



眾志成城 --W Hotel 毒品派對 命案之偵辦與蒞庭

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一、故事的結束與偵查的開始

臺北，臺灣的首都，在這個不眠的城市裡，夜晚從不是令人害怕的存在，每當夜色攀上天際，家家戶戶點上橘黃的燈火，整個城裡都閃耀著溫潤的星光。如果說臺北的夜景，彷彿點點星辰散布在宇宙的盡頭，那麼在這之中，信義區的夜景，該是一道劃過天際的銀河，猶如有人打翻了盛滿寶石的珠寶盒，那一道沿著重力拋出的光帶，精準地棲上了信義區的天際線，在夜空中燃燒，妝點出臺北最引以為傲的夜色景致。這絕對是一個充滿夢想的城市。

但即將發生的，卻是一個如花般期待綻放的女孩，在這個燦爛的城市裡，在追逐夢想的旅程中，無聲地凋謝的故事。

民國 105 年 12 月 7 日上午 9 點，信義區剛結束前一晚的狂歡，空氣中鋪著淺淺的興奮，安靜地休眠著。突兀地打破了這樣的寧靜，一個提著手提包的中年男子，倉皇地走進了信義區內頂級五星級飯店的迎賓大廳，一對正值妙齡的男女，幾乎在同一時刻，從飯店的住客層前往了大廳，兩方相接，這對男女匆匆的領著那人上了電梯，按下了目的樓層—「25 樓」。到達樓面後，年輕女子一面催促著大家前進，一面打開了房門。房間裡，一個花樣年華的女孩躺在長沙發上喘著氣，神智看來不很清醒。房裡有多名年輕男女，圍繞著她，目光隨著剛進房的中年男子而移動，大家的眼神，都帶著不安，帶著慌張與企盼。

1. 本文作者均為本署檢察官。



隨後，只見那男子拿出了點滴瓶、針頭、藥瓶，開始從手背為躺臥的女孩注射。生活在夜裡的行家們口耳相傳，這樣的注射，能排解施用毒品後產生的不適，它有一個望文生義的俗名－「排毒針」。

時間跟隨著點滴瓶裡的液體，一分一秒滴落，40分鐘過去了，女孩並沒有好轉，狀況越發危急。中年男子表示「不行了，必須得送醫！」。慌張的眾人只得匆匆為女孩披上浴袍，穿上褲子，房內一名年輕男子揹起了全身癱軟、毫無意識的女孩，與方才那對男女一同搭了電梯下樓，毫無停頓地穿過五星級飯店的迎賓大廳，經過迎賓人員協助開啟的大門，兩名男子就這麼將女孩背上了在飯店門口排班的計程車後座。

「快到國泰醫院急診室！快！」

遵循著乘客的指示，國泰醫院急診室前，司機停下了車，兩名男子將昏迷不醒的女孩送進了急診室，醫護人員旋即展開了救治，同時認為事有蹊蹺而暗中通知轄區警方到場了解。兩名男子見警方到場，不是如實以告，而是開始編織著虛假的謊言，誑騙到場的員警，掩飾二人與女孩的關係，隱匿二人從五星級飯店揹著昏迷不醒的女孩，搭車前往急診室的事實，捏造

了女孩上車的地點，試圖掩蓋飄著惡臭的事實。

另一方面，因女孩的情況不樂觀，正在與死神搏鬥，不久後，國泰醫院將女孩轉到了臺北榮民總醫院繼續救治。然而，縱然眾人傾注全力救治，她仍然在那裏走向了生命的終點。女孩冰涼的遺體旋即被送往臺北市立第二殯儀館停放，透過醫院的初步診斷，已知女孩是因服用藥物中毒死亡，轄區警方隨即循著程序向臺北地檢署報請司法相驗。然而，因這兩名男子先前對醫護人員及警方羅織的謊言，轄區警方一開始並未發現案發現場竟是位於臺北市信義區、享譽全台的五星級飯店「W Hotel」，因此也無從於第一時間前往事發地點W Hotel保全證據。但所謂的真實，終究是無法被幾個拙劣的謊言輕易掩蓋的，隨著時間經過，光鮮的假象，越發散出腐敗的惡臭。

站在臺北市立第二殯儀館的解剖台旁，一邊看著女孩冰涼的遺體，承辦檢察官心裡一邊想著，女孩是何時進入飯店房間的？為何進去？到她失去意識被人擡出房間為止，在那道飯店房門的後方，究竟發生了甚麼事？為何導致一朵含苞的花蕾，終未能綻放即香消玉殞？

「一切的答案，我一定要找出來。」握緊拳頭，年輕的承辦檢察官默默的在心裡許下了承諾。

二、與時間賽跑的偵查「全套¹」過程

民國 105 年 12 月 8 日上午 11 點多，臺北地檢署當天負責外勤值班的檢察官許文琪接獲法警室通知，士林地檢署代為相驗了一名在本署轄區內發生服藥過量送醫的死者，所以通知當日值勤檢察官準備收案。一時之間，各大媒體也快速地傳播著與本案相關的訊息，包括「五星級飯店 W Hotel 浴袍女離奇死亡」、「小模暴斃」、「身著浴袍遭人擲出飯店送醫後死亡」、「毒品派對」、「土豪哥捲入命案」等聳動的標題、關鍵字，民眾的正義期望與獵奇心態正在沸騰著，無盡的關注湧入，每一刻，都在追逐著媒體從不知何處獲知的最新偵辦進度。然而，不論外界如何騷動，「時間」始終是檢方最初，也是最大的敵人，畢竟時間會沖淡一切，包含刑事案件中的人證及物證。

（一）解剖 - 重建被害人之「體內現場」

於收案的第一時間，承辦檢察官認此案疑點重重，即迅速與法務部法醫研究所排定於翌日下午進行死者遺體之解剖，意

在確認死者死因，並採驗死者血液送驗、同時採集檢體，確認死者生前有無遭他人性侵害等情。然而，首先面臨的困難，是無論「解剖鑑定結論（確認是何原因導致死亡）」、「血液檢驗程序（確認體內血液殘留哪些種類毒藥物）」、「DNA 鑑定程序（確認是否遭他人性侵害）」，都需要一定作業時間才能取得鑑定結果。換言之，承辦檢察官雖然大膽假設死者生前可能服用過量毒藥物，並因而導致死亡，但在解剖鑑定結論出爐之前，仍然無法妄自斷定死者死因及體內毒藥物成分與濃度，也就是說，解剖鑑定之結果，有可能大幅翻轉檢警原本假設的事實，使先前所為的偵查作為白忙一場，縱然如此，在無法排除「有人須為被害人死亡結果負責」這個可能性的情況下，還是要做，因為被害人雖已死亡而無法述說案發經過的真實模樣，但被害人的屍體本身也是這件命案留下的最重要且僅存的客觀證據，一旦發交死者家屬辦理後事，甚至火化，證據也就灰飛煙滅了。

