



# 臺美緝毒合作偵破漁船走私海 洛因磚案件

楊展庚

本案源自本署檢察官楊展庚於民國 99 年 4 月起，指揮法務部調查局臺北市調查處，先於 99 年 9 月 21 日，在高鐵烏日站，查獲周○等人運輸安非他命 8.2 公斤後，懷疑製毒集團在屏東設有毒品工廠，遂成立專案小組調查毒品集團之相關網絡，持續向臺北地方法院聲請通訊監察，歷經長達 3 年監聽，調閱無數次國際通聯記錄，過濾眾多可疑對象，逐漸查悉走私毒品網絡，雖該集團成員分佈東南亞、大陸及臺灣等地，均使用網路、大陸行動電話及智慧型手機聯絡以逃避追查，然專案小組結合行動蒐證、使用行動 E 化偵蒐車、分析單線電話及衛星電話、金流及入出境狀況等偵查作為，勾勒出該集團成員身分、匯款流向、入出境狀況、聯絡方式等走私毒品模式。於監聽期間，如遇法官駁回聲請時，則研擬提出充分事證，釋明聲請理由，說服法官繼續支持本案監聽之執行，使專

案小組人員研判犯罪細節，鎖定載運毒品之漁船。

嗣於 101 年 5 月起主嫌莊○分別匯款新臺幣（下同）1000 萬元、1200 萬元至大陸浙江銀行某帳戶內，且莊○於 5 月底前往柬埔寨、6 月下旬再前往廈門。莊○又於 7 月起，與負責仲介漁船之屏東縣新園鄉代表會主席張○會面央請找尋可供走私漁船，同時聯絡位於柬埔寨之曾○確認接運毒品時間後，張○乃介紹陳○提供其所有之「宏吉裕七號」漁船作為運毒工具，並由陳○各以 200 萬元代價，委由船長潘○、輪機長黃○於 101 年 7 月 27 日 11 時，自屏東縣東港以捕魚名義出海。惟該漁船出港後，因冷凍機器故障等問題頻向陳○回報，但陳○仍執意在冷凍機器故障下，要求船長持續出航，且譯文對話顯示「阿明那邊聯絡見面吃飯」之暗語，故而研判

1. 本文作者曾任本署檢察官，現為花蓮地檢署主任檢察官。



該漁船並非捕魚，應是前去接運莊○向曾○走私之海洛因。

專案小組嗣於 101 年 8 月 15 日掌握上開被告年籍、運輸船隻、出海時間、聯絡方式等情資後，決定執行本案。另專案小組為確定該漁船之海上動向，啟動與美國緝毒署（DEA）合作機制，取得英國電信公司就該漁船之海上航行即時衛星定位予以嚴密監控。復於 8 月 18 日，協調由高雄地檢署檢察官鄭益雄帶同調查官，會同行政院海岸巡防署海洋巡防總局南部地區機動海巡隊（下稱海巡隊）隊長，以漁業署提供之衛星定位比對出海圖，描繪該漁船最近位置，以及移動方向和速度，當場於海圖上定出在離臺灣本島 200 海里處攔

截該漁船，以排除其他船隻在外海接運毒品之可能。海巡隊長遂於 101 年 8 月 19 日 12 時，派遣「德星巡防艦」（下稱德星艦）出海執行緝捕行動，並擬於 8 月 20 日拂曉登檢漁船，因研判該時段漁船人員均處於熟睡之際，攻堅其等必措手不及，難以丟棄毒品於海上。待德星艦航行至距離高雄港 250 海哩之南中國海，執行漁船攔截行動，因航路深遠，海象極差，不易掌握漁船位置，迄至 8 月 20 日清晨 5 時 30 分發現該漁船後，德星艦轉向該漁船後方，先施放小艇，德星艦則駛向該漁船前方誘敵，德星艦與小艇則一前一後，分向快速駛近該漁船。伺該漁船人員發現前方德星艦時，後方之小艇登檢人員已然登上該漁船實施檢查，登檢人員立刻控制漁船人員，並將



船長潘○、輪機長黃○及 4 名印尼漁工押解至德星艦，該漁船則由德星艦同仁駕駛，尾隨德星艦返航高雄港。德星艦於 8 月 21 日上午返抵高雄港後，專案小組人員進入漁船內展開地毯式搜索，歷經 2 小時高達攝氏 50 度炎熱及刺鼻柴油味等情況下，終在船艙夾層內發現密艙，起出海洛因磚共 7 箱，每箱藏放海洛因磚約 30 塊，合計查獲

205 塊海洛因磚（淨重 7 萬 1550.03 公克）。又專案小組人員同步在高雄、屏東等地，拘提主嫌莊○、船主陳○及仲介者張○等人，並搜索相關處所，查獲多部衛星電話、無線電器材及大批匯往國外存摺、現金與匯款水單等物品。嗣經最高法院於 103 年 8 月判處主嫌莊○等人無期徒刑定讞。







# Taiwan-U.S. Cooperation in Cracking Heroin Bricks Trafficking via Fishing Vessels

Chan-ken Yang

The sea gate of Tamsui/Chia-Hsin Lu





Since April 2010, Prosecutor Chan-ken Yang has commanded the Taipei Investigation Office of the Investigation Bureau, Ministry of Justice (MOJ). On September 21, 2010, Prosecutor Chan-ken Yang seized approximately 8.2kg of amphetamines trafficked into Taiwan by Chou et al. at HSR Taichung Station. The Office suspected that a drug manufacturing group might have set up a drug lab in Pingtung County. Immediately, we established a task force to investigate the network related to the drug manufacturing group and continuously applied to Taipei District Court for communications monitoring. For three years, we monitored communications, reviewed numerous international contact records, screened many suspicious subjects, and gradually learned about the drug trafficking network. Although the members of the group were located in different places in Southeast

