

# Chapter 19

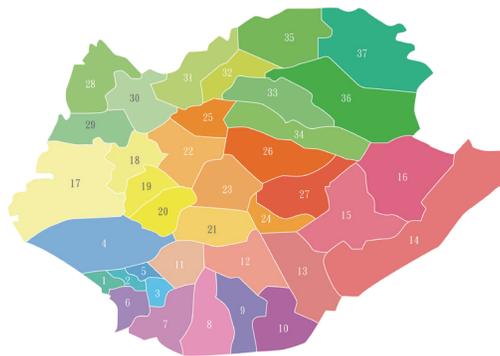
## Taiwan Tainan District Prosecutors Office



### Section 1 Historical Overview

The Taiwan Tainan District Prosecutors Office originated from the Tainan Prosecution Bureau under the “Tainan Branch of Taiwan Governor-General Office” during the Japanese Colonial Rule. After the retrocession of Taiwan in 1945, it was renamed the “Tainan District Prosecutors Department.” On December 24, 1989, this Tainan Prosecutors establishment was renamed the “Taiwan Tainan District Court Prosecutors Office” in conjunction with the amendment of the Court Organization Act. On May 25, 2018, it was again renamed the “Taiwan Tainan 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



17 Anging District	40 Guanniao District	17 Qigu District	24 Xinying District	33 Liuying District
22 West Central District	41 Longqi District	18 Jiuli District	25 Guantian District	34 Lijia District
23 East District	42 Yongkang District	19 Xigang District	26 Danei District	35 Houbi District
24 Annan District	43 Xizhuo District	20 Anding District	27 Beimen District	36 Dongshan District
25 North District	44 Zuozhen District	21 Xindih District	28 Jianguan District	37 Bahe District
26 South District	45 Nanhua District	22 Maotou District	29 Xuejie District	
27 Bende District	46 Yujing District	23 Shahuo District	30 Henshui District	
28 Guiren District	47 Nanxi District	24 Shanshang District	31 Xinying District	
	48	25	32	

Geographic Territorial Jurisdiction of the Taiwan Tainan District Prosecutors Office

## Section 3 Office Buildings

### I. The original office building

Since the original office building was destroyed by the Allied Forces during World War II, the Tainan District Prosecutors Office temporarily used the rooms of the Tainan District Court after the retrocession. This building was a former residence of Mr. Lien, Heng, a historian, which was designed by Moriyama Matsunosuke, a Japanese national. Because of its western-style cupola, this building is currently listed as Class-II national historical site. In July, 1953, the first floor of the office building located at No. 305, Section 1, Fuqian Road, Tainan City was completed. In 1978, in order to improve the office environment, it was decided to renovate the building into a three-story office building, and the construction was completed by the end of 1980.

### II. The newly built office building

In 1994, due to the rapid increase in personnel and businesses, the office space was no longer sufficient. An effort was made to get approval from the superior authority to acquire land for the construction for a new office building; subsequently, the new office was completed in 1999. The construction was accepted and the building was opened for use in 2000, which remains the office building for Tainan District Prosecutors Office to this day.

### III. Xinying Branch Office

In order to strengthen the measures for the public's convenience, the Xinying Branch Office was established at No. 76, Datong Road, Xinying District, Tainan City. The office building was mainly made of reinforced concrete with one floor underground and two floors above ground.