（二）履勘犯罪場所 - 案發現場已經不是現場

兵貴神速，承辦檢察官一面等候解剖鑑定結論，另一方面，承辦檢察官也在第

2. 本案於偵查過程中所為偵查手段或強制處分共計有：勘驗（包含驗屍、解剖屍體、履勘現場、扣案手機還原鑑識）、傳喚、拘提、搜索、扣押、鑑定（包含解剖、死者血液、DNA 等）、鑑定許可（採集在場者尿液及毛髮）、調閱通信紀錄、聲請通訊監察（經法院以事後查證為由駁回）、檢察官當庭逮補、具保、聲請觀察勒戒、聲請羈押及禁止接見等，種類之多，範圍之廣均非一般案件可比擬。



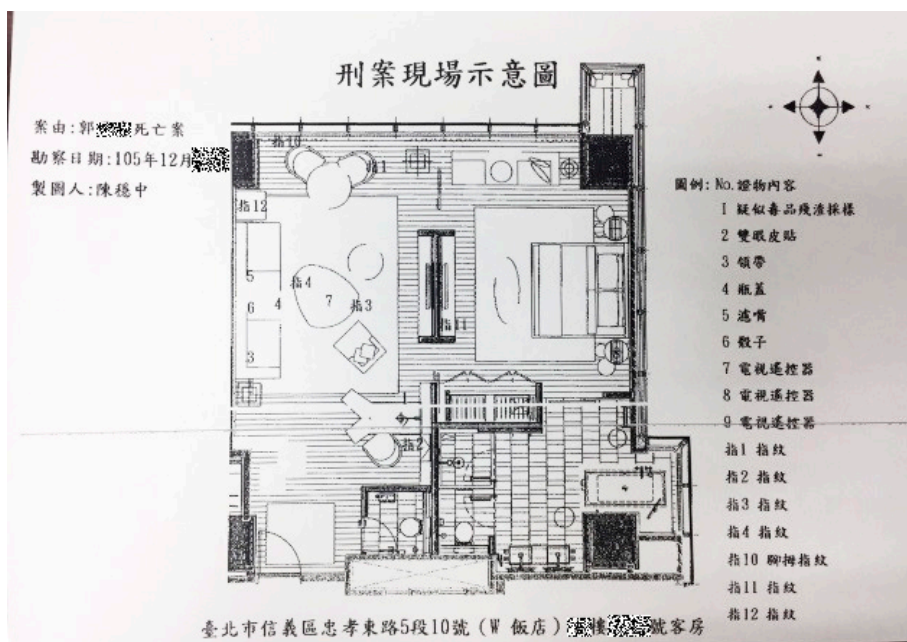
一時間指揮信義分局的承辦警員，詳細報告目前所知案情的所有細節，並要求保全 W Hotel 之大門、大廳、電梯內外、房間走廊等處於案發期間之監視器錄影檔案，以確認死者進出房間的準確時間以及盡速約談所有進出房間之人士，另派員調取死者於案發後先後在國泰醫院、臺北榮民總醫院就醫之急診病歷，並指示警局鑑識人員立即進入事發房間內完成採證，務必在第一時間內保全證據。

於相關任務分派完畢後，承辦檢察官很快就收到警方陸續的回報，然而，都是些令人洩氣的消息。首先，承辦員警告知 W Hotel 已將案發的房間打掃清理完畢，現場已非案發當時之狀態，相關人士於房

間內使用的布巾、床單，以及房內垃圾等物，全都已經清洗、滅失，無從採集相關跡證。關於那個房間，在案發期間的 120 個小時究竟發生何事，已無從自房間內所餘之痕跡，窺見一絲半縷的線索。

(三) 首次組成跨越組別之辦案團隊 - 力求偵查綜效最大化

然偵辦至此，依原本之推論及現存之事證，約略可將本案區分為「追查何人應就命案發生負責」、「追溯毒品如何輾轉進入死者體內」這兩大主軸，雖本案屬於重大矚目案件，但承辦檢察官手頭上其他近百一般案件仍須如期進行，不可偏廢，本署為求發揮專業分工、團體辦案以擴大偵查綜效，於案發後 1 週內即由檢察長邢



泰釗領軍成立專案團隊，成員包含主任檢察官許祥珍、主任檢察官蕭方舟、檢察官許文琪、檢察官王俊棠成立專案小組，經檢察長聽取簡報後裁示，除由原承辦檢察官許文琪（民生專組）、民生專組主任檢察官許祥珍就導致被害人死亡之直接供毒者偵辦究責外，另指派緝毒專組檢察官王俊棠、緝毒專組主任檢察官蕭方舟追查該毒品派對之毒品來源，甚至進一步往上追查出時常流竄於酒店、夜店、飯店之小盤藥販（即俗稱小蜜蜂），藉此查明於本次毒品派對中所可能出現之毒品種類、樣式。

經專案團隊密集召開專案會議集思廣益下，大致判斷本件既然屬於一定程度密閉空間內發生之案件，其內組成人員應可特定，但現場相關跡證已遭人為（包含房內成員及飯店清潔人員）破壞，案發過程勢必以「房間內人員說法」為主戰場，但考量「人的供述」存在太多不確定性，為還原本次毒品派對之全程經過，專案團隊成員一致決定除了「找出房內成員」取得供述相互比對之外，更要補足本案最缺乏的客觀證據（如參加派對成員之尿液及毛髮、相關人員手機鑑識還原、監視器影像），因此初步擬定「1. 地毯式清查所有進出人員身分並訊問所有已知悉身分之進出人員」、「2. 採集所有進出人員之尿液、毛髮送驗，與被害人體內殘留毒藥物項目進行比對」、「3. 扣押進出人員行動電話並進行鑑識採證及還原已刪除內容，確認

