



## Press Release

# Taipei District Prosecutors Office

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**Taipei District Prosecutors Office has indicted former legislator Kao Hung-An and 4 others on corruption charges.**

### **I. Charges on corruption and payroll fraud:**

#### **1. THE INVESTIGATION CONCLUSION**

Taipei District Prosecutors Office (TDPO) has indicted defendants Kao Hung-An and 4 others for withdrawing public funds without authorization with an intent to profit, fraudulently making others to deliver a third person's property under cover of legal authority, and causing public officials to make false entries in public document pursuant to the Anti-Corruption Act Article 5 paragraph 1 subparagraph 2 and the Criminal Code of the Republic of China Article 214.

#### **2. Facts of the offenses**

Former legislator Kao Hung-An, knowing the budget for public assistants was dedicated solely for work done related to political inquiries and overtime pay, abused her position as a member of Legislative Yuan and coerced her subordinates Huang ○-Min (黃○玟) and others to submit false statements in monthly salary and overtime pay claiming government funds up to the budget cap for hours they didn't work. Starting from Feb. 27, 2020 till Dec. 31, 2020, the proceeds of crime have reached a total of NTD 46,030, which was then repurposed by Kao to pay for her personal expenses. Her criminal operation has had an undue influence on the management of the budget and in doing so she has hurt the integrity of the office.

#### **3. Sentencing Suggestion**

- (1) Considering the fact that Kao injured public morality by abusing her position as a legislator and coerced her subordinates to be accomplices in making fraudulent claims on monthly salary and overtime pay so she could misappropriate government funds for her own personal gains, and that she's showed no remorse after she was caught red handed and even tried to shed responsibilities by denying her role in these criminal activities, TDPO deems it is only just to sentence Kao

accordingly and deprive Kao of her civil rights as a candidate for public office.

- (2) As for defendants Huang ○-Wen (黃○玟), Cheng ○-Yu (陳○宇), and Cheng ○-Kai(陳○愷), they have pleaded guilty for the parts they played in making fraudulent payroll deduction with Kao. Since they didn't profit from the process of the said criminal activities, TDPO asks their sentence to be reduced to no more than one year with probation time pursuant to the Anti-Corruption Act Article 8 paragraph 2 and the Criminal Code of the Republic of China Article 31 paragraph 1 the exception clause.

## **II. Charges on fraudulent and breach of trust:**

### **1. Investigation Results**

About the charges Institute of Information Industry has filed against Kao for fraudulent and breach of trust, TDPO has concluded that there's not enough evidence to indict Kao for both crimes. Pursuant to the Code of Criminal Procedure Article 252 subparagraph 10, TDPO will not pursue the indictment for fraudulent and breach of trust against Kao.

### **2. Reasoning**

After a thorough investigation, TDPO has concluded that Kao did execute her duties and file work reports as required during her business trip to the US for Institute of Information Industry, so no evidence was found for her making fraudulent claims on salaries and travel expenses during this business trip. As for the fact that ServTech Co., Ltd.(ServTech) didn't approve the royalty of 15 million dollars according to memorandum, TDPO can only contribute it to insufficient funds on the part of ServTech and other business factors. Last but not the least, Kao was never on the payroll of ServTech, so TDPO can hardly find Kao for violating regulations on holding concurrent posts. As for the invention patent involved, it was under the name of ServTech and was never the work product of Kao when she was employed by Institute of Information Industry. Therefore, Institute of Information Industry has no claims on the patent and Kao will not be indicted for charges on fraudulent and breach of trust.