

Taipei Songshan Airport, Pan Chunlin



# Historical Cases

A watercolor illustration of a street scene. In the center is a large, multi-story building with a green facade and a red-tiled roof, identified as the Zhongshan Hall. To its left is a taller, more modern building with a grey facade. To its right is another building with a blue and white facade. The street is paved and has some greenery. The sky is a light, hazy blue.

Picture: Zhongshan Hall, Bo Ai Road, Liang Dan-Feng, National Central Library





I	1950s - 1960s
II	1970s
III	1980s
IV	1990s
V	2000s
VI	2010s



## I. 1950s - 1960s

### A. The Yin Zhongrong case

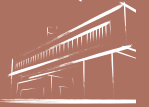
Yin Zhongrong, former Minister of Economic Affairs and Director of the Central Trust Bureau, Zhou Xianyu, Deputy Director, and Wu Guanglu, the boss of Yangtze Timber Company, were accused of collusion between officials and businessmen in corruption. It originated in March 1955. The legislator, Guo Zijun questioned Yu Hongjun, president of the Executive Yuan, accusing Wu Guanglu, the boss of Yangtze Timber Company, continually defraud loans and foreign exchange of about NT\$7 million from the Bank of Taiwan, the Central Trust Bureau, the Farmers Bank, the Ministry of National Defense Engineering Office and the American Aid Society, and remitted some of the loans abroad. The old debts of Wu were not repaid. The Central Trust Bureau and other units not only did not recover the loans but also provided new financing.

As soon as the news was disclosed, several legislator publicly accused Yangtze Timber Company, on demand of the

Ministry of National Defense, contracted US Navy to build 100 landing crafts was "Jerry-built and damaged military needs". When the new was exposed, the public regarded Hu Guanglu and Yin Zhongrong, the Minister of Economic Affairs and Director of the Central Trust Bureau, as a collusion between officials and businessmen in corruption. Therefore, the Chief Prosecutor of the Supreme Court, Mr. Zhao Wei, by order of Yu Hongjun, the president of the Executive Yuan, supervised the case. Taipei District Court Prosecutors Office (now Taipei District Prosecutors Office), after more than three months of investigation and interrogation, prosecuted the defendants in July of the same year.

The defendants strongly denied involvement in the collusion during investigation, arguing that the large loan was given to meet the needs of the national defense policy and the Yangtze company had sufficient assets to provide guarantees and no worry of unable to paid





debts. The defense attorney argued that Yin Zhongrong handled procurement in the United States and received a rebate of NT\$1 million, but he immediately reported and sent to national treasury, which represented he was honesty. Although, he repeatedly credited huge amounts, it was an administrative responsibility not corruption. Because there was no positive evidence to prove the three defendants committed the crime, in October of the same year, the presiding judge Shi Mingjiang, judges Wu Yunxiang and Zhang Xianglin found defendants were not guilty. Although the case was appealed by prosecutor, Taiwan High Court ruled that the appeal was dismissed in February next Year (1956).

## B. The Huang Xiao-Xian murder case

Huang Xiaoxian and the victim Yang Shirong worked together in the Liaison Bureau of the Ministry of National Defense. The two men had argument. Huang Xiaoxian shot and killed the victim, then burned the body on May 10, 1956. He was sentenced to death for committing the crime of premeditated homicide. However, because his father Huang Baishao, Huang Xiaoxian, was awarded the Blue Sky White Day Medal for his military exploits, Huang Xiaoxian was sentenced to life imprisonment by the President's amnesty.



Page A8, January 4, 1956, United Daily News



## C. The Wu Han hostel murder case

Huang Xuewen took the opportunity that his wife, Yang Xunchun was the supervisor of Taiwan Industrial Company and Chen Huazhou was the chairman of Taiwan Industrial company, joint venture with Chen Huazhou, and in the name of Yang Xunchun and his wife brother-in-law, to lease the place located in 12 Lane 80, Section 1, Hankou Street, Taipei from Taiwan Industrial Company from August, 1956, to operate as Wuhan Hostel. Then in 1958, Yao Jiajian was introduced to provide capital and served as the general manager of the hostel. However, after Yao Jiajian provided the capital contribution, Huang Xuewen made excuse not to deliver the seal of the hostel and impeded the right of Yao Jiajian as a general manager. The parties were in dispute and initiated litigation. Huang Xuewen then planned to kill Yao. Before the incident, he told Chen Huazhou the killing plan. Chen Huazhou delivered 2 pairs of rubber gloves. At 2 A.M. of July 18, 1959, while looking out by Wu



Page 3, March 25, 1960, United Daily News

Liang and Yang Xunchun, Huang Xuewen together with You Jinqiu, Wang Yuyun and Lin Zuyu, in room 214 of Wuhan Hostel, jointly injected Balason dosage into Yao Jiajian causing his death, and disguised Yao Jiajian as suicide.

On the 6th of February, 1960, Huang Xuewen and others were prosecuted for killing Yao Jiajian. He was remanded in custody by court on the 9th of the



same month. He applied for bail for medical treatment, then fled to the United States immediately. Taiwan High Court ruled that the trial should be suspended. On May 23, 1977, was the first wanted order issued and then revoked, and the second wanted order was issued on June 29, 1997. Finally, the period of limitation of prosecution was expired on July 10, 2004. Huang Xuewen was ruled exempted from prosecution on November 7, 2006, which ended the 47 years long litigation. It was the longest litigation in the judicial history.

## D. The dismembered body in Qu Chi case<sup>1</sup>

In 1958, an unnamed head was found in front of the water outlet of the Xiaocukeng Power Plant, Quchi. Because this was the first case of dismembered body in Taiwan, the whole country was stunned, and newspapers and televisions reported all day and night. A man saw the report and went to identify the body. He claimed that the head may be his friend Sun Boying, and provided photos and letters that Sun Boying gave him before his death. At that time, a man named Liu Zhicai surrendered to the police, saying that he had accidentally hit Sun Boying to death due to a dispute with Sun Boying.

After an in-depth investigation, the police found Liu Zhicai and Sun Boying had known each other. Liu Zhicai knew that Sun Boying had considerable savings and had just discharged from military service with over NT\$10,000. He and Yuan Yiming jointly discussed the murder and acquired the fortune. At first, Liu Zhicai invited Sun Boying to co-produce soy sauce and promised to give him a big profit in November 1959. Sun Boying was moved and lived with Liu Zhicai in Tonghua Street. Liu Zhicai and Yuan Yiming were looking for opportunities to murder. Because of their surreptitious behaviour, Sun Boying was

1.Reference: :

(1) Case number: Zhen No.640 of 49 (1960)

(2) "The investigation into the dismembered body in Qu Chi case was concluded and 2 murderers were accused", The 4rd page of Chen Hsin Hsin Wen Pao(the predecessor of China Times) on January 22nd, 1960

(3) "The prosecuotr requested death sentences since the 2 murderers of the dismembered body in Qu Chi case were malignant", The 4rd page of Chen Hsin Hsin Wen Pao(the predecessor of China Times) on January 23rd, 1960

(4) "The conviction was made by the court of the second instance, defendant Liu was sentenced to death and defendant Yuan was sentenced to five years in prison", Chen Hsin Hsin Wen Pao(the predecessor of China Times).



alerted and provided photos of Liu Zhicai and Yuan Yiming to his friends for attention. On December 14 of the same year after, Liu Zhicai made Sun Boying to take a sleeping pill, he hit his head with a stone, and suffocated Sun Boying to death by holding his neck. Then he dismembered the body into several pieces, threw the body in to the pool of Quchi Power Plant, Xindian, and buried the body in the mountain of Xindian with the help of Yuan Yiming. The property of Sun Boying was divided by Liu Zhicai and Yuan Yiming.

The prosecutor of Taipei District Prosecutors Office found that Liu Zhicai took the initiative to appear when police investigated the case. However, he only tried to shrink his responsibilities and did not repent. He did not surrender himself. Liu Zhicai and Yuan Yiming were prosecuted for robbery, murder, and dismembered body. In the courts of first and second instance hearing, it was decided that Liu Zhicai surrendered himself and claimed he was in quarrel with Sun Boying, later lost his temper and killed Sun Boying. However, Liu Zhicai actually murdered him for his money. His surrender did not reveal the truth and did not meet the criteria of surrender. Liu Zhicai was sentenced to death penalty. After trial by the Supreme Court, despite Liu Zhicai did not reveal the whole truth, after surrender, he admitted to kill and dismembered the body. It's because Liu Zhicai surrendered himself and the police knew who murder is, so it was in line with the criteria of surrender, and the original judgment was revoked and sent back to re-trial. Thereafter, the High Court, determined that Liu Zhicai's surrender was in accordance with the requirements after ordered for re-trial twice by the Supreme Court. Liu was relieved and sentenced to life imprisonment. The case was finally confirmed.