相互間與對外聯繫之對話內容」、「4. 分析所有進出人員於案發前後之雙向通聯紀錄、通話暨行動連網基地臺位置，瞭解其所在位置及移動軌跡」等追查方向同步進行；另依參與程度主、被動以及關係遠近等因素，將參與本次毒品派對之成員大致區分為「主辦人」、「受邀參加之友人」、「與主辦人、參加友人互不認識之小模、傳播妹」、「案發後到場協助善後」四種身分，並依相關事證將進出人員歸類以利決定究責之對象及範圍。

（四）偵辦瓶頸與莫名阻礙

案發期間飯店內的監視器錄影檔案之所以極度重要，在於除了可以確認進出案發房間人員身分外，更可以判斷人員進出時手上提拿物品，或是哪些人雖然未進入房間，卻與房間內成員在飯店內接觸等重要事實，實屬本案重新建構現場極為關鍵證據之一，但經飯店技術人員告知，因受限於監控系統設計，每支監視器錄影檔案均須以一比一之時間加以複製，意即如要調取五支不同地點，長達5天之監視器錄影檔案，總共需歷時25天始能完成，然而W Hotel監視器錄影檔案之保存期限為一個月，則如何取捨所應調取何一位置、何段時間的監視器錄影檔案，當然也成為專案團隊頭痛的問題。

不僅如此，依據醫學文獻所載，服用毒品後於人體內的代謝期程，隨著各種毒



品之不同，代謝完畢時間各有長短，然而唯一的定律，便是任何經人體服用之毒品必然隨著新陳代謝而逐漸排出，時間越久，留在體內越少。自從12月8日上午因被害人送醫身亡而事件爆發後，檢警雖立即介入採證，然而依據W Hotel所提供之住房紀錄，該房間於105年12月2日下午即由之該飯店白金VIP朱○龍登記入住，推算可知，承辦檢察官於同年月8日上午經法警室通報時，距離最初開房已時隔6天，如欲採驗進出房間人員之尿液、毛髮，以判斷是否曾於該房間內施用毒品，甚至進一步佐證被害人於生前也曾於該房間內施用過相同種類的毒品等情，可知檢警一天無法清查、過濾出參加毒品派對成員身分並循線找人，留存在毒品派對成員體內之重要跡證也一天一天地消失無蹤。

雖然第一時間就找到以個人名義訂房之朱○龍，以及鎖定將死者送醫之洪○晏、江○瑋，然而光是勘驗W Hotel一開始提

供之房間門口走廊監視器錄影畫面就已經發現進出該房間的除了被害人及朱○龍、洪○晏、江○瑋等人外，更包括眾多真實身分未明之年輕男女，何況朱○龍於到案應訊前，已預先將個人持用手機內與其他共犯聯繫之通聯資料全數刪除，復刻意以「小晏」、「阿學」等綽號代稱其他共犯，其餘出入之年輕女子，則均辯稱不認識，為警方鎖定涉案或參加人士年籍徒增困難。另一方面，因本案早已引起社會大眾之矚目，於媒體鋪天蓋地之報導下，為求自保，涉案或參加人士亦早已逃匿無蹤且難以聯繫，要在採集尿液、毛髮之黃金期間內，尋得曾進出房間之相關人士，實非易事。

此外，重要關係人越晚到案，在外互相聯繫彼此串證之機率就越高，而本案事發後兩天內，僅有訂房者朱○龍一人到案說明，內容亦是交代不清、模糊帶過，其餘進出房間人員因上開原因而未能於第一

時間內掌握其證言，另一方面，承辦檢察官雖在第一時間指派警局鑑識人員前往案發房間進行採證，但除了重要的案發現場經飯店清潔人員清掃而破壞殆盡外，可能乘載著最多資訊的被害人手機，也於案發後遭當時在房內之陳○澤刻意取走丟棄而不復存在。更有甚者，案發後陸續到案之涉嫌人洪○晏、關係人「將將」，更坦承於到案前已將個人手機毀損丟棄，避免遭到扣押而使個人身陷案件之中。足見本案偵查初期，蒐證過程可謂頻頻受挫，僅憑現存、闕漏之事證實在難以掌握本案之主要輪廓。

為了跟時間賽跑，為了在證據隨著時間滅失之前，盡可能地找到死者逝去的真相，專案團隊開始過著日夜顛倒的生活，畢竟時間是不等人的！

（五）一線曙光 - 血液、尿液及毛髮鑑定與「行動通信裝置鑑識」²

隨著檢警不眠不休的比對時間總長度達約 600 小時（5 支鏡頭各約 120 小時）之監視器錄影檔案、分析相關人等通信記錄、還原及清查扣案手機內所存取通話內容後，陸續查出進入案發房間參加毒品派對者之真實身分，截至 105 年 12 月 19 日，

承辦檢警共已傳訊朱○龍、江○瑋、洪○晏、蔡○學、陳○澤、陳○涵、王○蒂、王○儀等 9 人，並以經承辦檢察官簽發鑑定許可書或取得真摯同意之方式採集上開 9 人之尿液及毛髮後，即刻分送往台灣尖端先進生技醫藥股份有限公司（臺北市政府警察局之特約檢驗機構）、法務部調查局濫用藥物實驗室等處進行鑑驗。

依臺北市政府警察局與檢驗單位台灣尖端先進生技醫藥股份有限公司所簽訂委驗合約中之尿液委驗項目中僅有「鴉片類（海洛因）」、「安非他命類」、「大麻類」、「MDMA（搖頭丸）類」、「愷他命類」等傳統常見之毒品項目，而法務部調查局濫用藥物實驗室亦僅針對「海洛因」、「安非他命類藥物」、「合成大麻」、「愷他命」、「苯乙胺迷幻藥」等項目進行毛髮檢驗，然常於酒店、夜店中所出現助興之新興毒品 PMA、Mephedrone、Methylone、Ethylone 等多半係以自製咖啡包封裝，且混摻多種毒品在內，因考量上開新興毒品均非傳統委驗項目，為免檢警耗盡心力追查出部分參加毒品派對者之身分並於傳訊後採集尿液、毛髮，卻因檢驗項目不足而功虧一簣，承辦檢察官經多方探詢後，

3. 又稱為「手機取證」，本署毒品資料庫辦理此項業務之緣由與展望，詳見本書其他篇章。



確認長期受司法警政單位委託鑑驗尿液及毒品之臺北榮民總醫院臨床毒物與職業醫學科，除檢驗設備更為精密且能在檢驗上開傳統委驗項目時取得更為精確之檢驗值外，更能就尿液中有無眾多新興毒品之代謝物進行檢驗，經檢察長核准後，隨即指示承辦員警將上開9人之採集尿液另送臺北榮民總醫院進行檢驗，並不厭其煩地每天與該科承辦人聯繫確認檢驗進度。

