



Chapter 15

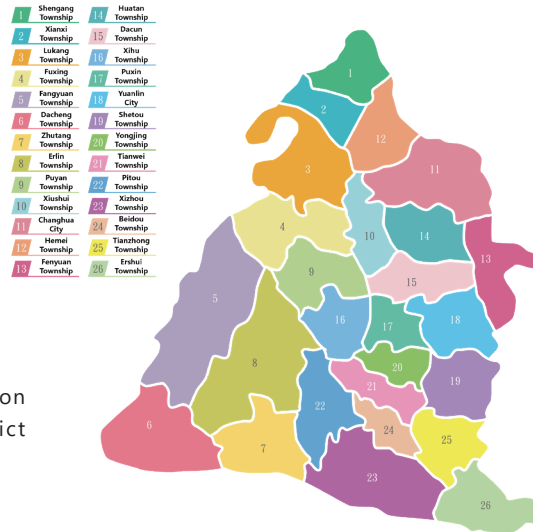
Taiwan Changhua District Prosecutors Office



Section 1 Historical Overview

During the Japanese Colonial Rule, judicial litigation cases in Changhua County were under the jurisdiction of the Taichung District Court. In July, 1968, the Executive Yuan approved the establishment of the Changhua District Court on October 14, 1968. After the separation of the court trial service and the prosecution service on July 1, 1980, the prosecution service was renamed as "The Department of Prosecution of the Taiwan Changhua District Court." On December 24, 1989, the prosecution service was renamed as "The Taiwan Changhua District Court Prosecutors Office" in conjunction with the amendment of the Court Organization Act. On May 25, 2018, it was again renamed as "the Taiwan Changhua District Prosecutors Office," in conjunction with the amendment of the Court Organization Act.

Section 2 Territorial Jurisdiction



Geographic Territorial Jurisdiction of the Taiwan Changhua District Prosecutors Office

Section 3 Office Buildings

I. Changhua Court of the Taichung District Court

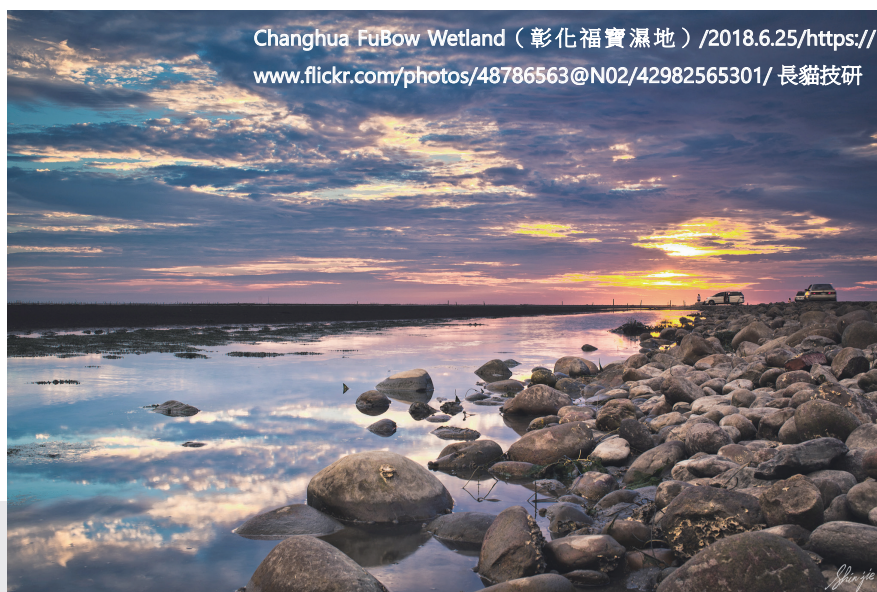
During the Japanese Colonial Rule, judicial litigation cases in Changhua were under the jurisdiction of the Taichung District Court. Due to the increase of lawsuits, it was proposed to establish the Changhua Court of the Taichung District Court, which was located in Yuanlin Township, Changhua County. The Yuanlin Township Office was responsible for the appropriation of land for the construction of the office. The construction was commenced in 1958 and was completed in April, 1959. The Changhua Court of the Taichung District Court was officially established on January 22, 1960; however, it only managed civil cases in Changhua's jurisdiction. It marks the first judicial authority in the Changhua County after the restoration of Taiwan.