Page 3, February 1, 1963, United Daily News

## E. The double body in fire case<sup>2</sup>

In the afternoon of June 11, 1963, a fire broke out in section one of Hangzhou South Road. Firefighters found a female body and a child body in the fire. The deceased were the house maid Zheng Chune and the owner's two and a half years old son Huang OLun, and the two bodies both had wires entangled around the neck. After the forensic autopsy, it was determined that they were burned to death fainting. The maid next door told the police that she saw a woman about 20 years old coming out from next door, wearing a light yellow dress and black flat shoes and rushing to the market. After 5 or 6 minutes, she sniffed the smell of burnt wire, and someone shouted "it's on fire".

(5) "The conviction of Qu Chi case was affirmed by the court of the third instance, defendant Liu was sentenced to Life imprisonment because he voluntarily surrendered In compliance with regulations", The 3rd page of United Daily News on February 2nd, 19632.

2.Reference:

(1)The indictment of Zhen No.18389 of 52 (1963)

(2)The sentence of Shang-Geng-4 No.1254 (Pan No.5328 ) of 59 (1970)



The police found out that Zhang Yunshu owed "Huang Kunping" and other people's gambling debts. "Huang Kunping" needed money in a hurry. Zhang Yunshu remembered that her husband's gold was kept in his elder brother-in-law's house. While the elder brother-in-law and his wife went to work, they went to their house and attempted to take it privately. Zhang Yunshu and "Huang Kunping" did not find gold after entering the house. But the maid, Zheng Chune, and the younger son of the elder brother-in-law acquainted with Zhang Yunshu. She feared that they would tell what had happened to the elder brother-in-law. They strangled the maid and the younger son to unconscious. Then they set fire to the house to destroy the dead bodies.

After investigation, Zhang Yunshu was prosecuted for murder and arson independently. The case was ordered for re-trial four times by the Supreme Court. After the trial of Taiwan High Court, it was determined that although the person named "Huang Kunping" did not be found around the country, it was obvious that Zhang Yunshu could not do it alone. There were two victims. Taking the age, physical condition and working environment of Zheng Chune into consideration, it was not inferior to Zhang Yunshu. Also, after the murder, someone set the fire, In addition, Zhang Yunshu also described the origin, appearance and understanding of "Huang Kunping" very well. "Huang Kunping" should not be fabricated by Zhang Yunshu. The verdict was that Zhang Yunshu and "Huang Kunping" jointly murdered and set fire, Zhang Yunshu was sentenced to life imprisonment.



## 火窟雙屍案偵結

### 張韻淑被提公訴

指為因賭負債謀財犯法  
涉嫌殺人強盜及公共危險三罪

【本報訊】因台北並具狀控告案中證人陳復生偽證。張韻淑起訴時，沒有親人到看守所送她，她的母親劉玉珍本想送去，但被女警阻止，他認為不去送好，以免彼此傷感。

【本報訊】張韻淑在被台北地檢處發監執行前，曾親筆寫了一封「敬政法官先生」的信，隨即開往桃園，要求法官改判她死刑。

張韻淑是被認為在五十二年六月十一日，在台北市杭州南路黃玉春家中，為索取六兩黃金不遂，與黃玉春共同將黃家女用及幼兒殺害，並放火焚屋滅跡。經法院多年纏訟，於六十二年十二月廿九日被最高法院判決決無期徒刑確定，昨日發監執行。

張韻淑在服刑前，仍矢口否認有殺人放火情事，她自稱是冤枉的，堅決表示還要聲請提起非常上訴。

桃，於進入台北監獄後編為女監第一號受刑人。由於她剛報到，尚未分配役，監方表示將於二三日後，等到她心稍為平復時，才給分配一些她能勝任的工作，以便她在獄中消磨悠長的歲月。

張韻淑到了台北監獄以後，雖然表情沉重，但對監方的規定，頗為合作和意接受，給予女監人員印象甚佳。

時地還一再表示，根本沒有殺人，判殺人罪是冤枉的，有生之年，將循法途徑為自己雪冤！

四時至四時五十分  
行踪始終無法證明  
密匪其夫未否認至黃宅  
僅據疑車夫未看清而目  
五千九百元來源為何詳察如索

認否口失雖嫌兇  
定認堪據證項六

Page 3, August 4, 1963, China Times

## 火窟雙屍案定讞

### 張韻淑無期監禁

痛哭流涕揮淚赴龜山  
上書法官要求判死刑

【本報訊】因台北並具狀控告案中證人陳復生偽證。張韻淑起訴時，沒有親人到看守所送她，她的母親劉玉珍本想送去，但被女警阻止，他認為不去送好，以免彼此傷感。

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Page 3, January 19, 1972, United Daily News



## II. 1970s

### A. Case of Hua Ding-Guo who murdered his mother

At 5:30 am in the morning of September 25, 1974, Hua Dingguo was in the house of Lane 109, Hougang 8th Street, Shilin District, Taipei City, where he rented, trying to sexual assault the adopted girl sleeping with his mother. His mother was awoken and scolded him. He was angered and stabbed his mother three times with knives. The prosecutor intern of the Taipei District Court Prosecutors Office prosecuted Hua Dingguo for murder.

The case was tried for years. Hua Dingguo was sentenced to death for 12 times and sentenced for not guilty seven times. Finally, the Supreme Court supported the Taiwan High Court's opinion of the 18th re-trial. On July 29, 1986, appeal of the defendant was dismissed and life imprisonment was finalized. It was the lawsuit that has the most "re-trials" in the judicial history.

**華定國弑母 判終身監禁  
通緝到案 發監執行**

記者朱界陽／台北報導

華定國弑母，經十五年纏訟已依殺人罪判處無期徒刑，雖然兩名警員被控偽證案對他翻案有利部分，還在高等法院審理，但台北地檢處執行科檢察官認為華被判刑確定部分，無不執行理由，經多次傳訊執行未到案，日前通緝逮捕華定國，發監執行。

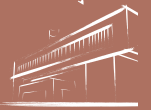
據調查，轟動一時的華定國被控弑母案，發生於六十三年間，案經台北地檢處檢察官將華定國依殺人罪嫌提起公訴，歷經十八次更審才判決無期徒刑確定。七十年

後來，台北地檢處查覺當時為華定國作證的兩名警員涉嫌偽證，將兩人提起公訴，且經台北地院判決有罪，目前正上訴二審中，這部分被視為有利於華定國「翻案」。

華定國被判無期徒刑確定部分，經他提出聲請再審被駁回。台北地檢處執行科檢察官曾多次傳訊他到案執行，但華定國均未到案，於是下令通緝。台北縣警局淡水警分局於本月廿五日將華定國逮捕移送台北地檢處歸案，經執行檢察官諭令發監執行。

九月十五日，第十一次更審時，華定國曾獲判無期徒刑，一名王姓社會人士出面，以八十萬元替華定國保釋。

Page 13, March 31, 1989, United Daily News




The Control Yuan investigated the two police officers who participated at the beginning of the investigation, in the trials of first and second instance, the two polices falsely accused that Hua Dingguo forced the adopted girl to change into a blood coat, and the prosecutor investigated sloppy. The control Yuan resolved to impeached the three persons. Although the prosecutors office prosecuted the two police officers, they were acquitted. Therefore, in order to strengthen the investigative capacity of judicial officers, the Judicial Officer Training Institute extended the training of judicial officers from one and a half years to two years, and the intern period was extended from two years to five years, so as to avoid the occurrence of sloppy investigation incidents.

## B. The Formosa case

In the name of the "Human Rights Memorial Committee", "Formosa" magazine applied for a parade speech at the Rotary Park opposited the Datong Department Store in Kaohsiung City from 6 pm to 11 pm on December 10, 1979. The main theme was "Celebrating the 31st Anniversary of World Human Rights Day", but it had not been approved. The relevant members of the magazine still decided to hold a parade in Kaohsiung according to the original plan.

Since the original meeting place was blocked, Huang Xinjie, Shi Mingde, Yao Jiawen and others led hundreds of people, starting from the service office of Kaohsiung City of the "Formosa" magazine, marching along Kaohsiung City to the roundabout of the Xinxing District. After arrived at the roundabout, the parade and the riot police had a largescale conflict.






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After the incident, the military prosecutor prosecuted Huang Xinjie, Shi Mingde, Zhang Junhong, Yao Jiawen, Lin Yixiong, Chen Ju, Lu Xiulian, Lin Hongxuan and other eight people for rebellion. Under the international pressure led by the United States, in addition to internationally renowned media reports, the government for the first time allowed the domestic newspapers to publish the trial process and the defendant's defense. On April 18 of the same year, the military court ruled that except Shi Mingde was sentenced to life imprisonment, Huang Xinjie was sentenced to 14 years in prison, the other six were sentenced to 12 years in prison. On May 30 of the same year, the Ministry of National Defense formed a highlevel review court to review and confirmed the judgment. As for Zhou Pingde and other 31 people participated in the parade were prosecuted by the Taipei District Court Prosecutors Office, and the Taipei District Court sentenced them to fixed-term imprisonment.