於等待相關鑑驗報告出爐的同時，本署毒品資料庫專責檢察事務官、臺北市政府警察局刑事警察大隊、毒品查緝中心等單位前經承辦檢察官指示，就現存之扣案手機（計有朱○龍、江○瑋、蔡○學、陳○澤、陳○涵、王○蒂）進行取證並比對部分亦有所斬獲，另外清查「曼曼」、「醬醬」、「張○奕」、「施○武」等參與毒品派對者，或是曾經與參與毒品派對者接觸之可疑藥頭，以及事後到場施打排毒針之阿寶「吳○激」等人真實身分。

（六）以同理心突破心防 - 逐一訊問在場者所見所聞並相互勾稽

證人的記憶，也會隨著「時間」經過受到影響，不論是因為時間經過而遺忘或記憶混淆，抑或受到該段期間媒體報導的內容引導，甚至受到社會輿論的影響，更有甚者是與涉案人互相串證，統一說詞，都可能使證人證言悖於事實。所以專案小

組經清查得知全數參加派對者之真實身分後，立即傳訊「曼曼」、「醬醬」等經由傳播公司或酒店經紀轉介參加該次毒品派對之傳播小姐，以及與主辦人朱○龍認識之王○蒂、王○儀、楊○瑜、湯○羚，經承辦檢察官於訊問時不斷分析利害關係以及要求受訊問人以同理心協助查出被害人致死原因後，漸漸突破受訊問者之心防，原先以「太醉不記得」、「昏睡不清楚」說法含糊帶過之幾近空白供述內容，於再次訊問時獲得改善，毒品派對之開始、經過及結束等過程細節越見充實，在仔細審閱每份偵訊筆錄內容並取出眾人說法之最大公約數，使得各參與者於該次毒品派對中之身分及其等間之關係明朗化，另經承辦檢察官比對手機取證內容後，親自勘驗朱○龍遭扣案之手機，花費大量時間逐一過濾查看，終於查出於訂房前、後時間，朱○龍曾主動邀約友人王○蒂帶同其他女性友人參加毒品派對之關鍵通訊軟體對話



金色小惡魔咖啡包示意圖，非本案扣案物

紀錄，進而鎖定朱○龍並非單純借名訂房，以及亦非受邀到場參加毒品派對，甚至為該毒品派對主辦人之一，至於洪○晏、蔡○學則係立於協助主辦人朱○龍對外聯繫友人、毒販之地位，江○瑋兼有參加友人及毒品來源之身分，張○奕、施○武、薛○琇則係於案發期間曾進出該房間或在飯店公共場合交付物品與洪○晏、江○瑋等疑似為該毒品派對之毒品供應源頭，王○蒂、王○儀、楊○瑜、湯○羚則屬獲邀到場參與毒品派對之女性友人，至於友人陳○澤、陳○涵、施打排毒針之密醫吳○澈應為事發後經通知到場處理善後之成員。以上之案情開展，著實為專案團隊打了一劑強心針，更加確認原先擬定之偵辦方向未做白工以及假設案發經過並未偏離現實，也為之後將「房內施用毒品者」、「房內提供毒品者」、「供給房內毒品之源頭」等人一網打盡之規劃奠定基礎。

此時，臺北榮民總醫院、法務部調查局濫用藥物實驗室在承辦檢察官不斷以電話催促及詢問尿液毛髮檢驗進度之下，檢驗報告終於出爐，經與被害人解剖鑑定報告及血液檢驗報告相互比對後，專案團隊原先提出「在場者因施用相同來源毒品而會在體內留有相同之毒品項目代謝物」之假設終於獲得客觀的科學儀器印證，使得本件不再只有「供述證據」存在。

(七) 時機成熟 - 全案收網

皇天不負苦心人，通過檢警不懈的努力，原本陷入泥淖的案情，終於在在場參與和事後到場之證人陸續到案，以及相關檢驗報告先後出爐的情況下，出現了轉變的契機，並順利重建案發過程，在經歷約1080小時，也就是45天的偵查期間後，檢方終於藉由破碎不堪且四分五裂的人證及物證，拼湊並還原在W Hotel案發房間



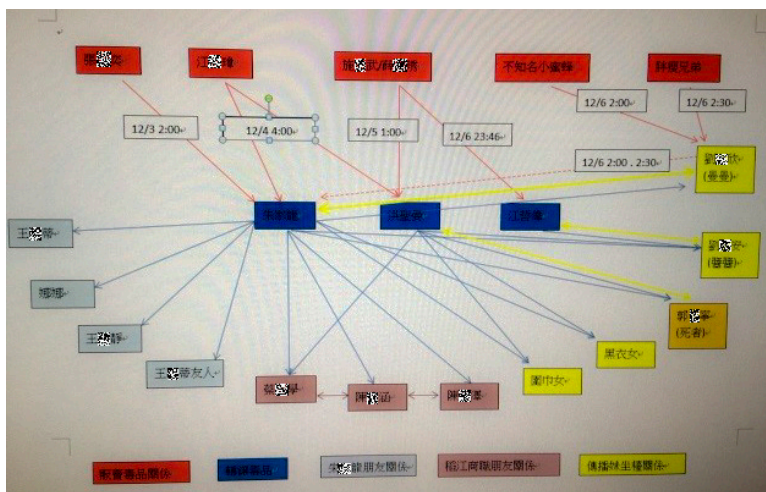


內的 120 個小時。經專案團隊認定時機已然成熟，經與承辦員警討論並規劃收網，在承辦檢察官核發拘票並向法院聲請搜索可疑藥頭張○奕、施○武、薛○琇等人獲准後，於 106 年 1 月 23 日連同經由在場者通聯網絡追查出疑似小蜜蜂之供毒者，總共執行到案 18 人，一共查扣愷他命共約 940 公克、電子磅秤、現金 43 萬餘元等物，就與本次毒品派對直接相關部分，除經拘捕到案之張○奕外，對於經傳喚自願到場之江○瑋，於承辦檢察官訊問後均認為犯罪嫌疑重大且事證明確，當庭諭知逮捕並向法院聲請羈押及禁見獲准；另同是經傳喚自願到場之朱○龍、洪○晏，則是經考量後選擇依毒品危害防制條例第 23 條之 1 第 1 項規定，由承辦檢察官於訊問後當庭諭知逮捕並向法院聲請觀察勒戒而獲准，藉此阻斷屬該次毒品派對關鍵人物之

