunteer forensic medical personnel; as well as the examination of 1,268 corpses. Shortly after the earthquake, under the prompt instruction of the Chief Prosecutor, the Deputy Chief Prosecutor immediately summoned all the Head



Prosecutors, Prosecutors, Clerks, and Forensic Medical Examiners, requesting all to stop taking leaves or vacations. In the face of multiple difficulties and challenges, such as the overwhelming number of remains from the earthquake, the road interruptions, power outage, inadequate freezers, insufficient autopsy certificates, difficult identification of the deceased; however, all the people still did their very best to complete the examination task.

In order to find out whether there were any criminal offenses to which the collapse of and damage to the buildings caused by the earthquake could be attributed, on the third day after the earthquake, the Taichung District Prosecutors Office started to investigate by district, whether any of the collapsed buildings were suspected of involving offenses against public safety, including violations of construction techniques and practices during the construction of these buildings. Meanwhile, related suspects were first restricted from leaving the country according to law, before the liabilities of the builders and related personnel were pursued. For any dangerous buildings that were about to be demolished, in order to effectively preserve the evidence, the Prosecutors were to complete the inspection as soon as possible before the demolition of the buildings, along with assistance from the personnel dispatched by the county and city governments, and experts appointed by the relevant recommended forensic units through coordination. Meanwhile, the Prosecutors also took evidence preservation measures, such as inspection, sample-taking, photo-taking, and video-filming, so as to control the timeliness of case handling. At that time, there were more than one hundred specific cases investigated, including the collapse of the following buildings: Dali Dynasty building in Dali City; the Xiangyang-Yongzhao building and the Zunlong building in Fengyuan City; the Phase-I and -II Dongshi Dynasty buildings in Dongshi Township; the building of the Rulin Garden Mansion in Dali City; the Yuanbaotian building in Taiping City; the Zhongzheng Square building in Wufeng Township; the Dadichengguo building in Taiping City; the Union Market



Taiwan Taichung District Prosecutors Office > Excerpts of Major Cases

building in Fengyuan City, the Golden Paris building in Dali City, etc.

In addition, the massive earthquake had caused damage to numerous roads, bridges, piers, underground pipelines, township offices, schools, government agencies, and other public buildings. Whether any of such damage involved any cutting corners in the building construction or any collusion between officials and businesses was also the focus of the investigation by the Taichung District Prosecutors Office. Accordingly, a total of 31 separate cases were numbered, which especially entailed inspection and surveys of the public works, including the important livelihood public facilities (e.g. oil, electricity and water facilities) and water conservancy facilities in various townships within the jurisdiction, as well as the office of Taichung District Prosecutors Office.

On September 25, 1999, the President of the Republic of China issued an Emergency Order in response to this major catastrophe. Under the direction of the Head Prosecutor of the Taichung District Prosecutors Office, the judicial police closely monitored whether there were any matters such as hoarding, price speculation, or illegal acquisition of subsidies and objects for earthquake relief, or illegal possession of victims' properties. Accordingly, a total of 14 cases including the defendant Chan, *, et al., were prosecuted for price speculation in accordance with Paragraph 1 of Article 11 of the Emergency Order. Meanwhile, false rumors were prevalent in society, such as "even greater earthquakes are coming" and "the incense are burning strongly for Mazu in Dajia." In order to calm down the public, Prosecutors had tracked down multiple sources of rumors, and relevant rumor spreaders were prosecuted for endangering public safety.