The current office building of the Tainan District Prosecutors Office

## Section 4 List of Former Chief Prosecutors

Precedence in office	Title	Name	Period in office	Notes
1	Leading Prosecutor	Wu, Yun-Chou	1945/12/14~1946/03/05	
2	Leading Prosecutor	Hsu, Lu-Tang	1946/03/05~1946/03/27	
3	Leading Prosecutor	Chen, Chang-Sheng	1946/03/27~1947/05/23	
4	Leading Prosecutor	Hsieh, Chung-Tang	1947/05/23~1951/06/06	
5	Leading Prosecutor	Tsao, Wei-Hsiu	1951/06/06~1953/06/01	
6	Leading Prosecutor	Nieh, Chen-Hsun	1953/06/01~1955/05/01	
7	Leading Prosecutor	Liang, Yi-Ching	1955/05/01~1959/01/16	
8	Leading Prosecutor	Tien, Chi-Chi	1959/01/16~1963/09/21	
9	Leading Prosecutor	Lo, Tsui-Ju	1963/09/16~1970/09/05	
10	Leading Prosecutor	Chang, Yao-Hai	1970/09/05~1973/06/26	
11	Leading Prosecutor	Shao, Pin-Ju	1973/06/26~1978/09/27	
12	Leading Prosecutor	Chai, Tsung-Chuan	1978/09/27~1982/11/08	
13	Leading Prosecutor	Tan, Lai-Yeh	1982/11/09~1984/08/26	
14	Leading Prosecutor	Chin, Yuan-Chieh	1984/10/26~1986/07/24	
15	Leading Prosecutor	Huang, Chin-Chen	1986/07/25~1990/02/03	The title was changed to Chief Prosecutor on December 24, 1989
16	Chief Prosecutor	Wu, Ying-Chao	1990/02/03~1992/05/28	
17	Chief Prosecutor	Cheng, Tseng-Tung	1992/05/28~1993/07/30	
18	Chief Prosecutor	Tseng, Yung-Fu	1993/07/30~1996/01/20	
19	Chief Prosecutor	Fang, Wan-Fu	1996/01/20~1999/04/28	

Precedence in office	Title	Name	Period in office	Notes
20	Chief Prosecutor	Chen,Ching-Pi	1999/04/28~2000/06/27	
21	Chief Prosecutor	Lin,Chao-Yang	2000/06/27~2001/04/27	
22	Chief Prosecutor	Lin,Ling-Yu	2001/04/27~2003/07/31	
23	Chief Prosecutor	Liu,Wei-Tsung	2003/07/31~2005/03/16	
24	Chief Prosecutor	Chu,Chao-Liang	2005/03/16~2007/04/12	
25	Chief Prosecutor	Tsai,Jui-Tsung	2005/04/12~2009/06/08	
26	Chief Prosecutor	Yang,Chih-Yu	2009/07/01~2010/07/28	
27	Chief Prosecutor	Chou,Chang-Chin	2010/07/28~2013/03/11	
28	Chief Prosecutor	Fei,Ling-Ling	2013/03/11~2015/05/07	
29	Chief Prosecutor	Chang,Wen-Cheng	2015/05/07~2018/07/09	
30	Chief Prosecutor	Cheng,Ming-Chien	2018/07/09~2019/01/31	
31	Chief Prosecutor	Lin,Chin-Tsun	2019/01/31~2020/03/13	
32	Chief Prosecutor	Yeh,Shu-Wen	2020/03/13 to present	



## Section 5 List of Former Chief Secretaries

Precedence in office	Title	Name	Period in office	Notes
1	Head Clerk	Li,Chin-Hua		
2	Head Clerk	Yu,Chien-Fu	1973/06/25~1978/10/02	
3	Chief Secretary	Lu,Yi-Min	1978/10/06~1982/11/18	
4	Chief Secretary	Chen,Chih-Lien	1982/11/18~1984/11/21	

Precedence in office	Title	Name	Period in office	Notes
5	Chief Secretary	Hao,Chen-Kun	1984/11/21~1986/08/22	
6	Chief Secretary	Lu,Shui-Sen	1986/08/22~1990/02/22	
7	Chief Secretary	Lu,Tung-Jung	1990/02/22~1992/08/01	
8	Chief Secretary	Lin,Tien-An	1992/08/01~1993/09/04	
9	Chief Secretary	Huang,Ching-Chih	1993/09/23~1996/03/25	
10	Chief Secretary	Yu,Chien-Fu	1996/06/01~1998/07/16	
11	Chief Secretary	Lin,He	1999/07/01~2001/07/01	
12	Chief Secretary	Li,Shu-Mei	2001/07/01~2003/09/22	
13	Chief Secretary	Chan,Chung-Chien	2003/09/22~2005/05/16	
14	Chief Secretary	Wu,Chin-Chen	2005/05/16~2013/09/10	
15	Chief Secretary	Li,Shu-Mei	2013/09/10 to present	

