



利用機場空運走私愷他命案

謝奇孟

- 壹、本案緣起
- 貳、分工手法細膩
- 參、執行跟監與反跟監
- 肆、檢察官親赴機場協調放貨
- 伍、執行追緝一時失利
- 陸、魔高一尺、道高一丈

壹、本案緣起

本案緣起於行政院海岸巡防署北部地區巡防局基隆機動查緝隊（下稱基隆查緝隊），於民國 94 年 6 月間獲得情資顯示周○、王○等人，涉嫌自馬來西亞空運走私第三級毒品愷他命來臺販賣牟取不法利益。遂報請本署指揮偵辦，對周○、王○及其周邊可疑對象進行長期蒐證以清查走私管道。

貳、分工手法細膩

嗣查知該集團利用周○所經營之鉅○

國際有限公司（下稱鉅○公司），以進出口貿易為幌子並結合報關與倉儲業者，涉嫌自馬來西亞運輸第三級毒品愷他命，毒盤特徵如下：

（一）貨主由周○、王○共同出資。（二）報關業者為趙某及潘某。（三）倉儲業者為陳增與陳傑，為華○股份有限公司員工。（四）運輸手法：該集團曾於 94 年 4 月間，由周○與王○共同出資，再由周○、鄭○（為鉅○公司之員工）等人先至馬來西亞，以每公斤美金 1 萬元之價格向 Simon（馬來西亞人）購買愷他命，及

1. 本文作者曾任本署檢察官，現任新北地檢署主任檢察官。



每公斤 6000 元之馬幣作為運費（當時 1 馬幣約為 8.85 元新臺幣）由馬來西亞人將愷他命夾帶在電子產品中，毒品交運後，周○即通知其在臺女友伍女匯款，再由「中○報關行」之趙某及潘某負責報關作業，待愷他命到機場時，周○即指示王翔、陳偉（為鉅○公司之員工）前去租用車號 5D-1234 號白色三菱休旅車，預備以該休旅車作為運毒之交通工具，王翔、陳偉租得車輛後即開至桃園交給王○；王○再令其小弟將該車放置於桃園機場附近，該車車門未鎖，鑰匙置於駕駛座椅下，王○本人則在附近監看，待陳增與陳傑利用在航空貨物站工作之便，於貨物下飛機之後，將夾藏於貨物中之愷他命取出，再由陳傑夾帶出機場，放置於上述休旅車。再由王○通知王翔、陳偉至桃園機場附近，將該車開回新北市中和市區周○所經營之鉅○公司，王○則另駕一部車尾隨在該休旅車後押貨。以人與貨分離之方式運輸，且每個參與者僅從事部分犯罪行為，彼此間亦不接觸，至於夾藏毒品所用之貨物，則以一般貨物之流程通關或退運，以逃避查緝。

參、執行跟監與反跟監

周○於 94 年 9 月底出境後，專案小組研判該集團將再次走私毒品，並從監聽中得知，該次運輸將以海產為夾藏毒品之菜

底，因海產類之快遞流程較一般貨物快，並發現鄭庭於 9 月 30 日（星期五）前去租用車牌號碼 5D-1234 號自用小客車。專案小組隨即於桃園機場及南崁一帶進行查緝部署，並對該集團所使用白色 CQ-5678 號裕隆轎車及車號 5D-1234 號自用小客車進行監控，惟該集團採取反跟監作為，不斷闖紅燈，在馬路上迴轉及進入臺茂購物中心暫時停妥車輛後，隨即開出，一再察看有無被跟監，以致專案小組之跟監行動曝光。致該集團警覺而不敢碰觸該批貨物，並四處逃逸。嗣於同年 10 月 1 日（星期六），從通訊監察中得知該集團準備將該批貨物退運。