On May 20, 1990, Lee Teng-hui took office as the eighth President of the Republic of China. On the same day, he signed an amnesty for the Formosa incident, and the Formosa political prisoners regained their freedom.

Impact: In 1980 when political party was still banned, the Formosa incident made the non-party people even more united and struggling to fight for democracy and freedom. Later, the elections gradually gained more support from the people of Taiwan.



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## C. Lin's residence bloodshed case

Lin Yixiong, a councilor of the Taiwan Provincial Assembly, was prosecuted for rebellion by the Garrison Command military law office for the Formosa incident, and was detained at the Jingmei Military Law Detention Center. On the morning of February 28, 1980, Lin Yixiong was tried in the Garrison Command military law office, and his family members were also present. However, at noon, Lin Yixiong residence located at section 3 of Xinyi Road, Taipei City was broke in.

Lin Yixiong's mother and 7-year-old twin daughters were both stabbed to death, and the 9-year-old girl was seriously injured.

Since Lin Yixiong was taken into custody by the Garrison Command because of the Formosa incident which was sensitive, the police officers were involved in monitoring the Lin Yixiong residence, but the monitoring information was not properly preserved. At the time of the incident, Lin Yixiong had been detained for more than two months. The family members were all women and children, and there were no relevant witnesses testified that there were suspected intelligence personnel monitor around the Lin residence for a long time. At the scene of the murder, there were not many evidence obtained, and several people came in and out before the arrival of the forensic personnel. The murder scene was opened to the family members too early, resulting in too few inspiring material evidence on the scene. The murderer had not been found yet.



Page 3, April 4, 1980, China Times

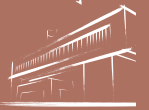
### A. Chen Wen-Cheng case

According to the examination opinion of the Institute of Medical Examiner, Chen Wencheng's examination and autopsy report showed no evidence of oral mucosal

Page 3, July 8, 1981, United Daily News

- (1) Chi-Chiang Fu, "Constructing the function of pleading right of accused in criminal investigation", Master's thesis of Central Police University law graduate School, below the page 89.
- (2) Tzu-Kang Liu, "The Constitutional Protection of the Accused's Right to the Assistance of Counsel", Master's thesis of Ming Chuan University law graduate School, below the page 142.





blood stasis caused by covering of nose and mouth, and the whole body only showed external injured caused by the fall. There was no evidence of bleeding trauma caused by heavy hit of head and neck, and also no injury caused by resistance. However, the horizontal movement distance of the fall was within the average of suicide, homicide, and accident, so it was impossible to infer Chen Wencheng's death cause from the moving distance.

Since the case involved the Kuomintang's employment of students on the US campus to monitor the words and deeds of Taiwanese students, it had caused great repercussions. The US Congress held a hearing in October 1991 to investigate the Kuomintang's assignment of student agents on the US campus, but the investigation was inconclusive.

In March of 2009, Ma Yingjiu, then President, directed a re-investigation of Chen Wencheng case and formed a joint ad hoc group headed by the Supreme Court Prosecutors Office. On July 28, 2009, the High Court Prosecutors Office announced the investigation report indicated that there was no positive evidence in this case to infer homicide or suicide, and did not rule out the possibility of accidental fall.

## **B. Li Shi ke, Wang Ying Xian case<sup>3</sup>**

On April 14, 1982, a robber wearing a cap and a mask with a gun broke into the Guting branch of the Taiwan Land Bank, and got away with more than NT\$5.3 million in cash and shot a teller. Since this was the first case of armed robbery of bank in Taiwan, it shocked the society at that time. The police provided a crime bonus of NT\$2 million, setting a record for the highest reward for the year. After reported by secret witness,

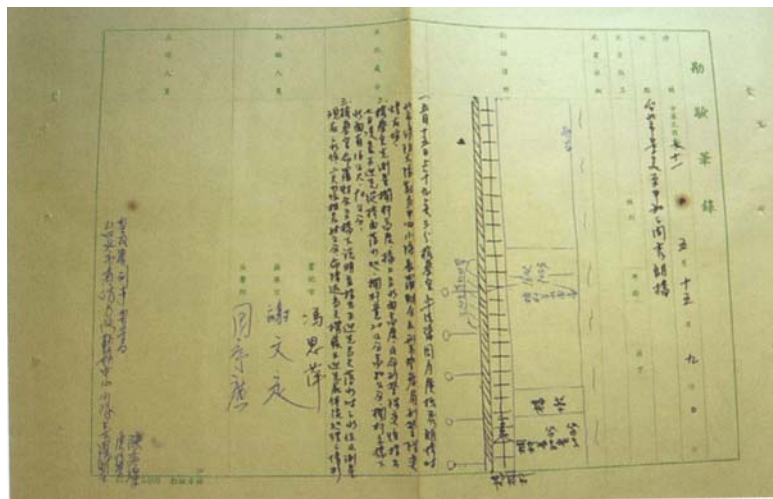
(3) "The investigation into Wang Ying Xian case was concluded and 5 police officers were accused", The front page of China Times on August 21st, 1982

on May 7 of the same year, the retired veteran Li Shike was arrested by the police. The police found out that Li Shike had shot and killed the policeman of the Taipei City Security Police Brigade serving at the Holy See Embassy in 1980 and got away with the .38 revolver of the deceased, and then used the pistol to rob the bank.

The Taipei District Court Prosecutors Office transferred the case to the Garrison Command under the martial law, which was undertaken by the military prosecutor. Li Shike was sentenced to the sole death

penalty on May 21 of the same year in accordance with the Punishment of Bandit Act, and the execution was carried out on the morning of the 26th of the same month. The case from prosecution to judgment and execution in less than a month, it was hoped to achieve deterrent effect by setting an example.

However, during the investigation of the case, police abused power of investigation. The government set the deadline to solve the case. The police, based on wrong intelligence, arrested a taxi



The inspect record of Wang Ying Xian case. Reference: The Prosecutorial Exhibition of Centurial Articles

(4) " The sentence of Wang Ying Xian case was made by the court of the first instance, 5 police officers were convicted of negligently causes the death from 1 years 4 months in prison to 4 years 6 months in prison ", The 3rd page of China Times on November 24th, 1982

(5)"The Sentence of Wang Ying Xian case was affirmed. 1 of the 5 police officers was sent to prison, 1 of the 5 police officers absconded and the others waited", The 5th page of China Times on April 2nd, 1988



driver, Wang Yingxian, with whose appearance and accent was similar to the suspect. Wang Yingxian was tortured by the criminal police officers of the Criminal Police Bureau and forced to admit the looting of the Land Bank. In the process of leading the police to the Bitan Paradise and other places to find the tools and squandering, Wang Yingxian jumped off Xiulong Bridge and died. On the same day the real robber, Li Shike was arrested and the police knew that they had caught the wrong suspect. The Taipei District Court Prosecutors Office prosecuted five police officers, including Zhan Junrong of the Criminal Police Bureau on charges of interference of liberty resulting in death, and was confirmed of sentencing.

By the opportunity of the case of Wang Yingxian, the legislators were urged to attach importance of selecting lawyer to protect the rights of defendant in investigation. The Code of Criminal Procedure was amended in 1982, the provisions of Articles 27 and 245 of the Code of Criminal Procedure were amended to give the people the right to appointed lawyer during investigation, and the lawyer may be present on site at the time of interrogation of suspect by police. It was hoped that by review and revision of investigation procedure to avoid the recurrence of torture.

### C. Hu Guan-Bao criminal gang

In 1983, the criminal gang of Hu Guanbao had successively committed four major criminal cases: stealing a gun from Fenggang Police Substation in Pingtung, robbing a gas station in Taoyuan, robbing Huanan Bank, and killing assistant manager of Human Bank. From November 18, 1983, a carbine rifle at the Fenggang Police Substation, Pingtung was stolen; then it was followed by a series of major cases. On December 29 of the same year, an assistant manager, Lin, of the Huanan Bank was kidnapped and killed by Hu Guanbao. The next day, Hu committed bank robbery of NT\$7.62 million.



Later, he and his partners continued to rob a gas station in Taoyuan with the stolen carbine rifle.

In the early morning of November 26, 1985, two police officers from the Buding Police Substation in Hsinchu received a report and went to the scene to deal with the accident. They were killed on the spot and the guns were also stolen. In 1990, Hu Guanbao and others had successively committed three cases of kidnapping. They first kidnapped merchant Chen in May, and then abducted students of Wuchang High School in Taipei in October. In December, they took Wu of Xinguang Group in the Shilin District, and demanded a ransom of NT\$100 million. The case became the highest ransom kidnapping case in Taiwan's history. Wu's family refused to cooperate with the police due to concern of his safety. Wu's wife went to pay the ransom, and the gangster released the hostage after successfully obtaining the ransom.

After confirming that the gangsters were indeed Hu Guanbao and Zhang Jiahu, the police arrested Zhang Jiahu at Hukou, Hsinchu on the evening of December 24, and then followed lead to Xindian to arrest Hu Guanbao and seized two pistols at his residence. After checked by the forensics team, it was determined one of them was from the police officers killed in Hsinchu killing and the guns that were robbed from the police officers.