II. Changhua District Court

Subsequently, the Changhua District Court was established, and the Civil Court, Criminal Court, and administrative units of the Court were temporarily located at the original site of the Changhua Court. The Prosecutors temporarily used the Changhua Detention Center as its office.

III. Joint office building of the Court and the Prosecutors Office

On August 2, 1968, the office building was contracted for construction, and on March 14, 1970, the construction was completed.



Section 4 List of Former Chief Prosecutors

Precedence in office	Title	Name	Period in office	Notes
1	Leading Prosecutor	Shih,Hsi-En	1968/10/12~1970/11/11	
2	Leading Prosecutor	Liu,Jih-An	1970/11/11~1973/03/26	
3	Leading Prosecutor	Chai,Tsung-Chuan	1973/03/26~1978/09/26	
4	Leading Prosecutor	Liu,Ching-Yi	1978/09/26~1981/09/29	
5	Leading Prosecutor	Chin,Yuan-Chieh	1981/09/29~1984/10/26	
6	Leading Prosecutor	Tsai,Chin-Fang	1984/10/26~1989/12/26	The title was changed to Chief Prosecutor on December 24, 1989
7	Chief Prosecutor	Tai,Yu-Shan	1989/12/26~1993/07/24	
8	Chief Prosecutor	Yeh,Chin-Pao	1993/07/24~1996/01/17	
9	Chief Prosecutor	Chen,Mu-Chuan	1996/01/17~1997/08/07	
10	Chief Prosecutor	Chen,Yao-Neng	1997/08/07~1999/04/27	
11	Chief Prosecutor	Wang,Tien-Cheng	1999/04/27~2000/06/27	
12	Chief Prosecutor	Hsieh,Jung-Sheng	2000/06/27~2001/04/27	
13	Chief Prosecutor	Lin,Chao-Sung	2001/04/27~2003/07/31	
14	Chief Prosecutor	Chang,Tou-Hui	2003/07/31~2005/03/16	
15	Chief Prosecutor	Chen,Jung-Tsung	2005/03/16~2007/04/12	
16	Chief Prosecutor	Shih,Liang-Po	2007/04/12~2009/07/01	
17	Chief Prosecutor	Cheng,Wen-Kuei	2009/07/01~2015/05/07	
18	Chief Prosecutor	Chang,Hung-Mou	2015/05/07~2016/07/18	
19	Chief Prosecutor	Huang,Yu-Yuan	2016/07/18~2019/01/31	
20	Chief Prosecutor	Hsu,Hsi-Hsiang	2019/01/31~2021/05/05	
21	Chief Prosecutor	Yu,Hsiu-Tuan	2021/05/05 to present	