藥頭、主辦人事後與證人接觸之機會。承辦檢察官為求慎重，於朱○龍、洪○晏執行觀察勒戒期間，江○瑋、張○奕羈押禁見期間，亦曾多次提訊確認案發始末細節。

(八) 偵查的終結與故事的還原

根據調查的最終認定結果，被害人不僅僅是單純的服藥過量死亡，其實在案發房間裡，從 12 月 3 號的凌晨時分，就展開了一場荒唐的毒品派對，長達 5 天 4 夜的時間裡，房裡的眾人來來去去，唯一不變的是，我國法律所不允許持有及施用的各式毒品，諸如：毒品咖啡包、梅片、搖頭丸、毒軟糖、愷他命，都由策畫這場派對的朱○龍、洪○晏、蔡○學，透過包含參加友人兼藥頭江○瑋、藥頭張○奕在內之各種管道取得後，無限量提供給房間內成員取用。死者在這場毒品派對的第二晚，為了賺取陪搖坐檯的酬勞，接受洪○晏的

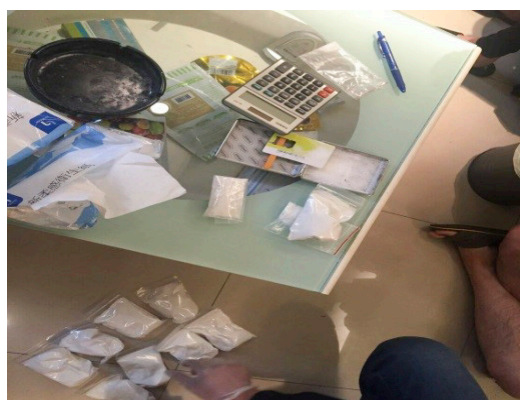


邀請進到了房內。之後整整3天3夜，死者在房裡未曾闔眼，每到夜晚開派對的時刻，她便因應著眾人所玩的各種遊戲，一杯一杯飲下桌上的毒咖啡，不時吞服著打印上各色印記的彩色搖頭丸，最終在不同種類毒品藥效的交互作用下失去意識。而房內的眾人，第一時間並不是將死者送醫，而是在恐懼與逃避的心理作祟下，找來了未具醫師執照的密醫吳○澂，為意識不清的女孩注射僅含有綜合維他命成分的點滴，不願東窗事發。就這樣，一個女孩的生命之泉漸漸枯竭，最後成為了冰冷的遺體。

最終，專案團隊於案發後第75天，於106年2月21日以轉讓禁藥致死罪起訴朱○龍、洪○晏、蔡○學等3人，並以販賣毒品罪起訴藥頭江○瑋、張○奕，另將協助滅證之陳○澤、施打排毒針之密醫吳○澂分別以湮滅證據罪、違反醫師法等罪提起公訴，至於參加毒品派對於房內施用毒品之參與友人王○蒂、王○儀、楊○瑜、湯○羚、傳播小姐「曼曼」、「醬醬」等人則以犯後態度良好，有心戒除毒癮為考量，給予緩起訴處分之自新機會，並於緩起訴處分中附帶戒癮治療之負擔條件。

(九) 只要你真心想做一件事，全宇宙都會來幫你³

雖然本案在偵查初期，存有以下種種



不利真相發覺之因素：1. 事後到場之陳○澤等人，清掃、破壞房內原狀，並將房內的毒品連同被害人的手機，一併丟棄，W Hotel 也疏於協助保持現場原狀而加以清潔打掃。2. 朱○龍、洪○晏、江○瑋、蔡○學為開脫罪名，而刻意刪除彼此連繫的紀錄，甚至將手機毀損丟棄。3. 尿液及毛髮檢驗之時效性。但是專案團隊在保持其他一般案件不受耽擱之狀態下，基於追查真相、不想讓被害人之死亡不明不白的堅定決心而額外付出時間、心力，同時也獲得法務部法醫研究所、臺北市政府警察局信義分局、臺北市政府警察局毒品查緝中心、臺北榮民總醫院、法務部調查局等機關單位之鼎力支援，逐一化解各種人為或時間阻礙，原本即為可能石沈大海之事實真相終於逐漸浮出水面。或許可以套句經典香港電影「寒戰」之台詞來為本案下個註解，那就是「他（指犯罪者）雖然已經非常細心，可是事實永遠才是最細膩的」。

4. 引自「牧羊少年奇幻之旅」一書。



貳、公訴蒞庭篇

本案於 106 年 2 月 21 日經承辦檢察官許文琪、王俊棠提起公訴，為使偵查與公訴階段順利銜接，承辦檢察官許文琪、王俊棠更於江○瑋、洪○晏起訴後移審至臺灣臺北地方法院，以及後續朱○龍、張○奕觀察勒戒完畢當日，經法院提解到庭決定是否羈押時，均陪同公訴檢察官王如玉蒞庭表示意見，最終也獲得承辦之合議庭法官全體支持續押上開人犯，而降低相關證人之證詞可能遭到污染之風險。

於本案審理過程中，時值司改國事會議如火如荼進行，此案廣受媒體及民眾注意，每次蒞庭均吸引大批媒體及民眾旁聽，而公訴檢察官經閱卷後，認為卷內事證詳盡，為了讓合議庭法官、大眾及被害人家屬更加了解偵辦過程，並加強對司法信心，公訴檢察官決定朝以下幾個原則處理：

一、白話文詰問、論告、重建現場狀況

在以往的審理過程中，往往發現因為法律用語的艱澀及專業知識不易了解，而讓民眾或媒體不知道檢察官在辦案過程中的努力及證據的完整，同時也考量淺顯易懂的白話文可以讓法官在冗長的審理程序中，有更充裕的時間消化檢方提出的事證，因此本案從詰問到論告都盡求在問題的設計及論告的過程中，盡量以白話的方式呈現。

為了完成這樣的目標，由於卷內有大量的毒品報告及病歷資料、監視器畫面、解剖鑑定報告，因此公訴檢察官與偵查檢察官、本署法醫師之間相互配合十分重要，盡力了解、解析起訴書法律論點及卷內專業報告，再以白話文方式呈現，同時在每次蒞庭前了解證人背景及相關卷內事證，務求每次詰問都可以讓法官重新身歷其境，回到那 4 天在 W Hotel 房間內的時間。