IV. The Citizen Protection Project

In September, 2007, the Prosecutors of the Taichung District Prosecutors Office sensed the escalated uses of pseudo accounts in related cases they handled, and numerous pseudo accounts involved the homeless and vulnerable people in the lower class of society. According to the preliminary analysis of the list of the homeless set up by the Social Affairs Bureau of Taichung City Government, the prosecutors investigators of Special Task Force of the Taichung District Prosecutors Office found that the misuse of “pseudo accounts of the homeless” was far more serious than they thought. They even took advantage of the deceased and disabled people without mobility, which led to a big loophole in society security. The influence involved social welfare system, financial order, social security, insurance system, legal order, and judicial accountability. In view of this, the Chief Prosecutor of the Taichung District Prosecutors Office instructed to form a “Citizen Protection Task Force” which included prosecutors and prosecutors investigators, to conduct a comprehensive filing system and analysis, respectively. Through systematic analysis, it was found that exploitation of the homeless were deployed in various crimes, which shaped an underground economy based on the homeless. For example, the homeless were first used as the pseudo life insured for insurance policies of insurance companies, and then crime groups faked car accidents to the homeless to claim insurance payments from insurance companies. The homeless were also used as the pseudo responsible persons in company setups, and such companies then fraudulently obtained loans from banks or private lenders, sold false invoices to facilitate taxes evasion of others, or defrauded vendors of goods for resale for profit. The homeless were also used as the pseudo applicants in credit card applications to banks for profit, as the pseudo holders of telephone numbers used by scamming groups, or as the scapegoats for illegal video-gambling businesses. On September 15, 2011, after multiple project meetings and consolidation of criminal data, a large-scaled “Citizen Protection Project” was initiated



for concurrent investigations. Subsequently, eight large cross-district and cross-national organized crime syndicates were cracked down on and stopped from supplying more candidates for pseudo accounts in facilitating criminal offenses in multiple locations. The money seized from these illegal crime syndicates was huge, ranging from tens of millions to billion NTD. The successive dismantlement of these organized crime syndicates had significantly influenced on and contributed to the maintenance of the national finance, financial transaction order, and social transaction order, as well as the eradication of human trafficking, and even the upholding of human dignity.

V. The case of "Prison in the Air"

Since August, 2010, Prosecutors of the "Special Team for Livelihood Fraud Crimes" of the Taichung District Prosecutors Office started to trace the case of the organized scam group nicknamed "Xiao-Lin" and discovered transnational scam webpages crimes. The Special Team then took the initiative to gather intelligence and led the investigation. After a comprehensive investigation of these mutually-dependent cross-strait and cross-national scam groups in Taiwan, China, Cambodia, Indonesia, etc., they apprehended suspects of the cross-border scam groups including computer system suppliers, scam computer centers, money transporters, and underground remittance groups. These suspects were transferred back to Taiwan in two charter flights on June 9, 2011. The media reported the case under the headline of "Prison in the Air". Based on the Cross-Strait Joint Crime-Fighting and Judicial Mutual Assistance Agreement, the prosecutorial and police cooperation across multiple legal jurisdictions had demonstrated an unprecedented success.

Cross-border scam marked an emerging type of elite white-collar crime, which featured a sophisticated organized crime involving complex division of work, cross-strait and foreign



affairs, and a highly professional internet management. Most judicial practitioners were unfamiliar with these fields, thus making evidence presentation and persuasion at the court hearing more difficult. By studying and analyzing the courts judgements and the pros and cons on evidence presentation of cross-national scam crimes cases in courts in recent years, the undertaking prosecutor in this case was able to master related internet and computer knowledge, and decided to focus the investigation on "Specified victims; Specified cyber interfaces; Specified scam computer centers." Hence, the prosecutor persuaded courts to support the applications to the court for communications surveillance orders and issue search warrants and detention orders. Meanwhile, the prosecutor made close cooperation with the liaison officers stationed abroad from the Criminal Investigation Bureau of the National Police Agency and formulated the operating process for evidence collection which was centered on the preservation of the evidence overseas. As such, the joint investigation and combating operations were finally completed. In this case, a total of 128 lines of mobile phones and IP addresses were under communications surveillance orders, a total of 77 locations were searched, and a total of 505 police officers were mobilized.

On June 9, 2011, the simultaneous joint operations for crime combating took place in the following countries (and regions): China, Taiwan, Cambodia, Indonesia, Thailand, and Malaysia (where China, Thailand, and Malaysia all handled the criminals on their own). In these joint operations, a total of 326 defendants were arrested with warrants, where 166 were ordered in detention by the court. With the subsequent investigation in a wider scope, Prosecutors Office untimely investigate 347 defendants, where 285 were prosecuted, one was given deferred prosecution, 59 were granted "not to prosecute," and two people were wanted. The magnitude of the investigation was unprecedented in the history of Taiwan's justice and public security.

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



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▲ The Chronicle of the Taiwan Taichung District Prosecutors Office

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