Section 5 List of Former Chief Secretaries

Precedence in office	Title	Name	Period in office	Notes
1	Head Clerk	Chang,Yu-Hsiang	1968/10/12 ~ 1968/11/07	
2	Head Clerk	Yu,Chien-Fu	1968/11/11 ~ 1973/06/25	
3	Head Clerk	Lu,Yi-Min	1973/06/25 ~ 1978/10/06	
4	Head Clerk	Yang,Ke -Kai	1978/10/06 ~ 1982/01/16	
5	Chief Secretary	Hao,Chen-Kun	1982/01/16 ~ 1984/11/21	
6	Chief Secretary	Chen,Ching-Lai	1984/11/21 ~ 1990/01/23	
7	Chief Secretary	Ting,Pao	1990/01/23 ~ 1993/11/01	
8	Chief Secretary	Chen,Ching-Lai	1993/11/01 ~ 1995/03/17	
9	Chief Secretary	Lai,Che-Hsiung	1995/03/17 ~ 1996/05/01	Concurrently handled by Prosecutors
10	Chief Secretary	Chen,Tzu-Kuei	1996/05/01 ~ 2000/09/02	
11	Chief Secretary	Liao,Hsiu-Ching	2000/09/02 ~ 2001/07/09	
12	Chief Secretary	Wu,Tsui-Fang	2001/07/09 ~ 2001/11/01	Concurrently handled by Prosecutors
13	Chief Secretary	Chang,Hung-Mou	2001/11/01 ~ 2002/08/19	Concurrently handled by Prosecutors
14	Chief Secretary	Huang,Jung-Pin	2002/08/19 ~ 2008/03/02	
15	Chief Secretary	Tang,Hui-Tung	2008/05/20 ~ 2009/08/11	
16	Chief Secretary	Huang,Jung-Hsi	2009/08/17 ~ 2017/03/02	
17	Chief Secretary	Chen,Chi-Chuan	2017/03/02 to present	Concurrently handled by Prosecutor Investigator

Section 6 Excerpts of Major Cases

I. The incident of rice bran oil

In 1979, Changhua Oils Enterprise Co., Ltd. ("Changhua Oils"), located in Xihu Township, Changhua County, suffered a pipeline rupture due to the repetitive use of deodorizing equipment. The heating medium "polychlorinated biphenyls ("PCB")" leaked into the pipeline and contaminated the rice bran oil, which led to consumers' diseases such as skin acnes, immune system disorders, etc. According to the statistics after



the outbreak, more than 2,000 victims suffered from the contamination. The most shocking outbreak to society was the hundreds of teachers and students of the Hui-Ming School (a school for visually impaired students) in Daya, Taichung, that were collectively poisoned in June 1979. After the investigation by the health unit, and the sampling taken for inspection, PCB was confirmed to be the cause for the collective poisoning. Changhua District Prosecutors Office immediately assigned the case for investigation.

With the inspection technology available in Taiwan at the time, it was extremely difficult to test the suspected materials involved. Therefore, after being notified by the medical institution of the technical difficulties, the specimen was sent to Japan for identification by the Changhua County Public Health Bureau through the Department of Health of Taiwan Provincial Government, and only then was the cause of the poisoning identified. However, during the investigation process, the Changhua Oils tried to shirk its responsibility by blaming its dealer Fengxiang Oil Store ("FX

OIL”) alleging that FX OIL may have added industrial oil into the product for substantial profits. The responsible person of FX OIL sternly denied such allegation, stating that his whole family also developed skin lesions after the consumption of the rice bran oil, and it wouldn’t make any sense for the responsible person and his family members to consume the oil if knowing the industrial oil was added. After the second assessment report was released, the situations of the case were immediately clarified. Based on such report, the Prosecutor had Chen, *-Ting and Huang, *-Lung, the responsible person and the General Manager of the Changhua Oils, as well as Liu, *-Kuang, the responsible person of FX OIL, were prosecuted for being suspected of committing the offense of intentionally causing serious bodily injuries to others. The court of first instance also sentenced the defendants to imprisonment for 10 years. After appeals by the defendants, the Taichung Branch Court of the Taiwan High Court sentenced Chen, *-Ting, the Chairman of the Changhua Oils, to imprisonment for five years for causing death of others due to business negligence. The case then went through a vexatious suit, and even at the retrial of first instance, Chen, *-Ting was still sentenced to imprisonment for four years and six months. And at the retrial of second instance, the case of Chen, *-Ting was ruled dismissed due to his death. Sentences for Huang, *-Lung, the General Manager of the Changhua Oils, and Liu, *-Kuang, the responsible person of FX OIL, remained the imprisonment for four years and six months, respectively. As for the civil litigation, Liu, *-Kuang was responsible for a high amount of compensation, as per the court judgement. However, no one was able to receive such compensation. With the death of the responsible person of the Changhua Oils, Chen, *-Ting, the rice bran oil case that greatly upset society was gradually forgotten by the public.