在論告過程中，以白話文方式講解被害人病歷及解剖報告每項數據的含意，透過確切的文獻及報告上數字，說明被害人生前可能遭遇的狀況。偵查檢察官是發現真相的人，而公訴檢察官則負責在法庭上說出故事，重現現場狀況，說服法院採信檢察官起訴所認定之事實。

二、善用電子卷證，引導法官及民眾了解案情

本署從 106 年初開始使用電子卷證蒞庭，一開始閱讀不易，但實際使用後，發現電子卷證對論告 PPT 的製作及詰問流程的掌握十分有幫助。例如在論告中，因為檢方全程使用電子卷證，因此 PPT 的製作方式可以直接展現比對監視器照片、證人間的證詞，指出敵性及被告抗辯不可採之處。

相較於辯方只能用以口述方式念出證人或被告筆錄，檢方直接展現警詢、偵查、審理中的筆錄、照片，可讓法官在聽取論



告時再一次直接接觸到證據，而加強心證，讓整個故事更加完整。

另外在因果關係論述中，被告提出被害人服用自己帶來藥物及應自負其責之論點，因此檢方直接以電子卷證中之照片、檢驗報告，說明被害人死亡與被告犯行間絕對有相當因果關係，更具說服力。

三、從被害人及被害人家屬角度出發

在目前刑事訴訟制度及審理過程中，命案中的被害人往往被弱化成單純的證據方法，在整個交互詰問及論告過程中，重點往往只在命案發生過程及被告個人的剖析，被害人只能靜靜在案卷中沈睡，如何讓法官感受到被害人曾經真實存在及感同身受家屬的悲痛則是公訴檢察官的重要使命。在準備程序中，被告及其辯護人提出被害人應自負危險的理論，意圖弱化被告犯行，因此我們在論告中嘗試從被害人角度出發，說出她的辛酸與無奈，因為被害人年僅 21 歲，來自臺東，雙十年華卻喪命於臺北五光十色的毒品染缸中，僅係為了賺取微薄陪搖坐檯報酬，希望藉此加強法官心證，也喚醒無知的青少年與民眾，對毒品應戒之慎之。

參、後記

本案在公訴過程中，經由偵查與公訴部門間不斷地溝通討論，使公訴檢察官快速地掌握全案，更透過本署法醫師李世宗

的帶領與指導，得以瞭解毒（藥）物交叉服用對人體所生影響，充分展現了團隊辦案與檢察一體的高效率與合作無間。屬於毒品派對主辦人之被告朱○龍、洪○晏、蔡○學三人經一審法院以轉讓毒品致死罪判處 10 年 6 個月至 10 年不等的刑度。另關於藥頭及事後清理善後之被告江○瑋、張○奕、陳○澤、吳○澂均經一審法院判處罪刑。被害人家屬在聽聞一審判決結果後，對於本署檢察官只有感謝，因為我們已經為無法在法庭上訴說案發經過之被害人，發出了正義之聲，這些都看在被害人家屬的眼裡。

回顧本案，於案件爆發時，即經媒體報導毒品派對主辦人朱○龍因家境優渥，曾為網路紅人，案發地點位於臺北市信義區之高級五星級飯店內，同時案內牽扯毒趴、小模、服毒暴斃等關鍵字，深為社會所矚目，可謂係近年來以新興毒品開派對助興，導致參與人施用毒品過量死亡之代表性案件。本案後續所造成之效應，除使民眾正視年輕族群濫用新興毒品之危機外，更使社會強烈責求飯店、旅宿業之通報責任，進一步促成毒品危害防制條例第 31 條之 1 之修正，實屬不易，期能進一步遏止毒品濫用之歪風，避免更多年輕生命受毒害。



Unity Is Strength -- Investigation and Presence in the Court of Murder at a Drug Party in W Hotel

— — — — —
Wei-chi Hsu

Chun-tang Wang

Ju-yu Wang
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I. Investigation

II. Public Prosecution and Presence in the Court

III. Conclusions

Dadaocheng/Chia-Hsin Lu



I. Investigation

I. The End of a Life and the Beginning of an Investigation

The following is the factual account of the tragic death of a young woman during a drug party at W Hotel in the Xinyi District of Taipei City, Taiwan.

At 9:00 a.m. on December 7, 2016, a carnival night in Xinyi District ended in tragedy. A middle-aged man had carried a handbag, and hastily walked into the lobby of a top five-star hotel in Xinyi District. Almost at the same time, a young man and woman entered the lobby from the hotel's guest room. The man and woman hurriedly led the man into the elevator and go to 25th floor. Upon reaching the floor, the young woman pressed others forward and opened the door to a room. In the room, a young woman in her prime was gasping on the couch, and did not seem very sober.

The man took out drip bottles, needles, and medicine bottles, and started to administer an injection to the girl in the back of her hand. It is rumored that such an injection can lessen the dis-

comfort after drug use, and is literally named -- "detoxification injection".

Time elapsed as the liquid in the drip bottle was administered, and 40 minutes later, the young woman still had not recovered. The middle-aged man commented that "The injection didn't work and the girl must be sent to the hospital!" The panicked onlookers hurried to put a bathrobe and panties on the young woman, then a young man in the room carried the unconscious girl on his back, went downstairs with the previously mentioned man and woman, immediately walked through the lobby and placed the girl on the rear seat of a taxi parked at the door of the hotel. The two men entered the taxi and instructed the driver to "Rush to the emergency room of Cathay General Hospital! Hurry up!"

Following the passengers' instructions, the driver stopped the taxi in front of the emergency room of Cathay General Hospital, and the two men took the unconscious girl into the emergency room, where medical staff immediately started treatment. The medical staff considered their behavior as strange, and secretly informed nearby police to

investigate this matter. When seeing the police, instead of telling the truth, the two men began to tell lies, deceived the police on site, and concealed their relationship with the girl. They also lied about where they found the girl, and gave a fictional address where the girl took a taxi, in order to cover up the disgusting facts.