On July 2, 1991, after the second instance judge sentenced Hu Guanbao to death penalty, Hu finally took the task force to the Xindian mountain district to pick up the stolen carbine from the Fenggang Police Substation eight years ago. The four major criminal cases were solved. At 4 o'clock in the morning of November 7 of the same year, Hu Guanbao and Zhang Jiahu were executed by gun.



## D. The Tenth Credit cooperative society case

Cai Chenzhou was the chairman of the board of directors of the The Tenth Credit Cooperative Society of Taipei City (hereinafter referred to as "the Tenth Credit") and the chairman or vice chairman of the companies affiliated to Guosu group. Due to poor management and heavy interest on private loans, the company's relationship with the private loan was difficult. Cai Chenzhou instructed the subordinates to make an unlawful loan to Guosu in June 1984. Since the loans of the Tenth Credit were limited to members, he required family members of employees to join the Tenth Credit, and then use the name of the members to borrow money from the branches of the Tenth Credit to obtain funds for Guosu group. The Tenth Credit lending review committee would grant the loan after nominal review, or the loan applications were not sent to the lending review committee for approval, or guarantee of real estate had not yet completed set up of pledge, and approved the lending of large sums of money for the turnover of Guosu group, so that large number of credits of the Tenth Credit could not be guaranteed. The

**十信弊案·二審宣判  
五名被告改判無罪  
蔡辰洲仍處十二年**

【台北訊】十信弊案昨天在高等法院宣判，五十一名被告中，四十七人仍維持有罪判決，但部分被告刑期減輕；改判無罪者有五人，維持一審判決者有十一人。蔡辰洲仍判處有期徒刑十二年，權奪公權則由六年減為五年，被訴侵占國庫款部分也獲改判無罪。

昨天宣判時，蔡辰洲仍循「成例」未出庭聆判，其他被告則多數到庭，由於被害人數眾多，加上陪審的旁聽家屬，偌大的法庭並未裝設擴音設備，審判長李乃鼎宣讀判決完畢後，許多被告

獲得改判無罪的五人是林茂輝、施燦厚、鄭榮華、張哲雄、辛仁松。林茂輝原任十信長春分社經理，一審時原判決有期徒刑二年；施燦厚等四人則分任中山分社經理或襄理，一審時分別判處六月或七月徒刑，緩刑四年。

二審判決對蔡辰洲犯罪事實認定和量刑雖與一審有異，但合併刑期仍為十二年，國庫罰鍰總額林宗源仍維持六年刑期，十信協理兼授信部經理余壯勇刑期從六年減為五年，國庫罰鍰吳國揚刑期也從三年減為二年一月。

。混一庭成，結聽本屬和  
亂陣後退造果到未根家

Page 7, October 4, 1986, United Daily News

loan amount of the Zhangchun branch was as high as NT\$1.55 billion. At the beginning of 1985, due to the fact that the total amount of loans of the Tenth Credit accounted for 102% of the total amount of deposits, it showed that the Ten Credit had no ability to lend. The Ministry of Finance in order to protect the legitimate rights and interests of depositors, and stabilized the financial order, ordered the Tenth Credit to cease business for three days, and the Cooperative Bank temporarily took over.

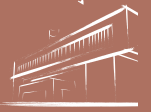
The outbreak of the Tenth Credit case seriously hurt the confidence of Taiwanese investors. The Tenth Credit branches were severely run, and the savings of thousands of depositors in their lifetimes were also lost.

Impact: The Tenth Credit case should be the earliest short-selling case of Taiwan financial institutions. Apart from the Ministry of Finance's inspection mechanism of credit cooperatives, the prosecution authority had been involved in the investigation in the early stage of problems of financial institutions. It was hoped that through the intervention of prosecution authority to prevent the expansion of losses in advance.

## **E. Qi Bao-Zhen case**

Qi Baozhen was the first Director of the Department of Rapid Transit Systems, Taipei City Government. Liu Deli and Chen Guojie were the two supervisors of Secretary Office of the Department of Rapid Transit Systems. Jiang Guoliang, Chen Zhaoming and Liu Jiacheng were the heads of the Secretary Office of the Department of Rapid Transit Systems. After Qi Baozhen served as the Director of the Preparatory Office of the Department of Rapid Transit Systems (upgraded to the Department of Rapid Transit Systems after February 1987) of the Taipei City Government in June 1986, he immediately indicated to Liu Deli that when he served in the Veterans Engineering Co., Ltd., the fees of water, electricity, gas, telephone, etc. of his private residence were all paid by the Veterans Engineering Co., Ltd. with public funds, and required Liu Deli to





apply for it. Liu Deli had inquired with the accounting department and knew that payment of the head's private expenses by public funds is unfounded. When Liu Deli replied to Qi Baozhen, he was reprimanded by Qi Baozhen. Liu Deli was helpless. In order to save his position, he discussed with Jiang Guoliang to raise funds.

Jiang Guoliang and the handling personnel of advertisement sponsor, Fuhong, had decided to demand 10% of advertising fee as bribery fund from the advertising agent Wang Guangkui for the payment of the private expenses of Qi Baozhen, which could not be reimbursed with special expenses. However, the bribery fund was insufficient to cover the expenditure, and he instructed Fuhong to request printing company and Standard Bookstore that had business dealings of stationery with the Department of Rapid Transit Systems to provide false quotations, invoices, and falsely reported funds for the use of Qi Baozhen. Knowing that Liu Deli, Jiang Guoliang and other subordinates had accepted bribes or improper interests in

violation of their duties, in order to write off the personal expenses of Qi Baozhen, he not only did not complaint, but instructed Liu Deli should be careful when using the about funds to avoid being discovered.

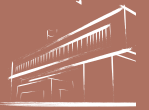
Later, Qi Baozhen, Liu Deli, Jiang Guoliang and others were prosecuted by the prosecutor of the Taipei District Court Prosecutors Office for accepting kickbacks and accepting bribery in office according to the Anti-Corruption Act. Qi Baoyi was sentenced to 7 years imprisonment by the Taipei District Court, and deprivation of citizen's rights for 7 years. Afterwards, the Taiwan High Court changed to the heavier Anti-Corruption Act to charge for the crimes of directly obtaining benefits from supervising business and the use of duties to swindle property, each of them was sentenced to 6 years and 8 years imprisonment, and should be executed for 12 years and deprivation of citizen's rights for 6 years, the more than NT\$1.81 million of criminal proceeds were recovered and confiscated. However, Qi Baozhen died on March 31, 2004.

Liu Deli was convicted of accepting bribes in his position, and using his position to swindle property, was sentenced to imprisonment of 1 year and 10 months, and 2 years and 4 months respectively. He should be sentenced to imprisonment of 3 years and 10 months, and deprivation of citizen's rights for 2 years. Jiang Guoliang was convicted of directly obtaining benefits from supervising business and the use of duties to swindle property. He was sentenced to imprisonment of 5 years and 3 months, and deprivation of citizen's rights for 3 years, commuted to 2 years and 4 months, and deprivation of citizen's rights for 1 year and 4 months; and imprisonment of 7 years, and deprivation of citizen's rights for 4 years, commuted to 4 years and 8 months, and deprivation of citizen's rights for 3 years and 4 months, it should be sentenced to imprisonment of 5 years, and deprivation of citizen's rights for 3 years and 4 months. However, Jiang Guoliang also died on April 14, 2010.

## **F. The Guan Zhong-Yan serial killing case<sup>4</sup>**

Guan Zhongyan was one of the Taiwan's serial killers recorded by the police; the number of victims killed by him was seven. Guan Zhongyan, with a series of criminal records, was originally accused of fraud, encroachment, escape and other crimes, and sentenced to 7 years 2 months imprisonment. After being released on parole, he was a taxi driver. However, due to heavy drug addiction, when he needed drugs, he would commit crimes without planning such as robbery and murder.

On February 14, 1988 Liao Houyu and Li Huijun's double murder case in Taichung, Guan Zhongyan and his bandit members first pretended to look for the house. After entering the house, they only grabbed NT\$4,000. However, Guan Zhongyan chose to kill, killing Liao Houyu and his wife. The method was cruel. Later, Guan Zhongyan



became a contract killer. He received NT\$1.5 million remuneration on December 17 of the same year, and chopped a man. On April 8, 1989 because the hairdressing manager Cai Mingzhou tried to invite him to do business, he shot and kill Cai.

On October 22 of the same year, he received another NT\$2 million and was entrusted to kill Lin Fuxiong, the gang boss around Longshan Temple. He ambushed Lin in Lin's casino located in Wanhua District of Taipei City, and shot Lin to death. On November 21 of the same year, Guan Zhongyan and his bandit members took a gun and invaded the residence of Yang Chuntian, the boss of a building materials shop in Fengyuan, Taichung. After the robbery, Guan Zhongyan of no humanity, shot Yang Chuntian's family of three which shocked the Taiwanese society. Later he raped 2 real estate sales ladies. In 1993, Guan Zhongyan was arrested in Ximen, Wanhua District, Taipei City by the ambushed police officers of Taipei City. As he was involved in a large number

of cases, since 1988, prosecutors of the Taipei District Court Prosecutors Office successively prosecuted the cases in which he was involved. After tried by court, Guan Zhong was sentenced to death penalty and was executed by shooting on March 4, 2011.