II. The corruption case of the Fourth Credit Cooperative of Changhua

On August 2, 1995, the Ministry of Finance announced the closing of the Fourth Credit Cooperative of Changhua ("FCCC") for internal settlement. The Taiwan Cooperative Bank took over the FCCC, and froze withdrawals, deposits, etc. of the FCCC. The news was like a sudden thunderbolt from the blue instantly knocking down the confidence of the depositors; hence, a full-scale bank run emerged.

The Changhua District Prosecutors Office immediately assigned the investigation for the FCCC case. The Prosecutors formulated the investigation strategy, while commanding the Central Mobile Group (now renamed "Central Mobile Team") of the Investigation Bureau of the Ministry of Justice, the Changhua County Field Office, etc. to conduct relentless investigations, searches for evidence, and daily analyses, so as to digest the files and evidence obtained from the investigation on the day, and facilitate the next step of the investigation and measures. Meanwhile, a special person was designated to be responsible for subpoenaing and arresting the relevant persons with warrants. Ultimately, the investigation of the case was able to be completed promptly in about five weeks.

In this case, Yeh, *-Shui, the General Manager of the FCCC, and Lai, *-Teng, Chairman of Supervisors, and Hsu, *-Shun, et al., were suspected of engaging in Category C advances in 1988, through the Rifeng Securities Co., Ltd. ("RIFENG") which they jointly established. However, due to insufficient funds, as well as capital needs for their personal stock transaction, they even forged loan applications, promissory notes, and checks, etc., applying to the FCCC for a total of NTD 8,827,720,000 (based on the calculation on October 29, 1992). In addition, in order to respond to the temporary withdrawal of funds by the lenders for the Category C advances, they forged the employees' deposit and withdrawal slips, and embezzled cash of the FCCC without authorization, thus being suspected of violating the Securities and Exchange Act, and committing the offences of counterfeiting securities, forgery, and breach of trust.

After considering the various motives and circumstances of each accused, the Prosecutor of the Changhua District Prosecutors Office decided not to prosecute those staff of the FCCC, who

could not help but record false contents in the business documents under the instruction of and in coordination with their supervisors, out of necessity for their livelihood, so as to give them a chance to make a clean start.

The main suspects Yeh, *-Shui et al., were prosecuted according to the law and the court was requested to impose severe punishments on these people. After trial by the Taichung Branch Court of the Taiwan High Court, the accused main suspects Yeh, *-Shui et al., were sentenced to imprisonment for eight years for severe punishment. In Judgement No. (90)-Tai-Shang-zi-2185 by the Supreme Court, the appeal was dismissed, and the case was finalized.

III. The murder case committed by Huang, *-Wang where the victim was buried alive

The election of the general manager of the 13th Farmers' Association was held in February, 1997, and the competition among the candidates for the Farmers' Association of Fangyuan Township of Changhua County was fierce. Both Chen, *-Tsan and Lin, *-Shang were both supported by Huang, *-Wang and both interested in running for the office. The two sides were compatible in terms of their people contact and strength, and both candidates were determined to win the election; therefore, two opposite factions were as incompatible as fire and water.