As the girl's condition was poor, and she was fighting for her life, Cathay General Hospital soon transferred the girl to Taipei Veterans General Hospital for further treatment. Nevertheless, although every effort was made to save her, she met her death there. The corpse of the young woman was immediately transferred to and kept at Taipei City Mortuary Services Office Second Funeral Parlor. The initial diagnosis of the hospital revealed that the young woman died from drug poisoning, and the police in charge of this district applied to Taipei District Prosecutors Office for a judicial autopsy in accordance with procedures. However, since the two men told lies to medical staff and the police, the police in charge of this district initially did not know that the crime scene was actually a five-star

hotel, the "W Hotel", located in Xinyi District, Taipei City, and thus, could not immediately attend the scene at W Hotel to preserve evidence. However, the truth could not be easily covered up by such lies, and as time passed, the lies were exposed.

When attending the Taipei City Mortuary Services Office, Second Funeral Parlor, the responsible prosecutors considered the circumstances surrounding the presence of the young woman in the hotel room. How did she get into the room? What happened behind the door of the hotel room until she was carried, unconscious, out of the room?

2.The "Complete"¹ Investigation Process against Time

At around 11 a.m. on December 8, 2016, Wei-chi Hsu, the prosecutor in charge of the field services of the Taipei District Prosecutors Office, received a notification from the Bailiff Office. The Shi-Lin District Prosecutors Office had conducted an autopsy on a young woman who died from an overdose under its jurisdiction, and notified the prosecutor on duty that day to prepare to accept the case. The main-



stream media quickly disseminated the information about this case, and published sensational headlines and keywords, such as "bizarre death of a girl in a bathrobe in the five-star hotel W Hotel", "sudden death of an obscure model", "carried out from a hotel in a bathrobe and died after being taken to hospital", "drug party", and "vulgar tycoon involved in murder". As a result, people's curiosity and expectations of justice were increasing, and the media paid tremendous attention to this case. "Time" has always been the first and greatest enemy of prosecutors, as time dilutes everything, including witnesses and evidence in criminal cases.

(1) Autopsy - Reconstruction of "Physical Scene" of the Victim

As soon as the case was accepted, the responsible prosecutor believed that

this case had considerable doubts, so he rapidly scheduled an autopsy of the deceased's body with the Institute of Forensic Medicine, Ministry of Justice, on the afternoon of the next day. This autopsy was designed to confirm the cause of death, collect the blood of the deceased for examination, and collect specimens to confirm whether the deceased had suffered sexual abuse before death. However, the first difficulty was that it took some operational time to get the verification results of "autopsy verification conclusion (to confirm the cause of the death)", "blood test procedures (to confirm what kinds of drugs are left in the bloodstream of the body)", and "DNA identification procedures (to confirm whether there was sexual abuse)". In other words, although the responsible prosecutor made a bold assumption that the de-

1. All investigation means or disciplinary measures adopted in the investigation of this case are detailed, as follows: inquest (including necropsy, autopsy, site investigation, and restoration and identification of detained mobile phones), summon, arrest, search, detention and verification (including autopsy, blood, and DNA of the deceased), verification permit (collecting urine and hair of people present), access to communications records, application for communication monitoring (dismissed by the court for post-hoc verification), arrest by prosecutors of the court, bail, application for detention, and incommunicado. The myriad of types and wide scopes of the investigation means or disciplinary measures are unparalleled by general cases.

ceased might have taken an excessive amount of drugs before her death, it would still be impossible to conclusively determine the cause of death, or the composition and concentration of drugs in her body, until the autopsy verification conclusions were reached. To put it in other way, it was possible to substantially reverse the original assumption of the prosecutors and police officers. Thus, any investigation conducted before the results of autopsy verification were released would be in vain. Even so, the assumption had to be made; it was impossible to rule out the possibility that "someone should be held responsible for the victim's death". While the victim was dead, and could not tell the truth about this case, her body itself was the most important and only objective evidence left behind by this murder. Once the body was handed over the family members of the deceased and cremated, the only evidence would be destroyed accordingly.

(2)Field Investigation into the Crime Scene—The Crime Scene Was Destroyed

Swift movement is the best tactic.

While waiting for the autopsy verification conclusions, the responsible prosecutor commanded the responsible police officers of the Xinyi Division to report all the details of the case in the shortest time possible. Additionally, he required the preservation of the surveillance video files for the entrance door, lobby, areas inside and outside the elevator, and the room corridors of W Hotel, in order to confirm the exact time that the deceased entered and left the room, and interviewed all the persons entering and leaving the room, as soon as possible. In addition, the responsible prosecutor assigned other people to retrieve the emergency medical records of the deceased from Cathay General Hospital and Taipei Veterans General Hospital, and instructed the forensic personnel of the police station to immediately enter the incident room and complete evidence collection, in order to preserve evidence in the shortest time.

After the relevant tasks were assigned, the responsible prosecutor soon received feedback from the police, but it was all discouraging news. First, the responsible police officers were informed



that W Hotel had cleaned the incident room, meaning the room was not in the same status as when the crime took place. Moreover, towels, bed sheets, garbage, and other articles used by the people concerned in the room had been cleaned or discarded, thus, no relevant evidence could be gathered. No clues regarding what happened in that room during the 120 hours of the crime could be found from the trace left there.

(3) Cross-sector Case Handling Group was set up for the first time—To Maximize the Synergy of the Investigation

However, in this phase, this case can be divided into two major parts, "investigating who should be responsi-

ble for the murder" and "tracking how the drugs entered the body of the deceased", according to the original inference and the existing evidence. Although this case attracted great attention, nearly a hundred other cases handled by the responsible prosecutor were still processed as scheduled, and could not be neglected. In order to give full play to the division of labor for the group handling the case, and enhance the synergy of the investigation, the chief prosecutor, Tai-chao Hsing, took the lead in setting up a project group within one week after the crime occurred. The members consisted of head prosecutors Hsiang-chen Hsu and Fang-chou Hsiao, and prosecutors Wei-chi Hsu and Chun-tang Wang. After listening to the briefing, the chief pros-

► this case can be divided into two major parts:



Who should be responsible for the murder?