肆、檢察官親赴機場協調放貨

專案小組遂於當日（恰為強烈颱風龍王來襲，飛機停飛、全臺放假。）晚間於桃園機場華○貨運站針對 9 月 30 日自馬來西亞吉隆坡至桃園機場之班機及冷凍食品類加以清查，僅剩華航 CI123 號班機尚有編號為 2997-1234567 冷凍食品共計 6 箱總重 118 公斤，於 10 月 2 日（星期日）凌晨會同臺北關稅局開箱查驗，於編號第 2 及第 5 號箱內查獲以干貝為菜底掩護，挾帶 25 公斤之愷他命。惟當時海關人員表示該批貨物未報關應屬尚未進入國門不得查扣云云，經檢察官與桃園機場夜勤主管溝通

後，於凌晨 2 時許，由檢察官在機場移交單上簽收後，海關人員始願將該毒品交由專案小組查扣。

伍、執行追緝一時失利

承辦檢察官於同年 10 月 2 日上午 8 時許（因時間急迫，待上班時間一到即以辦公室之公務電話與入出境管理局連繫，先傳真辦案進行單，公文後補。當時實務上之作法，可未經詢問被告即為限制出境之強制處分。依目前之作法應為境管通知，僅能暫時留置。）即對被告周○與王○等人限制出境並簽發拘票。又王○於 10 月 3 日（星期一）中午欲搭第一班飛機出國逃逸時（10 月 1、2 日飛機停飛），在桃園國際機場管制區，從查驗護照人員口中得知遭限制出境，即丟下護照及行李在海關人員面前從機場逃逸，並電話連絡周○與鄭庭駕駛周○所有之車牌號碼 1234-EJ 號 BMW 黑色休旅車至桃園機場接伊，王○等 3 人駕駛該車往南逃逸，至中壢交流道，王○與周○即換搭計程車，繼續往南逃逸；周○所有之 BMW 黑色休旅車，則由鄭庭行駛平面道路回臺北（此時專案人員不知王○與周○等人已換搭計程車，仍請國道警察幫忙攔查該 BMW 黑色休旅車）。周○並要其女友伍女駕駛車號 4321-DY 之 BMW 轎車至臺中市清交流道接王○之女友唐女。伍女在臺中市區發現被跟監後，復採

取大迴轉及繞圈、闖紅綠燈等動作意圖逃避跟監，後因伍女熟悉路況，致專案小組無法有效掌握其行蹤，且周○、王○等人並將手機關閉改以公共電話聯絡，在臺中地區追緝 2 日後，確定完全脫控。

陸、魔高一尺、道高一丈

專案小組研判周○、王○等人，毒品已被扣住未流出，無急迫之危險性。且王○應該會再回鉅○公司，故將人員從臺中地區撤回，查緝車輛全改用租賃車，在鉅○公司附近監控，待 10 月 5 日傍晚，周○先令王翔、陳偉回公司刺探。此時專案小組，待周○自以為安全，於晚間返回公司時，檢察官與專案小組至該處拘提周○，並經周○同意搜索後，搜得匯款單等證物，周○始坦承犯行，復陸續拘提其他共犯到案。

本案查緝之重點在於跟監過程曝光後，周○與王○等人四處逃竄之時，猶能棄而不捨，先將毒品扣住，不讓毒品流出或退運回馬來西亞，再循線將犯嫌一一拘提到案，並將運輸毒品管道一併阻絕於境內。



周○、王○、趙某、潘某等人在機場附近之咖啡廳，共謀走私毒品之蒐證照片。



王○、周○等人於 94 年 4 月間，走私第三級毒品愷他命成功。追溯其走私之方法、車輛。



94.10.2 查獲以干貝為菜底掩護，挾帶 25 公斤之愷他命。



106.9.18 緝毒組檢察官為加強緝毒合作拜訪
財政部關務署、台北關松山分關



106.12.27 黃立維主任率檢察官同仁為加強
緝毒合作拜訪財政部關務署台北關



Trafficking Ketamine via air transportation

Chi-meng Hsieh

- I. Case background
- II. Delicate collaboration
- III. Surveillance measures
- IV. Prosecutor negotiated with tariff
office to confiscate proceeds
- V. Setback to pursuit suspects
- VI. The final strike to wrongdoers