On January 31, 1997, the supporters of Lin, *-Shang, namely, Cheng, *-He (a nephew of Lin, *-Shang, nicknamed "Lahsi"), et al., along with Hung, *-Hsing (another candidate running for representative of the Farmers' Association, who was in the same faction as Cheng, *-He), tried to solicit voters' support in their residence in Fangyuan Township, Changhua County. At that time, they ran into Lin, *-Tien, a supporter of the faction of Chen, *-Tsan. Cheng, *-He asked Lin, *-Tien to support the faction of Lin, *-Shang instead, but was refused by Lin, *-Tien. Next, Cheng, *-He made his intention known to others that something adverse would happen to Huang, *-Wang. The word was spread to the ear of Huang, *-Wang who then gathered his fellows, including Huang, *-Chu and many others, together armed with one scattergun and

three standard handguns, chasing after Cheng, *-He and forcefully taking Cheng, *-He into their car. Then Cheng, *-He was detained in a building adjacent to a fish pond in Fangyuan Township, Changhua County, On the early morning of February 1, 1997, Huang, *-Wang et al. covered Cheng, *-He's eyes with opaque tape, escorted him into their car, drove him to the ridge in a field in Fangyuan Township, Changhua County where people could not easily go. In there, Cheng, *-He was wrapped with a nylon rope around his neck, and entered into a swoon state after the rope was tightened around his neck. While fainted without struggling, Cheng, *-He was pushed into a hole dug by Huang, *-Wang, et al., and buried alive. Finally, Cheng, *-He suffocated and died. This case marks the first shooting and murder case in Taiwan, resulting from the election of the general manager of the Farmers' Association, which shocked the whole nation at the time. Under the direction of the Prosecutor of the Changhua District Prosecutors Office, at around 10 p.m. on March 30, 1997, Huang, *-Wang was arrested and the case was solved.

This case had developed into a vexatious suit for many years. Numerous trials at the court had all rendered judgements sentencing Huang, *-Wang to death. However, Huang, *-Wang had always denied his offense. It was not until the retrial of the eighth instance of the Taichung Branch Court of the Taiwan High Court that Huang, *-Wang finally admitted to committing the private detention and murder of the victim. Huang, *-Wang then applied to the court for reduction of penalty on the ground of the eight-plus-years of vexatious suits in accordance with the Criminal Speedy Trial Act. Nevertheless, the trial judge held that although Huang, *-Wang had already paid NTD 6 million compensations to the family of the deceased, and had converted to Buddhism and transcribed scriptures in prison in recent years, Huang, *-Wang had the criminal records of killing Hsieh, *-Yun and others, and escaping from the prison. Moreover, Huang, *-Wang had constantly denied his offenses till the retrial of the seventh instance. Considering all factors, the court did not believe that Huang, *-Wang really regretted his offences. Therefore, Huang, *-Wang was sentenced to death and the case was finalized. On June 4, 2015, the execution order for Huang, *-Wang's death penalty was approved by the Minister of the Ministry of Justice, and on June 5, 2015, Huang, *-Wang was executed at Taichung Prison immediately after he filed an extraordinary appeal which was dismissed.



IV. The largest case of cash bribery in Taiwan history, committed by Town Mayor Hsu, *-Tsung of Yuanlin Township, involving the election of the President and Vice President of the R.O.C. (Taiwan)

Later in 2000, during the election of the 10th President and Vice President of the R.O.C., due to the fierce competition among the candidates, Hsu, *-Tsung and Chang, *-Chuan (i.e. the Deputy Magistrate of Changhua County and the former 9th Town Mayor of Yuanlin Township), Hsieh, *-Yu (i.e. Director of the Party Headquarters of Kuomintang ("KMT") in Yuanlin Township), et al., sought the successful election outcome for the Presidential and Vice Presidential candidates "Lien, Chan and Siew, Wan-Chang" who were nominated by the KMT. Accordingly, Chang, *-Chuan received a huge amount of cash (roughly estimated at about NTD 20 million) to be used for election bribery through unknown channels. Since March 10, 2000, Hsu, *-Tsung and Hsieh, *-Yu had mobilized numerous Chiefs of Villages and Neighborhoods, or other vote brokers from top to bottom through the governmental and political party systems of Yuanlin Township, to conduct large-scale election bribery towards those people eligible to vote in Yuanlin Township, at the cost of NTD 300 per vote.