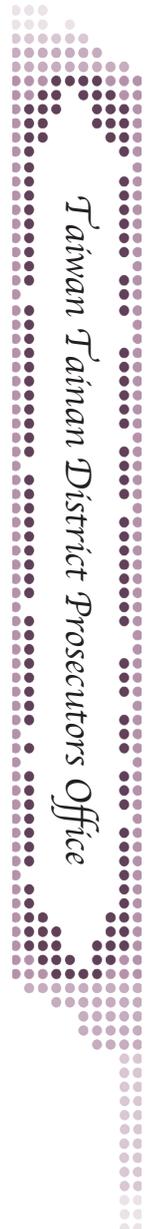
## Section 6 Business Evolutions

- I. On April 1, 2009, the "Methods for Safeguarding Justice in Fair Ball Games with the Participation by Prosecutors of the Prosecutors Office of the Taiwan Tainan District Court" was formulated. In cooperation with the Chinese Professional Baseball League, Prosecutors took turn on duty in supervising the games, so as to ensure the fairness of the game and prevent match-fixing or throwing a game.
- II. In order to maintain the dignity of the deceased and make the deceased's families feel being cared for, as well as to prevent its colleagues performing the procedures from being contaminated by the virus, on May 12, 2009, the "Forensic Examination and Autopsy Center"

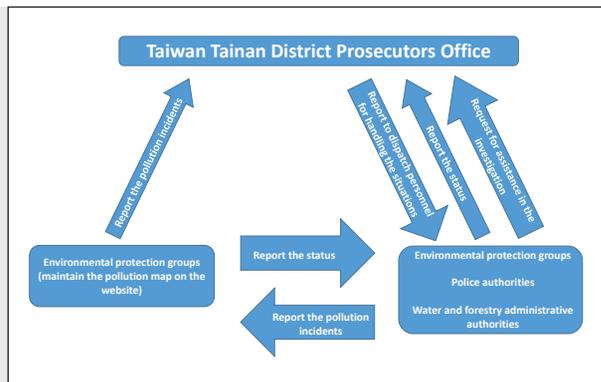


Tainan Autopsy Center

was established and put to use in the Tainan City Mortuary Services Office, in cooperation with Tainan City Government, which was the domestic center closest to the standards of the World Health Organization.



III. In order to effectively prevent environmental crimes, an alliance mechanism for the prevention and control of environmental crimes was launched, and a "Pollution Map in Tainan Area" was formulated. On February 7, 2007, the Prosecutors along with environmental protection authorities, police authorities, and environmental protection groups held an oath-taking ceremony and signed the oath, forming a report system of the environmental alliance.



Operation modes of the alliance for the prevention and control of environmental crimes

IV. Under the instruction of the former Minister Shih, Mao-Lin of the Ministry of Justice, contact centers for government ethics affairs in the respective jurisdictions should be set up in the Government Ethics Division of District Prosecutors Offices nationwide. Presently, on August 1, 2005, the Government Ethics Affairs Contact Center of the Tainan Region was officially established, which was the first regional center of its kind in Taiwan.



## Section 7 Excerpts of Major Cases

### I. The car accident case involving Wu, \*-Chen

On November 18, 1985, Chen, \*-Bian, who just failed to be elected as the mayor of Tainan County, together with his wife Wu, \*-Chen and his electioneering personnel Yu, \*-Chu, expressed their gratitude towards voters on foot along Zhongzheng Road, Guanmiao Township, Tainan County. At the time, a brick-and-tile carrier Chang, \*-Tsai happened to drive by that area in an assembled 5-wheel vehicle without license after his work. Seeing a big crowd ahead of him, Chang, \*-Tsai made a left turn, entered into the alley, and tried to avoid the crowd. However, being careless, Chang, \*-Tsai failed to hold the brake. Chang first overtook Yu, \*-Chu from the rear, then hit Wu, \*-Chen. As a result, Yu, \*-Chu suffered injuries of pelvic rupture and pubic bone fracture, whereas Wu, \*-Chen suffered left scapula fragmentation, fracture on her second, third, and fourth ribs, paralysis and loss of algesia from the breast down below.