Asia, mainland China, and Taiwan, all of them used the Internet, mainland China SIM cards, and smartphones to evade tracing. The task force collected evidence, used a mobile e-investigation vehicle, and analyzed single-line and satellite phone calls, cash flows, and entry & exit statuses to outline the identities of the group members, the flows of remittances, entries and exits, ways of contacts, and other drug trafficking patterns. During the communication monitoring period, when our application was dismissed by the judge, we offered sufficient evidence and explained the reasons for the application in great detail to convince the judge to continue to support the monitoring of the case. In this way, the task force could analyze the details of the crime and identify the fishing vessels for drug trafficking.



In May 2012, Chuang, the main suspect, transferred NTD 10 million and NTD 12 million separately to Zhejiang bank account, mainland China. Chuang went to Cambodia at the end of May and then went to Xiamen, mainland China in late June. In July, Chuang met Chang, who was the Chairman of the Representative Council of Xinyuan Township, Pingtung County in charge of intermediary business of fishing vessels, and asked the latter to find fishing vessels for trafficking. At the same time, Chuang contacted Tseng who was in Cambodia to confirm the time of drug delivery. Chang introduced Chen to Chuang, as Chen was able to provide a fishing vessel named “Hung Chi Yu No. 7” for drug trafficking. Chen paid NTD 2 million to Pan the Captain and

Huang the Chief Engineer of the vessel each and requested them to go to sea under the guise of fishing from Donggang Township of Pingtung County at 11 o'clock on July 27, 2012. However, after departing from the port, the fishing vessel had problems like refrigerating machine failure, and they subsequently and frequently reported the condition to Chen. Chen insisted that they continue sailing and ignore the refrigerating machine failure. Based on the translated dialogue, showing the argot that read “Ming contacted you to meet for dinner”, it was suspected that the fishing vessel did not go to sea for fishing. Instead, it was supposed to pick up the heroin that was being smuggled from Chuang to Tseng.

*“Ming contacted you to meet for dinner”,  
it was suspected that the fishing vessel did not go to sea for fishing.*

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On August 15, 2012, the task force learned the age, vessel, time to go to sea, and method of contact of the aforementioned defendants and determined to start the operation. In addition, in order to determine the movement of the fishing vessel at sea, the task force initiated a cooperation mechanism with the United States Drug Enforcement Agency (DEA). It also obtained the real-time satellite positioning of the vessel from British Telecommunications PLC in order to closely monitor it. On August 18, Yi-Hsiung Cheng, Prosecutor of the Kaohsiung District Prosecutors Office, and the investigators met the Captain of the Mobile Coast Guards of Southern Taiwan under the Maritime Patrol Directorate General of the Coast Guard Administration. They compared the satellite positioning provided by the Fisheries Agency with the previous maritime information to pin down the closest location, moving direction,

and speed of the fishing vessel. It was determined that when the fishing vessel reached 200 sea miles away from Taiwan, it would be intercepted on the spot to exclude the possibility of drug pick-up by other vessels. At 12 o'clock on August 19, 2012, the Captain of Maritime Patrol dispatched Frigate Te Hsing to arrest the suspects. It was planned that at dawn on August 20, relevant investigators would board the fishing vessel when the crew was supposed to be asleep during that time, and thus it would be difficult for them to discard drugs into the sea when caught by surprise. When the Frigate Te Hsing was in the South China Sea 250 sea miles away from the Port of Kaohsiung and was about to intercept the fishing vessel, the sea route was far in distance and the visual conditions at that time were extremely poor. It was thus not easy to locate the fishing vessel. At 5:30 in the early morning of August 20, Frigate Te Hsing found the





fishing vessel and turned to its rear. A boat was released first, and then the Frigate Te Hsing sailed to the front of the vessel to lure the crew. The Frigate Te Hsing and the skiff approached the fishing vessel, and as soon as the crew of the fishing vessel spotted the Frigate, the investigators on the skiff immediately boarded the fishing vessel for investigation. The investigators onboard immediately controlled the crew, and sent Pan the Captain, Huang the Chief Engineer, and four Indonesian fishermen to the Frigate Te Hsing under escort. The fishing vessel was then under the control of some of the crew of the Frigate and followed the Frigate to the Port of Kaohsiung. On the morning of August 21, the Frigate reached the Port of Kaohsiung. The members of the task force boarded the fishing

vessel for an inch-by-inch search. After two hours of searching under a high temperature of 50 °C and under the fumes of smelly diesel oil, they finally discovered a secret cabin. They found a total of seven boxes of heroin bricks. Each box contained approximately 30 heroin bricks. In total, 205 heroin bricks were found (net weight: 71,550.03g). The task force members then arrested Chuang the main suspect, Chen the vessel owner, and Chang et al. the middleman in Kaohsiung and Pingtung. Relevant premises were searched, and several satellite phones, radio equipment, many foreign bankbooks, cash, and remittance slips were seized. The Supreme Court sentenced the main suspects Chuang et al. to life imprisonment in August 2014.