These bribery deeds were revealed because of the report made by one citizen to the police when the citizen discovered on March 16, 2000 that the Chief of the Neighborhood where he resided was bribing the residents with cash, residence by residence. This citizen lived in 17th Neighborhood of Minsheng Village of Yuanlin Township, and worked in the credit investigation industry. Subsequently, the case was transferred to the Changhua District

Prosecutors Office for investigation. After several months of laborious tracing upstream, the Prosecutors tracked down numerous vote brokers in the middle stream and upstream, and finally prosecuted more than 200 defendants, including Hsu, *-Tsung, et al. (where more than 40 of them were the incumbent Chiefs of Villages and Neighborhoods). This case of cash bribery involving the election of the President and Vice President had set unprecedented records for the number of defendants, the levels and rank of the political figures involved, and the amount of bribery.

Chang, *-Chuan, the orchestrator behind this case absconded to the United States and Canada after the incident. Although he was wanted by the Changhua District Prosecutors Office and his passport was annulled and revoked by the Ministry of Foreign Affairs, Chang, *-Chuan remained stranded overseas, and had never returned to Taiwan or been made to report to the court. In 2012, the period of limitation of the prosecution expired, and the case against Chang, *-Chuan was ruled for “not to prosecute.” As for Hsu, *-Tsung, he was finally sentenced to imprisonment for one year and six months, along with the deprivation of his citizen rights for three years. After fully serving his sentence, Hsu, *-Tsung left the political arena and relocated to China for business.



V. The cases of adulterated oil committed by Chang Chi Foodstuff Factory and Flavor Full Foods

(I) The case of adulterated oil committed by Chang Chi Foodstuff Factory

*I*n October, 2012, the Changhua County Public Health Bureau (“CCPHB”) and the Department of Health of Taipei City Government received telephone reports which stated that the “100% Premium olive oil” manufactured by Chang Chi

Foodstuff Factory Co., Ltd. ("Chang Chi Foodstuff") was adulterated with impure ingredients and suspected of being mixed with low-quality oils. The Chang Chi Foodstuff's oil products were inspected by the health authority and then the CCPHB was to trace the source factory manufacturing the adulterated oils. Accordingly, the CCPHB conducted several administrative auditing and spot inspections of the oil products at the Chang Chi Foodstuff. However, solid evidence still could not be grasped. During the auditing process, the investigation was also constantly hindered by Kao, *-Li, the responsible person of the Chang Chi Foodstuff who was equipped with solid political-business, as well as interfered with by highly-concerned local elected representatives. Therefore, the CCPHB sought the Changhua District Prosecutors Office to intervene in the investigation.

Before conducting a search for this case, the Prosecutor disguised as a tourist, visited and took photos at the Chang Chi Foodstuff's sightseeing factory in Lukang, while consulting with his friends in the oil-making industry to learn about various related knowledge about cold pressing, hot pressing, oil colors, etc. In addition, the Prosecutor probed Kao, *-Li's reputation in the industry and analyzed the related import and sales information. It was found that the ratio of the volume of the olive oil imported by the Chang Chi Foodstuff was one third of the volume of the final packaged oil, which was considered an abnormality, based on which along with reference to the inspection report previously provided by the CCPHB, an application was made to and approved by the Taiwan Changhua District Court for a search warrant.