On November 20, 1985, the investigation of this case was concluded. In Indictment No. (71)-Zhen-zi-10379, Chang, \*-Tsai was prosecuted for negligently causing injury to others. The complainant Chen, \*-Bian pointed out the following: his drinking water was once poisoned; during the election campaign, his electioneering personnel Yu, \*-Chu couple once had a car accident in Xinhua; Chen, \*-Bian's mother-in-law once received an anonymous letter of accusation on November 15, 1985; and hence, Chen, \*-Bian stated that Chang, \*-Tsai intended to impose on him the distress of losing his wife by backing his vehicle over Wu, \*-Chen's body before hitting Wu. As for the allegation of Chang, \*-Tsai committing the murder intentionally, based on the related eye witnesses and physical evidence, neither the defendant's motives or actions to kill could be proved.



On January 29, 1986, the complainants Chen, \*-Bian and Yu, \*-Chu withdrew their complaints. On January 31, 1986, in Judgement No. (71)-Jiao-Yi-zi-129 by Taiwan Tainan District Court, awarded the case not entertained.

## II. The case of election bribery committed by Wang, \*-Fu (the case of election bribery involving the largest number of persons)

In early 1995, Wang, \*-Fu intended to run for the election of the 3rd legislators. In February, 1995, he instructed Chen, \*-Lin to recruit election affairs personnel for preparation and planning for the election. He also handed over Chen, \*-Lin a list of voters when he ran for the same position three years ago. This list was then re-organized rested on different administrative districts, and moreover, based on the administrative districts and villages of Tainan City, secretaries were set up to be responsible for visiting voters, collecting voters' information, and etc. At his campaign offices, working personnel were successively set up, where Chen, \*-Lin and Lin, \*-Ping were served as the Executive Officer and Deputy Executive Officer, in charge of the selection and appointment of Confidential Secretaries and Secretaries in each district, as well as for the recruitment and management of electioneering personnel. Su, \*-Yueh was served as the Accountant, responsible for handling various expenses of election campaigns, election bribery activities, and paying salaries to the staffs. Gradually other working personnel were recruited

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## Taiwan Tainan District Prosecutors Office > Excerpts of Major Cases

into the team and were jointly involved in the election affairs at Wang, \*-Fu's campaign headquarter.

One day in mid-November, 1995, Wang, \*-Fu was eager to be elected. After his evaluation, with a mens rea to conduct election bribery, he instructed Executive Officer Chen, \*-Lin to conduct an election bribery in full range. Chen, \*-Lin then invited staffs at the campaign headquarter, Confidential Secretaries and Secretaries of various districts, and vote brokers in each village to join the election bribery, thus formed a comprehensive election bribery organization. Based on a general mens rea in collectively conducting election bribery, they shared the election bribery work as a whole. Chen, \*-Lin promptly handed over voters' information, including voters who strongly supported Wang, \*-Fu and general voters, to the staff for them to compile the information and sort out the targets of election bribery. After statistical calculation of the approximate number of voters who can be bribed, the statistics was submitted to Wang, \*-Fu for Wang to decide how to proceed. Each voter would be handed a bribe in the amount of 500 NTD. As for those voters listed with higher willingness to support, i.e. playing the role of a "vote broker", Su, \*-Yueh would compile the list accordingly for Wang, \*-Fu to decide about the additional bribes as a reward to those "vote brokers", so as to strengthen their support for Wang, \*-Fu. In principle, the distribution of bribes was based on the number of voters that the "vote borkers" could recruit. Those who could recruit more than 50 people would receive an 3,000 NTD bonus, and those who could recruit more than 30 people would receive an 2,500 NTD bonus. On the afternoon of November 29, 1995, Wang, \*-Ya carried the "vote brokers' fees" and the "election bribes," and planned to go to various villages in Anping District to distribute the bribes. Near the Rubber Factory of the Combined Logistics Command on Anping Road in Tainan City, Wang, \*-Ya was seized on the spot by the Prosecutors of Tainan District Prosecutors Office, along with the investigators, while the they were inspecting election bribery cases. At around 7 p.m. of November 29, 1995,



materials related to the election bribery were seized at Wang, \*-Fu's campaign headquarter and the residence of the staff.

A total of 6,997 people were involved in this case, of whom 5,926 were prosecuted by the Prosecutor of Tainan District Prosecutors Office, whereas 1,071 were determined for not to prosecute.