Liberty Square/Chia-Hsin Lu

I. Case background

Keelung Mobile Coast Guards, Northern Coastal Patrol Office, Coastal Patrol Directorate General of the Coast Guard Administration, and the Executive Yuan (hereinafter referred to as Keelung Mobile Coast Guards) received information in June 2005 that Chou and Wang et al. were suspected to be trafficking in ketamine, a category-3 drug, from Malaysia to Taiwan via airfreight to obtain illegal profits. The situation was immediately reported to the Command and Reconnaissance Office, and long-term collection of the evidence of the drug trafficking channels of Chou, Wang, and other suspects was carried out.

II. Delicate collaboration

It was found that, the group was suspected of being involved in trafficking ketamine, a category-3 drug, from Malaysia, under the guise of the import and export trade activities of Ju-X Company (Ju-X), which is run by Chou, who also integrated the businesses of customs clearance and warehousing. The drug trafficking group has the following characteristics:

(1) The drugs were mainly bought by Chou and Wang. (2) Chao and Pan were in charge of customs clearance. (3) Tseng Chen and Chieh Chen were in charge of warehousing, and were employees of Hwa X Co., Ltd. (4) Method of transmission:

► In April 2005, Chou and Wang offered funds together, and Chou and Cheng (employees of Ju-X) went to Malaysia. They bought ketamine at the price of USD10,000 per kilogram from Simon (a Malaysian man), and paid another Malaysian to deliver the ketamine at the price of MYR6,000 per kilogram (MYR1 was approximately equivalent to NTD8.85 then). The Malaysian hid the ketamine in electronic products. After delivery of the drug, Chou notified his girlfriend Wu to remit money. Chao and Pan of "Chung X Customs Broker" were in charge of customs clearance. When the ketamine reached the airport, Chou instructed Hsiang Wang and Wei Chen (employees



of Ju-X) to rent a white Mitsubishi recreational vehicle, with plate number 5D-1234, as the tool of drug transportation. After they rented the vehicle, Hsiang Wang and Wei Chen drove to Taoyuan and delivered the vehicle to Wang. Wang asked his subordinate to park the vehicle near Taiwan Taoyuan International Airport, leave the vehicle doors unlocked, and the key hidden under the driver's seat, while Wang supervised from a nearby location. After the electronic goods were removed from the airplane, by taking advantage of their work convenience, Tseng Chen and Chieh Chen removed the ketamine hidden in the goods. Chieh Chen took the ketamine, left the airport, and hid it in the aforementioned vehicle. Wang then asked Hsiang Wang and Wei Che to go to a location near Taiwan Taoyuan International Airport and drive the vehicle to Ju-X in Jhonghe City, New Taipei City. Wang drove another car to follow the recreational vehicle to obtain the drug. As the participants and drugs were transported separately, each participant was only in charge of one part of the crime, and the participants did not meet each other in person. The electronic goods hiding the drugs went through customs clearance procedures as ordinary goods or were returned to avoid investigation.



III. Surveillance measures

At the end of September 2005, Chou left Taiwan. The task force analyzed that the group might traffic in drugs again. Based on communication monitoring, they would hide the drugs in seafood, as seafood courier process-

es are faster than other couriers. The team found that, on September 30 (Friday), Ting Cheng rented a private car with plate number of 5D-1234. The task force immediately investigated and deployed near Taiwan Taoyuan International Airport and Nankan, in order to monitor the white Yulon sedan

numbered CQ-5678 and the private car numbered 5D-1234. However, the group took counter-surveillance actions and constantly ran red lights. They turned around to enter TaiMall to stop their vehicles for a while, and then left. They checked again and again to see if they were monitored, and the surveillance actions of the task force were exposed. The group became alert and did not dare to touch this batch of drugs anymore, and they fled. On October 1 of the same year (Saturday), through communication monitoring, we learned that the group was about to return this batch of drugs.