On October 16, 2013, a total of about 80 people were mobilized, led by the Head Prosecutor and Prosecutors of the Changhua District Prosecutors Office, together with the Clerks, as well as the personnel from CCPHB and the National Taxation Bureau of the Central Area of the Ministry of Finance, to conduct a joint search and audit at the plant of the Chang Chi Foodstuff. Four barrels of "copper chlorophyll" for color modulation were seized in the corner of the Formula Blending Room on the second floor, whereas the Formula of Oil Products (i.e. the most critical evidence in this case) was found in an inconspicuous corner. The Formula of Oil Products was the written summary information determining the contents of the oil products by Kao, *-Li and Wen, *-Pin, the Chief of the Formula Blending

Office, which detailed the real formula and ingredient ratios of dozens of oil products in the handwriting of Kao, *-Li. It proved that the so-called “100% Premium olive oil” was actually adulterated with inferior oils. Meanwhile, the Prosecutor also broke through the staff’s guard and had the key oil adulteration method. At this point, Kao, *-Li had no choice but to plead guilty. On October 25, 2013, just 10 days after the search had conducted, the investigation of the Chang Chi Foodstuff case was concluded and the suspects were prosecuted. This case marks the first case, among major livelihood cases, that was concluded in the shortest time period. The Changhua District Court of first instance sentenced Kao, *-Li to imprisonment for 16 years, and Wen, *-Bin et al. to one year and 10 months along with suspension of punishment for five years. At the trial of second instance for the appeal, the Taichung Branch Court of the Taiwan High Court informed of the jurisdiction error and the case was transferred to the Intellectual Property Court for trial, where Kao, *-Li was sentenced to imprisonment for 12 years, and Wen, *-Bin et al., were sentenced to one year and six months along with suspension of punishment for five years.

(II) The case of adulterated oil committed by Flavor Full Foods

After the exposure of the case of the Chang Chi Foodstuff’s adulterated oil products mixed with low-priced cottonseed oil, the Taiwan Food and Drug Administration of the Ministry of Health and Welfare continued to intensively track down the flow of imported cottonseed oil domestically. After comparing the related import declaration materials, it was found that Flavor Full Foods Inc. (“FFF Inc.”) was the company importing the largest quantity of cottonseed oil to Taiwan. On October 21, 2013, the CCPHB conducted an audit in the factory of FFF Inc. After comparing the incoming and outgoing documents of the oil products and inventory of the factory, it was found that FFF Inc. was also suspected of adulterating oil products mixed with low-priced cottonseed oil, and the Changhua District Prosecutors Office was immediately notified of the abnormal practice.

After receiving the report, the Prosecutors, Prosecutors Investigators, and the judicial police (officers) of Changhua District Prosecutors Office, along with the personnel from the CCPHB, conducted a site inspection at the plant of FFF Inc. where the Formula of Oil Products, and the

change of the product formula or the newly added internal review forms were seized. After analyzing and comparing the seized data by the case handling team, a search was conducted again at the factory of FFF Inc. where 18,410 kilograms of "Premium Black Oil," etc. were seized (the "Premium Black Oil" was squeezed from the fried and charred corn germ as the raw material). According to the investigation, it was found that three types of black sesame oil, namely "100% High-class black sesame oil," "100% Premium black sesame oil," and "100% Top black sesame oil" produced by FFF Inc. were respectively mixed with 37%, 28%, and 5% of cheaper yellow sesame oil and 1.2%, 4%, 1.1% Premium black oil, so as to reduce costs and blacken the sesame oil for huge profits.

On October 31, 2013, the Prosecutor of the Changhua District Prosecutors Office found that FFF Inc. was suspected of violating the Act Governing Food Safety and Sanitation and committing the offense of fraud under the Criminal Code, and Chen, *-Nan and Chen, *-Li (respectively the responsible person and the Technical Director of the FFF Inc.), et al., were prosecuted. The Changhua District Court of first instance sentenced Chen, *-Nan and Chen, *-Li to imprisonment for one year and four months, respectively, along with suspension of punishment for two years, whereas all the rest of the accused personnel were judged "not guilty." Finally, at the appeal trial of second instance, Chen, *-Nan and Chen, *-Li were both re-sentenced to one year and 10 months, respectively, along with suspension of punishment for four years. All appeals made for the rest of the accused personnel were dismissed.



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



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▲ The Chronicle of the Taiwan Changhua District Prosecutors Office

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