### III. The case of fraud committed by Liao, \*-Pen

Liao, \*-Pen had been elected as legislator for several terms. In 2000, after learning that Chi Mei Optoelectronics Corporation ("CMO" Company) was about to increase its capital and issue company shares, with the intent of profiting himself, Liao, \*-Pen expressed to Hsu, \*-Lung, the Chairman of CMO Company, his intent of buying about 3,000 to 5,000 lots of the then non-public stock shares (1 lot = 1,000 shares) of the CMO Company many times. However, Hsu, \*-Lung had refused all of Liao, \*-Pen's requests face-to-face.

After being rejected, Liao, \*-Pen, together with Chiang, \*-Chun and Li, \*-Te, with a general mens rea to collectively exert counterfeit stock shares of CMO Company, both Liao, \*-Pen and Chiang, \*-Chun claimed to others that the shares of CMO Company held in their hands were attributable to favors made by Liao, \*-Pen to Hsu, \*-Lung or CMO Company, and in turn, that was how they received such stock shares from Hsu, \*-Lung or CMO Company. Meanwhile, Li, \*-Te, under a fake name "Li, \*-Hung, pretended to be the brother-in-law of Hsu, \*-Lung, and one-by-one sold the counterfeit stock shares of CMO Company provided by Chiang, \*-Chun. Liao, \*-Pen also lied to Tsai, \*-Chou that "CMO Company stocks are available for resale, please find buyers for me" etc. Unaware of the real situation, Tsai, \*-Chou did not suspect Liao, \*-Pen. He found the buyer Liu, \*-Chiang through Chen, \*-Chang who was also unaware of the real situation. Liu, \*-Chiang agreed to purchase 1,000 lots of stock shares at a unit price of



## Taiwan Tainan District Prosecutors Office > Excerpts of Major Cases

61.5 NTD per share for a total price of 61.5 million NTD. Since Chiang, \*-Chun et al. repeatedly urged Liu, \*-Chiang for payment of the balance, Liu, \*-Chiang detected something fishy. After inquiring about the stock share price, Liu, \*-Chiang believed that the unit price was too high, and put a stop payment on the check, at the excuse of insufficient funds. Ultimately, Liao, \*-Pen et al., failed to succeed in the fraud.

Later, in the legislator Liao, \*-Pen's lounge at Daan Hall of Legislative Yuan, Chiang, \*-Chun mentioned to Weng, \*-Chih the matter of selling the stock shares of CMO Company, where Weng, \*-Chih was unaware of the real situation. Chiang, \*-Chun actively persuaded Weng, \*-Chih to find buyers. Weng, \*-Chih did not suspect Chiang, \*-Chun; so he found the buyer Liu, \*-Huang who was willing to purchase 2,000 lots of stock shares at a price of 53.5 NTD per share for a total price of 106+ million NTD. Later, Liu, \*-Huang received a telephone call from Capital Securities Corporation, the stock agent of CMO Company, and learned that the two pieces of CMO Company's stock certificates previously obtained were forged. The tricks of Liao, \*-Pen, Chiang, \*-Chun, and Li, \*-Te were exposed and they failed to succeed in the fraud.

On the next day, Liu, \*-Huang went to Taipei City Field Office Division of Ministry of Justice Investigation Bureau to report the case. CMO Company also reported to the Prosecutor. The fraud scheme hence came to light. Also, the forged 1000 lots of stock shares of CMO Company, were seized from Liu, \*-Huang who received such documents from Weng, \*-Chih who, in turn, received such documents from Chiang, \*-Chun at the legislator Liao, \*-Pen's lounge at Daan Hall of Legislative Yuan. In addition, Liu, \*-Chiang also submitted the two copies for forged certificates of stock shares of CMO Company and one stock transaction agreement signed by Li, \*-Te under the fake name "Li, \*-Hung" shown in the "Received by" column in the agreement. In Indictments No. (89)-Zhen-zi-9809 and No. (89)-Zhen-zi-11500 by the Prosecutor of Tainan District Prosecutors Office, Liao, \*-Pen and Li, \*-Te were