IV. Prosecutor negotiated with tariff office to confiscate proceeds

On that same day, Typhoon Longwang hit Taiwan, and all the aircraft were out of commission, as everyone in Taiwan had the day off. The task force investigated the frozen food delivered from Kuala Lumpur, Malaysia to Hwa X Freight Station of Taiwan Taoyuan International Airport on September 30. Only China Airlines CI123 aircraft

contained a total of six boxes of frozen foods numbered 2997-1234567 with a total weight of 118kg. In the early morning of October 2 (Sunday), together with the Taipei Customs Tariff office, the task force opened the boxes to check the goods. In No. 2 and No. 5 boxes, a total of 25kg of ketamine was found hidden in dried scallops. However, the customs officers said that, as the goods had not undergone clearance, it should be considered that the goods had not yet entered Taiwan. Hence, the goods could not be detained. After the prosecutor communicated with the Night Shift Director of Taiwan Taoyuan International Airport, at around 2 o'clock in the morning, the prosecutor signed the goods handover sheet of the airport. Then, the customs officers allowed the task force to detain the drugs.

V. Setback to pursuit suspects

At around 8 o'clock on the morning of October 2 of the same year, as soon as working hours started, the prosecutor-in-charge made contact with the



Immigration Office by telephone, due to the urgency of the situation. The action progress sheet was first faxed, while the official document was sent later, which was common practice in urgent situations at that time. However, the defendants had not been questioned before being restricted to exit Taiwan. According to current legal requirements, a border management notice should be sent to the defendants, and the defendants could only be detained temporarily. In order to restrict the defendants, Chou and Wang et al., from exiting Taiwan, an arrest warrant was issued. At noon of October 3 (Monday), as all aircraft were out of commission on October 1 and 2 due to the typhoon, Wang was about to flee by taking the first airplane to leave Taiwan. At the control area of Taiwan Taoyuan International Airport, the passport inspector told Wang that he was restricted from exiting Taiwan. Wang immediately discarded his passport and luggage, and fled the airport ahead of customs officers. Wang then contacted and requested Chou and Ting Cheng to drive Chou's black BMW recreational vehicle numbered 1234-EJ to Taiwan Taoyuan

International Airport to pick up three persons, including Yi and Wang, and fled south. When they reached Jhongli Interchange, Wang and Chou took a taxi to continue fleeing south. Then, Ting Cheng drove Chou's black BMW back to Taipei. As the project members did not know that Wang and Chou et al. had taken a taxi, they requested the national highway police to block and check the black BMW. Chou asked Wu to drive the BMW numbered 4321-DY to Zhongqing Interchange of Taichung to pick up Wang's girlfriend, Tang. When Wu realized that he was followed into downtown Taichung, he took a big turn, circled around, ran red lights, and intended to avoid surveillance. As Wu was familiar with the road conditions, the task force could not effectively know his whereabouts. Chou and Wang et al. shut down their mobiles to avoid discovery, and made contact via public telephones. After investigation in Taichung for 2 days, they were completely out of the control of law enforcement officers.

VI. The final strike to wrongdoers

The task force determined that, the drugs that the task force analyzed had been withheld, thus, there was no imminent danger, and Wang would go back to Ju-X. Hence, the task force withdrew its staff from Taichung, and replaced investigation vehicles with rented vehicles, in order to conduct surveillance near Ju-X. At dusk of October 5, Chou asked Hsiang Wang and Wei Chen to return to Ju-X first to check the situation. Chou thought that it was safe, and went back to Ju-X later that eve-

ning. The prosecutor and the task force arrested Chou at the company. After Chou agreed to be searched, evidence including remittance slips were found. Chou had committed his crime, and his accomplices had been arrested.

The focus of this case lies in that, after exposure by communication monitoring, and when Chou and Wang et al. fled, the task force did not give up their investigation. They first detained the drug from being delivered or returned to Malaysia, and then followed clues to arrest the suspects one by one, thus, this drug delivery channel to Taiwan had been blocked.