**纏訟18年**

## 強盜殺人 管鍾演死刑定讞

黃錦輝／台北報導

連鎖搶劫，並殺害五人的盜匪管鍾演，歷經十八年纏訟，一、二審共八次死刑判決，最高法院昨日終於維持更六審判決，判處管鍾演死刑，褫奪公權終身定讞。

因應管鍾演的死刑定讞，今年六月間，檢察官「一拖十八年」才起訴的管鍾演性侵犯小姐案，也將以不受理結案。

另外，檢察官併案審理的七十八年間槍殺林復雄案、槍殺蔡銘洲案等案，也都以不受理結案。

管鍾演強盜殺人集團是民國七十年間，橫行大台北地區的犯罪集團。今年五十歲的管鍾演，除了曾犯詐欺、侵占、脫逃等罪，自七十七年起，更即與董恩典、吳錦燦、劉漢屏、陳進、王賢懿等人組成強盜集團，犯下多起強盜殺人案。

吳錦燦、劉漢屏因連鎖強盜殺人，八十年間已判死刑，並執行完畢；董恩典、王賢懿、陳進等人，則被判處無期徒刑定讞，一度雖然獲准假釋，卻再犯罪被判處死刑。

檢調解釋，目前正在服刑中。

管鍾演纏訟最久，檢察官併案審判也最多，數年前，在多次死刑判決之後，他又自白兩件殺人案，即七十八年四月的台北市昆明街理髮廳經理蔡銘洲命案，及同年萬華區角頭林復雄命案。

最近引人注意的，是一名婦女指控管鍾演性侵害案。該案發生於十八年前，當時被害人正值卅歲，承辦檢察官未及詳查，即將案件併到高院審判，但因高院認為，性侵害案件與管鍾演的強盜殺人案，並無任何連續犯或牽連犯的裁判上一罪關係，無從併案辦理，未予審判。

上述兩件殺人案，高院歷次更審亦持同樣見解，認定並非裁判上一罪關係，無從併辦。

可是，在高院十多年一再更審期間，檢察官始終未另案偵辦，一拖十八年，直到今年，檢察官才首度開庭偵辦「性侵害案」了。承辦檢察官今年六月雖然起訴管鍾演強制性交罪，但正義來得太遲了，最高法院昨日已判處管鍾演死刑定讞。

Page AA2, September 22, 2006, China Times

4.Reference: The indictment of Zhen No.8692, 8610 and 10321 of 77 (1988), Zhen No.10093, 11430, 12963 and 13158 of 82 (1993) and Zhen No.13724 of 95 (2006)



## IV.1990s

### A. Hua Long case

In the 1990s, journalists reported that Hualong Group was involved in colluding with government officials and proving them profits as bribes. The sale of the shares of Guohua Securities to the then Zhang Jiayi, the daughter of the then Minister of Transportation and Communications Zhang Jianbang, and the professor of architecture at Tamkang University, Yu Xiande. The case investigation was in charge of by prosecutor Xu Agui, this was the "Hualong case."

On December 14, 1990, the stock listed company Hualong Company reported to the Securities and Exchange Commission that it sold 5 million shares of Guohua Life Insurance Co., Ltd. under the name of the company. The stockholders were Zhang Jiayi and You Xiande. The reporter disclosed that Zhang Jiayi, the trading partner of Hualong Group's stock sale,

was the daughter of the then Minister of Transportation and Communications Zhang Jianbang, and served as the administrative deputy president of Tamkang University, while Yu Xiande was an associate professor at the Institute of Architecture of Tamkang University. The secret link of political and business was disclosed.

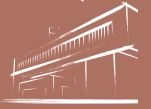
The Hualong case was allocated to prosecutor Xu Agui for investigation, she was under strong pressure from the political circles. Xu Agui was also impeached by the Control Yuan. However, the prosecutor Xu Agui still insisted on investigating the Hualong case and finally prosecuted the defendants Weng Daming and Weng Youming for the crime of falsifying instruments, the defendant Li Xiufen was accused of falsifying instruments, and the defendants Jiang Wenzhi, Zhang Jiayi, and You Xiande were not prosecuted.

Page 1, May 12, 1991, United  
Daily News

Commission for punishment. Afterwards, Xu Agui continued to investigate on her own. The case once triggered the students to take to the streets to protest. Later, the above Ministry of Justice statement of stop investigation was overruled by court. The Legislative Yuan amended the provision on February 9, 2000 to read: "In the same case when prosecutor starts investigation under the provisions of Article 228, it may not initiate a private prosecution." This provision was also known as the "Xu Agui Clause".

In addition, during the investigation of the Hualong case by Xu Agui, important people in the financial and economic circles were remanded in custody, Legislative councilors initiated a proposal to amend

the Code of Criminal Procedure to abolish the prosecutor's right to custody, and also proposed to the Grand Council of Justices whether the prosecutor's right to custody is unconstitutional. On July 13, 1995 the Legislative Yuan passed the second reading on the last day of the session. The decision of detention in investigation was changed from prosecutor to the chief prosecutor or duty agent designated by the chief prosecutor which arouse public concern. In the same year, the Grand Council of Justices made Interpretation No. 392, proclaiming that prosecutor exercised the right of detention was unconstitutional, and on December 19, 1997 amended Article 101 of the Code of Criminal Procedure, the prosecutor right to issue arrest warrant formally enter history.



## B. The case of the fire burning the school bus of Jian Kang kindergarten<sup>5</sup>

On May 15, 1992, the private Jiankang Kindergarten in Taipei held the offcampus tour teaching activity to the theme park of Liufu Village, Hsinchu. The chairman of the board, Wu Wendao and the principal of the kindergarten, Yang Conghui (wife of Wu Wendao) served as the general tour leaders, and the head of general affairs Zhao Guofang was responsible for renting the tour bus. Originally, the kindergarten rented tour bus from Shuangtian Tour Company, Taipei. However, there were not enough vehicles in Shuangtian Tour Company. Therefore, 2 tour buses were rented from Taibei Transportation Company, Taipei. When en route they passed through Zhongxing Road, Pingzhen City, Taoyuan County. The tour bus driven by driver Yang Qingyou, a tour bus of the Taibei Transportation Company. It carried 53 parents, students and teachers of the Jiankang Kindergarten. Due to vibration of the power transformer, the old power cord was shortcircuited, the wires were off fire and ignited, inflamed materials in the tour bus causing explosion and burning.

The driver Yang Qingyou first opened the right front door to let the passengers escaped and squeezed into the rear seat trying to open the rear emergency door. However, because the spacing was too small, and the emergency door handle was in disrepair, the lock was stuck and could not be opened. The driver saw this he kicked off the emergency door glass and climbed out of the tour bus to escape. The tour bus service lady Miss Yu Guiying and the kindergarten teacher Huang Jiatian went

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5.Reference: The indictment of Zhen No.17560 of 81 (1992)



健康幼稚園火燒車案 纏訟十一年終定讞

## 幼稚園負責人與老師均判刑

被論處三年、四年有期徒刑定讞。  
健康幼稚園負責人吳文道、楊聰慧夫婦，除了變賣房產，傾力賠償受難家屬之外，也被檢察官依業務過失致死罪嫌提起公訴，隨車幼教老師趙國芳，同列被告。

黃錦麗／台北報導  
健康幼稚園火燒車事件造成廿三名幼童喪命，歷經十一年的纏訟，不只遊覽車公司負責人及司機被判處業務過失致死罪，連幼稚園負責人吳文道、楊聰慧夫婦及幼教老師趙國芳，都因未對租用的遊覽車善盡「基本的安全檢查」注意義務，被法官認定「應負過失致死罪責」。  
據最高法院昨日的定讞判決，吳文道、楊聰慧、及幼稚園老師趙國芳，都成立過失致死罪，分別判處一年二月徒刑、十月徒刑（緩刑三年）、六月徒刑。

健康幼稚園火燒車事件，發生在八十一年五月間，園方為了舉辦春季旅遊教學活動，向泰北公司租遊覽車，前往新竹縣六福村野生動物園，當遊覽車行經桃園縣平鎮市中興路時，因老舊電源線短路，引燃液態瓦斯，進而發生爆炸起火，遊覽車上的滅火器因逾年限，無法滅火，待火勢撲滅，遊覽車已全部燒燬，車內幼童、老師計有廿三人逃生不及，葬身火窟。

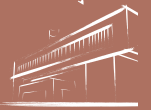
追究刑責時，遊覽車負責人連麗雲、司機楊清友，因業務過失致死，分別

Page C3, January 1, 2005, China Times

to the tour bus luggage section to take out fire extinguishers to fight fire, but found that the fire extinguisher had long been expired and could not extinguish the fire. Passers-by, kindergarten teacher Lin Jingjuan, and driver Yang Qingyou rescued passengers trapped in the fire, and immediately called the fire brigade. The fire was extinguished and the tour bus was almost completely burned down. As a result, 23 people including kindergarten teacher Lin Jingjuan, parents and students were killed, and 8 students were injured. Among them, kindergarten teacher Lin Jingjuan had the opportunity to escape, but because of worry about the safety of

school children, she chose to return to the fire, and constantly got on and off the tour bus to rescue the students from the fire. However, the fire was too strong, finally, she embraced four students in her arms and died in the fire.