prosecuted, whereas Chiang, \*-Chun was wanted. The case against Li, \*-Te went through three-tier trials and finally Li, \*-Te was sentenced to imprisonment for two years. The case against Liao, \*-Pen went through multiple appeals and Supreme Court's sending the case back to High Court of many times. Finally, in Judgement No, (96)-Zhong-Shang-Geng-San-zi-319 by Tainan Branch Court of Taiwan High Court, Liao, \*-Pen was sentenced to imprisonment for six years. In Judgement No. (98)-Tai-Shang-zi-626 by Supreme Court, Liao, \*-Pen's appeal was dismissed. The entire case was finalized. After starting to serve his sentence, Liao, \*-Pen was bailed out for medical treatment, and subsequently died while on medical parole .

#### **IV. The shooting on March 19**

Chen, \*-Hsiung's political stance was leaning towards the Kuomintang Party (KMT). He often complained a lot about President Chen, \*-Bian who was in power at that time. In particular, he blamed the President's powerless governance for him failing to sell his houses.

In 2003, through his brother-in-law Huang, \*-Fan who entrusted Chen, \*-Chang who, in turn, bought from Wu, \*-Ching one pistol resembling Beretta 84 and 20 bullets at a price of 45,000 NTD. The pistol and the bullets were made by Tang, \*-Yi, where the pistol was lethal, without rifling, and can be automatically ejected after continuous firing.

Later, Chen, \*-Hsiung came to know in advance that President Chen, along with his convoy, would show his gratitude towards supporting voters along Jinhua Road in Tainan City on the afternoon of March 19, 2004, he then intended to take this opportunity to kill President Chen, so that President Chen could no longer be re-elected successfully. After probing the scheduled arrival time of the convoy, with a mens rea to kill President Chen, Chen, \*-Hsiung held the altered gun with bullets previously purchased by him, and waited by the roadside

ahead of time. By the time the President's vehicle entered the 10 o'clock position ahead of Chen, \*-Hsiung, the first shot was fired at President Chen who was standing at the back seat, on the right hand side. By the time the President's vehicle entered the 12 o'clock direction ahead of Chen, \*-Hsiung, the second shot was fired at President Chen in the President's car. However, the convoy was moving at a speed of about 25 kilometers per hour, and the President was continuously waving to the surrounding crowd. It was not easy to hit the target. Besides, the pistol made by Tang, \*-Yi was a mimic one without rifling, so the bullet, after fired, could not travel forward in a linear rotation as a bullet from a standard pistol would do after being fired. The bullet was susceptible to air resistance, thus compromising the accuracy of the shooting. Besides, the gunpowder filled inside the bullet was of lower volume than that of normal standard bullets. The accuracy, lethality and performance of the bullets made by Tang, \*-Yi were not as good as those of standard bullets after being fired. Therefore, after the first copper bullet penetrated through the front windshield of the right hand side, it accidentally hit the right knee of Vice President Lu who was sitting on the high chair in the left rear seat. The second lead bullet hit President Chen's lower abdomen. The bullet went horizontally from right to left, running through President Chen's jacket, shirt, and underwear one by one, scraping the skin under the belly button, forming a scratch mark about 11 cm in length and 2 cm in width. After Chen, \*-Hsiung committed the shooting, he deliberately took a detour away from home and quickly left the scene.

In this case, the investigation started from the bullet, then the gun, then the suspect. First, Tang, \*-Yi was found to be the one making the pistol. Then, the whereabouts of the pistol and bullets were tracked down according to Tang, \*-Yi's confession. Hence, the one who actually bought the pistol and the bullets.

Moreover, Chen, \*-Hsiung once committed assault against his family members and committed suicide within less than 10 days after the incident. His family tried to cover up the fact of Chen, \*-Hsiung's involvement with this case through cremation of Chen, \*-Hsiung's remains and destruction of his letter of final wishes. On August 9, 2005, the investigation of the entire case was concluded. Since the defendant Chen, \*-Hsiung had died, the case No. (94)-Zhen-zi-9448 and No. (94)-Zhen-zi-9449 by Tainan District Prosecutors Office, the defendant was determined for not to prosecute.

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



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▲ The Chronicle of the Tainan District Prosecutors Office

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