After investigation by prosecutor of the Taipei District Court Prosecutors Office, the defendants of the Jiankang Kindergarten, Wu Wendao, his wife, Yang Conghui, and the head of the General Affairs Office, Zhao Guofang, were allegedly guilty of business negligent death. The trial was ordered re-trial by the Supreme Court six times and finally



sentenced by the court in 2004. The defendants Wu Wendao, Yang Conghui, and Zhao Guofang were found guilty of negligently causing death. The defendant Wu Wendao was sentenced to 1 year and 2 months imprisonment. The defendant Yang Conghui was sentenced to 10 months imprisonment, and suspended for 3 years. Zhao Guofang was sentenced to 6 months imprisonment. Both sentencing were confirmed. After the occurrence of this case, it triggered a thorough review of the safety inspection of tour buses in Taiwan, which enabled the safety management of vehicles including tour buses to be increasingly perfect.

### **C. The case of bribery by gaming machine tycoon Zhou Ren-Shen**

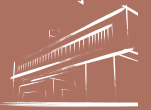
In 1996, the gambling video game operator Zhou Renshen, in order to prevent the several gambling video game stores in Taipei from being banned by the police, through Zhang Taixiong, the criminal investigation team leader of Shilin Police Department, Taipei to bribe the police and prosecutors. The prosecutors of the Taipei District Court Prosecutors Office had several waves of investigation and prosecuted a large number of defendants, including 2 prosecutors, Chen Yanmin, former chief inspector of the Taipei City Police

Department, Cheng Wendian, former commissioner of the Chiayi City Police Department. The amount of bribery was estimated to be tens of millions of dollar. It was a major police corruption case in Taiwan.

The video game operator, Zhou Renshen, used a certain percentage of the revenue from the operation of each video game store as a bribe. Every month, through the various channels, he paid bribes to the jurisdictional police stations, substations, the Inspectors'

Office, Taipei City Police Department, and the juvenile police team. The amount reached NT\$100,000 per month. During the period, police officers in the jurisdiction did not check, and did not ban Zhou Renshen's video game stores. In case of large-scale inspection, they were notified in advance. If Zhou's gambling video game store was transferred to prosecutors office, through former prosecutor of the Taipei District Court Prosecutors Office, Xu Liangqian, would not prosecuting the relevant defendants, and returned the 25 video game consoles seized by police to Zhou Renshen. Also, Hong Jiayi, the former head prosecutor of Banqiao District Court Prosecutors Office, would notify Zhou Renshen in advance of inspection of Sanchong Police Station, Taipei County. After the outbreak of the case, Zhang Taixiong fled abroad and Zhou Renshen was arrested. In the same year, the commissioner of the National Police Agency, Yan Shixi, was deeply attacked by the case and resigned.

After the court heard the case, Zhou Renshen was sentenced to 2 years and 7 months, and deprivation of citizen's rights for 6 years for offering bribery of jointly and continually non-civil servant to civil servant for breach of duties. He was commuted to 1 year, 3 months and 15 days in accordance with the Criminal Commutation Act. The video game staff Lian Yuqin was sentenced to 1 year and 4 months, and deprivation of citizen's rights for 4 years for offering bribery of jointly and continually non-civil servant to civil servant for breach of duties. Hong Jiayi, the former head prosecutor of the Banqiao District Court Prosecutors Office, was guilty of civil servant covering up regular gambling. She was sentenced to 2 years imprisonment and reduced to imprisonment of 1 year according to the Criminal Commutation Act. Xu Liangqian, the former prosecutor of the Taipei District Court Prosecutors Office was sentenced to 8 years imprisonment and deprivation of citizen's rights for 6 years for direct benefit



others of supervising business. He was also guilty of leaking secret information other than national defense and was sentenced to imprisonment for 1 year and 4 months. The 2 crimes should be sentenced to 8 years and 4 months, and deprivation of citizen's rights for 6 years.

Liu Ximing, the former deputy chief of Songshan Police Station of the Taipei City Police Department, was guilty of accepting bribes for continually breach of his duties, was sentenced to imprisonment for 6 years and 10 months, and deprivation of citizen's rights for 3 years. The criminal proceeds of NT\$180,000 were recovered and confiscated. Police officer Liu Zhengqi was sentenced to 10 years and 2 months imprisonment, and deprivation of citizen's rights for 4 years for breach of his duties receiving unjustified interest. Police officer Ye Yihong (formerly known as Ye Jianhong) was sentenced to 10 years and 6 months imprisonment, and deprivation of citizen's rights for 4 years for breach of his duties

accepting bribes. The criminal proceeds of NT\$600,000 were recovered and confiscated. Police officer Yang Qiugui was sentenced to 7 years imprisonment, and deprivation of citizen's rights for 3 years for breach of his duties accepting bribes. The criminal proceeds of NT\$1.1 million were recovered and confiscated.

Police officer Huang Shuitian was sentenced to 3 years and 6 months, and deprivation of citizen's rights for 3 years for breach of his duties accepting bribes. The criminal proceeds of NT\$160,000 were recovered and confiscated. Zhang Dexing, the former inspector of the Inspector Office of Taipei City Police Department, was convicted of bribery for breach of his duties accepting bribes. He was sentenced to 5 years imprisonment, and deprivation of citizen's rights for 4 years. He was also convicted of offering bribes and was sentenced to 1 year and 6 months imprisonment, and deprivation of citizen's rights for 4 years, reduced to imprisonment



for 9 months, and deprivation of citizen's rights for 2 years. He should be sentenced to 5 years and 6 months imprisonment, and deprivation of citizen's rights for 4 years (9.17.2018 High Court year 106 Zhong Zhu Shang Geng (6) No. 2 judgment, the case was not confirmed).

Chen Yanmin, the former chief inspector of the Taipei City Police Department, Cheng Wendian, the former commissioner of the Chiayi City Police Department, Gao Canhong, the former police officer of juvenile team of the Taipei City Police Department, Lin Wenbin police officer, and Lin Zhengnan, the former sergeant of Zhongshan Police Station of the Taipei City Police Department were all ruled by court as not guilty. Zhang Taixiong, the former criminal sergeant of Shilin Police Station of the Taipei City Police Department fled Taiwan and was a wanted fugitive.

## D. The collapse of the Dong Xing building<sup>6</sup>

On September 21, 1999, at 1:47 am and 15.9 seconds, a magnitude 7.3 earthquake hit Taiwan. This was a massive earthquake that we called "921 Earthquake" in Taiwan's history. Although the magnitude of the earthquake in Taipei City was 4 to 5

### 纏訟多年...921東星案 1人判刑

【記者王宏舜／台北報導】十七年前九二一大地震造成台北市東星大樓倒塌、八十七人死亡，檢方當年起訴十人，纏訟十多年後，僅監工徐茂雄被依業務過失致死罪判刑一年六月，民事部分，東星大樓一百六十一名受災戶向鴻固營造、鴻固大股東宏國公司、董事前一〇一董事長林鴻明和整修廠樓梁柱的宏程建設委託大林建築師事務所設計、鴻固營造公司負責營造施工，一九八四年竣工，在一九九九年九月廿一日凌晨的大地震中垮塌。

檢方起訴東星大樓起造人宏程建設負責人謝隆盛（已歿）、監工徐茂雄、鴻固營造董事長杜明福、建築師張宗祈（已歿）、職員陳金菊；另外，第一銀行松山分行被質疑整修梁柱是造成垮塌原因之一，銀行經辦整修工程的職員與廠商也被起訴。

不過最高法院認定，鴻固營造設計興建東星大樓時，少算各樓層重量、低估地表水平橫力、鋼筋綁紮也不符規定，混凝土、耐震強度及柱斷面尺寸均不足，使一樓部分支柱成為建築物地震時崩塌的初始點，有多項施工疏失，但一銀修繕工程未影響結構安全，杜明福未實際執行承造業務，也無法證明宏國對鴻固有控制從屬關係，二〇〇八年依業務過失致死罪判監工徐茂雄一年六月徒刑，其餘九人無罪。

民事部分，東星大樓一百六十一名受災戶向鴻固營造、鴻固大股東宏國公司、董事前一〇一董事長林鴻明和整修廠樓梁柱的宏程建設委託大林建築師事務所設計、鴻固營造公司負責營造施工，實際負責人謝隆盛的繼承人謝吳雪惠、徐茂雄須連帶賠償一億九千多萬元確定，利息另計。但建商脫產，繼承人拋棄繼承，徐又無力償還，被害人只是一紙上獲得賠償。

此外，東星大樓受災戶也曾向台北市政府申請國賠。受災戶主張大樓結構計算有嚴重錯誤，但審核人員卻未揪錯，未盡法令上注意義務，且主管機關派員勘驗未能發現鋼筋綁紮錯誤、混凝土強度不足等重大瑕疵，導致大樓因強度不足而於地震時倒塌，造成重大傷亡，公務員顯有過失。二〇〇七年台北市府與受災戶和解，北市府動用市府預備金公費，共賠償一億二千萬元；東星大樓二〇〇九年重建完成。

Page A4, February 11, 2016, United Daily News



scale, disasters still occurred. The collapse of the "Dongxing Building" was the most serious.

After the 921 earthquake the Dongxing Building collapsed to the east side. The floor of the 8th floor of the northeast side of the building fell to the ground. The floor was squeezed to the west and the underground floor. The southeast side part collapsed, the 6th floor collapsed to the ground. Floors below 6th floor were severely squeezed, the west side of the 9th floor was severely inclined at 60 degrees, and the floors below the 8th floor were severely squeezed. After the collapse of the Dongxing Building, the "Haomen Shijia Building" next to the Dongxing Building was squeezed by the Dongxing Building, the 2nd to 7th floors' wall and column pillars were seriously damaged. The 12th floor of the Dongxing Building leaned against the 3rd floor of the Haomen Shijia Building. At the same time, it was spread to the Zhaoming Temple, Songshan next door. Fire fighters rescued hundreds of people

trapped in the first time after the incident. At about 4 o'clock in the morning, fire exposed caused by excessive gas leakage, and the fire was extinguished until 6:55 in the morning. The collapse caused a total of 73 deaths and 14 missing. The disaster relief team actively rescued the victims during the golden rescue hours. According to statistics, 138 injured people were sent to hospital including Sun Qiguang and Sun Qifeng, the two brothers who were discovered alive six days after the collapse.

The construction company of Dongxing Building was Hongcheng Construction Company, a so called "one case company" founded by Hongguo Construction Co., Ltd. Hongcheng Construction Company was dissolved in 1987 after the completion of the single construction case. Upon investigation by prosecutor of the Taipei District Court Prosecutors Office, the building had obvious strength shortage, the cross section area of pillars of each floor were too small, and the length and shape of

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6.Reference: The indictment of Zhen No.23871 and 23972 of 88 (1999)

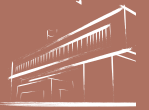
the first floor pillars of the building was not suitable for construction. Xie Longsheng, the general manager of the former Hongguo Construction Company, Du Mingfu, the managing director of Honggu Construction Company, architect Zhang Zongxi, building structure computational staff Chen Jinju, and site supervisor Xu Maoxiong were allegedly negligence of occupational duties resulting in death. On July 17, 2008, the Supreme Court confirmed Chen Jinju to acquittal, Xu Maoxiong was confirmed of 2 years and 10 months, and later complied with the 2007 Criminal Commutation Act, prosecutor petition for a reduction in sentence, the court ruled that sentence was reduced to 1 year and 5 months imprisonment on September 22, 2008. The defendants Zhang Zongxi and Xie Longsheng were ruled that trial not accepted because of death.

At that time, the "First Commercial Bank Songshan Branch", which was located on the 1st floor of the Dongxing Building, was renovated pillars before the earthquake. It was also suspected as one of the reasons for the collapse of the Dongxing Building. Prosecutor of the Taipei District Court Prosecutors Office prosecuted several relevant persons, such as Huang Yiyuan, staff of business section of the First Commercial Bank, but the court held that the beam and pillar renovation project of the bank was only repaired to the exterior wall decoration, and it was not related to the safety of the arcade pillar structure. The project did not pose a public hazard, they were acquitted.

## V. 2000s

### A. Huang Ji-Min case<sup>7</sup>

Huang Jimin was the Director of the National Fire Agency from 2003 to 2009. Huang Jizhou, the brother of Huang Jimin, was also the actual person in charge of the Heda Industrial Co., Ltd. Huang Jimin knew that according to the provisions of the Civil Service Act and the Government Procurement Act, when he performed his duty,



he ought to avoid any incidents involving the profits of himself or his family, and should not attend the procurement in this situation. However, using the authority of the Director of the National Fire Agency, he used the annual balance of the National Fire Agency to handle specific procurement cases, and notified Huang Wenzhou and others in advance to participate in the preparation of bidding, bidding, tying the specifications and continuing the bidding, not actually inquired the price or raising the quotation, etc., allowed the company of

Huang Wenzhou and others to successfully obtain the relevant bidding of the National Fire Agency and earned illegal interests. Huang Wenzhou and others for making profits from the above method, Huang Wenzhou decided to use 40% of the profits from the relevant National Fire Agency's bid to pay the bribery for Huang Jimin. Huang Jimin then used the money to purchase gold for storage. When the Taipei District Court Prosecutors Office conducted a search on August 29, 2012 of Huang Jimin's office at the Formosa Plastics Company,

## 黃金署長 涉貪判18年

消防署前署長黃季敏被控收賄2千萬 現任署長陳文龍獲緩刑

【記者王聖華／台北報導】消防署前署長黃季敏被控利用採購案索賄近二千萬元，再匯往境外洗錢，另圖利廠商台標公司二億元，換取招標出國；台北地院歷經五年審理，昨天依貪污等罪判黃有期徒刑十八年，褫奪公權八年，犯罪所得沒收。可上訴。

檢調當年搜索黃季敏時，在他的處所查扣十七塊金磚、十一塊金條，重量近廿公斤，黃之後就被逮，稱「黃金署長」。合議庭指出，黃被調查時還指示當時的副署長陳文龍等人偽造簽文；陳文龍是現任消防署長，昨天也被依偽造公文書判一年、緩刑二年。

消防署資訊室科長蔡木火被判刑六年六月、科員羅財全被判刑六年，消防官員王啓通、王良吉、杜汪濤、曾偉華、張勝雄、葉珍元與黃季敏胞兄黃文宙等廠商也分別判刑六個月到十二年。

黃季敏是在「搜索燈」、「亞航」、「無線電」等採購案收賄一九二四萬元，將賄款藏匿，被依違背職務收賄、洗錢罪判刑；在「遠距無線電通訊系統」等建置、維修案中圖利台標公司，被依圖利罪判刑；檢方起訴時認為黃收賄後購買黃金，但判決未作同樣認定。

黃季敏被控圖利台標部分，因台標與法商阿爾卡特廠合作，黃以署長名義親自赴法考察，一件採購案考察八次，考察的都是知名景點如「香坡堡」、「水道橋」、「亞維儂」，考察動機和適法性被調查。

檢方原保守估算台標不法獲利為一二〇七萬元，不過判決認為因黃季敏非法行為，使台標獲得違約利得、提前領工程款、遞補得標達二億三一二萬元利益，這筆金額依沒收制度算判沒收。

檢調是二〇一二年八月對黃季敏啟動偵辦，搜索後收押他，後續規畫六波搜索；由於黃曾在「八八風災」時累倒，接受總統慰勉時掉淚，弊案爆發後，黃的眼淚被諷刺為「鱷魚的眼淚」。檢察官認為他貪的是百姓的救命錢，起訴時求處無期徒刑。

Page A7, July 4, 2017, United Daily News

7. Accused on December 20th, 2012, case number: Zhen No.18302, 19551, 21438 and 25289 of 101 (2012)



seized the aforementioned 15 kilograms of gold. Later, Huang Jimin was prosecuted by the Taipei District Court Prosecutors Office for breach of his duties accepting bribes. He was sentenced to 18 years imprisonment by the Taipei District Court on July 3, 2017.

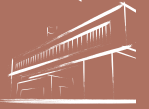
## **B. The Beitou cable car malpractice<sup>8</sup>**

Former Minister of the Interior Yan Wanjin was an old friend with Guo Quanqing, the boss of Lishanlin Development Co., Ltd., Lita Company, and Liqi Company in 2005. Guo Quanqing also contributed to the Democratic Progressive Party. In August 2005 Guo Quanqing told Yan Wanjin at a dinner party that he intended to donate NT\$5 million to the Democratic Progressive Party to sponsor election. He hoped to donate it through Yan Wanjin, and also gave Yan Wanjin a face. However, after Yan Wanjin received the donation from Guo Quanqing, he encroached all the money and deposited in his own account, and did not handover to the the Democratic Progressive Party.

Later, Yan Wanjin began to serve as the deputy minister of the Ministry of the Interior on January 25, 2006. At that time, Cai Bailu was the director of the Yangmingshan National Park Management Office (hereinafter referred to as the Yangmingshan Office) of the Ministry of the Interior. Guo Quanqing learned that the BOT case of the Beitou Line Cable Car was profitable. He participated in the bidding in the name of Liqi Company. However, Guo Quanqing knew that if followed the original tender notice of the Taipei City Government, it was not profitable, he attempted to build a large scale hot spring sightseeing hotel. Therefore, he tried to operate a hot spring

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8. Accused on November 13th, 2006, case number: Zhen No.15314 of 95 (2006)



sightseeing hotel in the name of "study accommodation facilities". However, after the plan was reviewed by the Taipei City Government, it was found to be different from the original bidding plan and subject to environmental impact assessment. Guo Quanqing tried to avoid the environmental impact assessment procedure and quickly obtained the building license, he paid bribery of NT\$7 million to the director of the Yangmingshan Office, Cai Bailu. Despite Cai Bailu approved the plan, it still could not pass the review of the Construction and Planning Agency. When Yan Wanjin learned the news he took the initiative to suggest to Guo Quanqing that he could help. Guo Quanqing then paid another NT\$1.2 million to bribe Yan Wanjin.

In May 2006, Yan Wanjin also learned that 33 graduates from Cambridge University, including Fan Zhiqiang, Chairman of the Fuxing Airlines, wanted to organize the "University of Cambridge

the Republic of China Alumni Association" and prepared documents to apply to the Ministry of the Interior on June 15 of the same year. It was hoped to get approval before the summer vacation so that alumni meeting could be held in the summer vacation. Fan Zhiqiang contacted Yan Wanjin to help speed up the administrative work. Yan Wanjin knew that there was no delay in the application progress of the bidding process, he indicated that he had accelerated the handling. He took the opportunity to ask the secretary of Fan Zhiqiang for more than 20 free domestic flight air tickets of Fuxing Airlines.

Later, Yan Wanjin was prosecuted by the Taipei District Court Prosecutors Office for the crimes of business embezzlement, breach of duty accepting bribes, and without breach of duty accepting bribes. The Taipei District Court considered that he was in an important position but he was "grabbing selfishness and daring to

act” and sentenced him to 15 years imprisonment. In the end, he was sentenced to imprisonment of 12 years and 6 months by the Supreme Court, and he was sent to prison on February 12, 2014.

## VI. 2010s

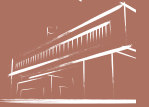
### A. Lai Su-Ru case<sup>9</sup>

In March 2013, Lai Suru, who was then a member of the Taipei City Council, was accused of claiming a bribe of NT\$15 million from the "Taiwan Gemini" construction bidder, and indicated to the bidder that NT\$5 million of them were required to pay bribes with the party members. After investigation by prosecutor of the Taipei District Court Prosecutors Office, applied with approval for the detention of Lai Suru and others to the Taipei District Court. "Taipei Gemini" was a major construction project for the Airport MRT line. The case was followed by five failed bids. Finally, the Taiji Twins Star Company won the bid. After the Taiji Twins Star Company won the bid, on the next day of the last day of paying deposit to the Taipei City Government. The staff found that the remittance slip faxed by the Taiji Twins Star Company was a bounced check, and it was suspected that there was official escorted and the selection committee were bribed.

After investigating the case of the Taipei Gemini, the prosecutor of the Taipei District Court Prosecutors Office launched a mandatory disciplinary action to search the Finance Bureau, Taipei City Government and other units, and also searched the law firm of Lai Suru, Taipei City Councillor and her city councilor office. On March 30, 2013,

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9. Accused on September 24th, 2013, case number: Zhen No.7962, 7963, 8021 and 14797 of 102 (2013)



the Taipei District Court of Taiwan ruled that Lai Suru was remanded for bribery of the Taipei Gemini project, together with Cheng Hongdao, the actual boss of the Taiji Twins Star Company. Lai Suru originally denied the facts of the crime, however, she was monitored and photographed by the Investigation Bureau with photos of Lai Suru meeting with the bidder.

The case was concluded on July 24, 2013, and the prosecutor considered that the defendant, Lai Suru, used her Taipei City Council member's power to propose to escort the bidding team of Taiji Twins Star Company in the City Council to exclude other vendors from competing, and to demand a bribe of NT\$15 million which had already received deposit of NT\$1 million, committed the crime of civil servant accepting bribes in duties, concealing the property obtained from the crime of corruption of the Anti-Corruption Act, and uncleared source of the property of civil

servant. The Taipei District Court ruled that Lai Suru was convicted of accepting bribes in duties, and was sentenced to 10 years imprisonment and deprivation of citizen's right for 5 years. The Taiwan High Court confirmed the crime of accepting bribes in duties, she was sentenced to 9 years imprisonment and deprivation of citizen's right for 9 years.



Page A1, November 11, 2014, China Times



## **B. Lin Xi-Shan case<sup>10</sup>**

During the period of serving as the Secretary-General of the Legislative Yuan, Lin Xishan, the former Secretary-General of the Legislative Yuan, took the opportunity to make a decision on the Information Systems Procurement Case of the Legislative Yuan Information Office (hereinafter referred to as the LY Information Procurement Case) from certain date of January 2012 to January 7, 2015, received a cash rebate of NT\$36.5 million from Li Baocheng of Wangyuan Company for the information procurement case. Even in the process of bidding for the "Legislative Yuan Internet Public Opinion Convergence Platform Development and Construction Project (hereinafter referred to as the Public Opinion Convergence Case)", only because Wangyuan had not been selected as the preferred bargaining

vendor, it accepts Li Baocheng's request and violates the law. Revoked the Public Opinion Convergence Case that had completed the selection process, and with the balance amount of the case transferred to the "Legislative Yuan Mobile Device Network Security Strengthening Construction Case" proposed by Li Baocheng. The contents of the bidding documents were leaked to Wangyuan Company through pressure of subordinates. Also through section chief Chen Liangyin, contact with the handling of bribes. Lin Xishan had a cash increase of NT\$234.78 million 3,620 from the time of the alleged receipt of the rebate on certain date of January 2012 and within 3 years later, and it was not comparable to the salary income of the Secretary-General of the Legislative Yuan in which he could not explain.

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10. Accused on April 29th, 2016, case number: Zhen No.2944 and 8989 of 105 (2016)

The case was caused by Tian Zhiwen, a senior analyst of the Information Division of the Legislative Yuan, who was reluctant to cooperate with Lin Xishan's pressure to meet the requests of the chief, section chief, etc., but was subject to performance appraisal B and was transferred to other office without any reason. On December 6, 2013 reported to the Investigation Bureau and it was investigated. After being prosecuted by the prosecutor of the Taipei District Court Prosecutors Office for the crimes against the Anti-Corruption Act, Lin Xishan was sentenced to 16 years imprisonment.

立院前秘書長

**貪汙2.75億 林錫山遭判16年**

**林偉信／台北報導**

立法院前秘書長林錫山（見圖，本報資料照片）涉收回扣貪瀆案，台北地方法院昨日審結，合議庭認定林利用職權壟斷立法院電腦資訊採購業務，圖利廠商收回扣，犯行敗壞官箴、重創公務員的廉潔形象，依收取回扣等8罪將他判刑16年，褫奪公權6年，沒收已繳犯罪所得3950萬元，並追繳沒收來源不明犯罪所得2億3618萬多元。全案可上訴。

在押的林錫山聆判後，沒有驚訝表情，但頻頻與律師「咬耳朵」，隨後還押看守所。他的律師表示，本案應是觸犯本刑7年以上的不違背職務收賄罪，但法官認定是本刑10年以上收受回扣罪，會提起上訴。

本案另12名被告，立法院前資訊處處長陳露生判刑5年6月；高振源、陳亮吟、蔡望怡、王文龍及蘇百惠等5人洩密罪判刑5月至6月不等，除陳露生外都獲緩刑。廠商行賄部分，網遠科技負責人李保承行賄罪判2年半，得易科罰金90萬、蕭月妮、林明玉、蕭月如等4人分判3月至2年半不等，均得易科罰金、緩刑；劉馨蔚、蔡懷全則無罪。

林錫山主導立院多起電腦軟硬體設備招標案，2012年初找上網遠科技負責人李保承，向他表示「去年做得不錯囉，借我300萬可以吧？」「不然你沒材調（台語，意指能力），就不要做！」

李為取得其他標案，從2012年至2015年元月，分8次給林錫山回扣3950萬元；林陸續透過親信陳亮吟等人探詢網遠科技的意見，再替其量身打造標案，或洩漏招標文件、規格協助取得立院招標案。

此外，林錫山平均年薪283餘萬，且全數用來繳交貸款，但他卻自2012年起，3年內現金增加2億3618萬6920元，分別藏放個人、妻兒、他人提供共32個銀行帳戶內，涉及財產來源不明罪。

北院審理認為，林錫山位居要職，竟為貪圖私利，收取回扣後協助特定廠商取得標案，考量他坦承收賄並自動繳回部分犯罪所得，還提出財產供扣押以備將來犯罪所得的追徵，已見其悔意，將林合併判刑16年，追繳未扣案的2億多元不明財產。

Page A11, May 6, 2017, China Times