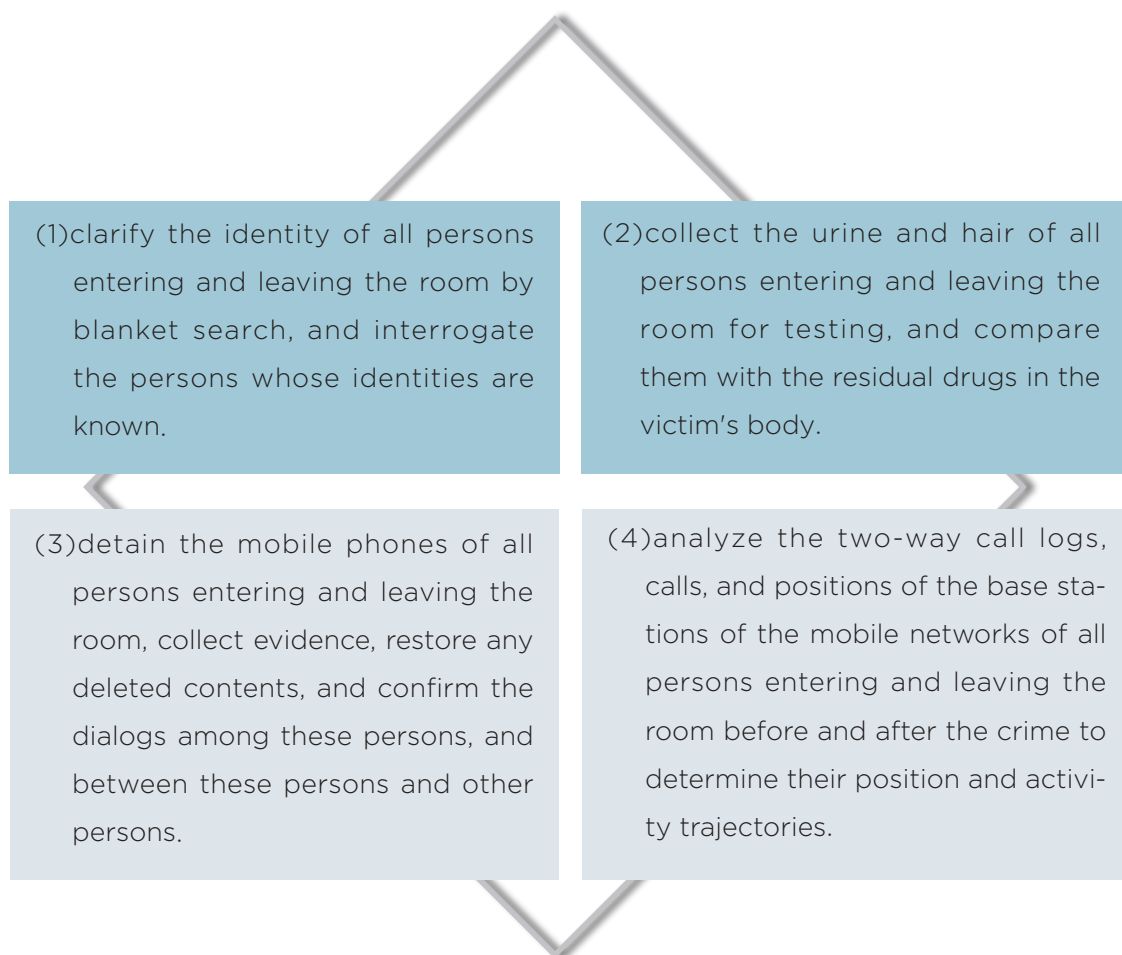


How the drugs entered the body of the deceased?

ecutor gave instructions, as follows: The original responsible prosecutor , Wei-chi Hsu (the People's Livelihood Group), and head prosecutor of the People's Livelihood Group, Hsiang-chen Hsu, were directly held responsible for investigation into the death of the victim. Additionally, a prosecutor of the Drug Enforcement Task Force, Chun-tang Wang, and the head prosecutor of the Drug Enforcement Task Force, Fang-chou Hsiao, were appointed to track the sources of the drugs in this drug party, and even further track the drug retailers (commonly known as small bees) who frequent hotels, night-clubs, and restaurants, in a bid to identify the types and forms of drugs that may have appeared at this drug party.

After intensive project meetings and brainstorming, the project group roughly judged that, since this crime took place in a confined space, the persons involved should be specific.

However, as the evidence at the scene had been destroyed by people (including the persons in the room and hotel cleaners), the process of the crime must focus on "statements of persons in the room". However, given the considerable uncertainties of "human confessions", in order to reconstruct the entire process of this drug party, the project group members unanimously decided to supplement the most lacking objective evidence in this murder (such as the urine and hair of the persons at the party, identification and restoration of the mobile phones of the people concerned, and the images displayed on the monitors), in addition to "finding the persons in the room" and obtaining and comparing their confessions. Therefore, the project group preliminarily determined that the following investigations should be simultaneously conducted:



Additionally, according to active or passive participation, relationship, and other factors, the members of this drug party can be roughly classified into "organizers", "invited friends", "obscure models and prostitutes who did not know the organizers or participating

friends", and "people assisting in coping with the aftermath after the crime", thus, all persons entering and leaving the room were classified in line with the related evidence to facilitate the determination of responsible subjects and the scope of responsibility.

(4) Bottlenecks in the Investigation and Inexplicable Obstacles

The video files of the hotel during the crime are extremely important, as they can confirm the identity of persons entering and leaving the room, they can help to judge the items held by these persons when entering and leaving the room, they can show who did not enter the room, but had contact with the members in the room, and other important facts. Therefore, these video security files did, in fact, provide some of the most crucial evidence for reconstructing the scene in this case. However, as informed by the hotel technicians, due to the monitoring system design, the reproduction of each monitor video file must take the same time as the length of the file. In other words, if the monitor video files for 5 days and in 5 different places must be retrieved, a total of 25 days is needed. Nevertheless, the security video files of W Hotel were kept for one month only, so it was

difficult for the project group to decide to which files to retrieve regarding the correct place and time.

Moreover, as based on medical literature, the metabolic period of drugs in the human body will vary according to time and the type of drug, meaning any drugs taken by humans must be gradually excreted according to their metabolism. The longer the time, the less the drug remaining in the body. After the victim's death in the hospital on the morning of December 8, the prosecutors and police officers immediately collected evidence. Based on the housing records provided by W Hotel, the room was occupied by a platinum VIP member, Lung-X Chu, since the afternoon of December 2, 2016. It can be calculated that six days had passed by the time the responsible prosecutor was notified by the Bailiff Office on the morning of December 8, 2016. If the prosecutors and police officers wanted to sample the urine and hair of persons

any drugs taken by humans must be gradually excreted according to their metabolism. The longer the time, the less the drug remaining in the body.

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in the room to determine whether the drugs were used in this room, and to further prove the victim also took the same type of drugs in the room before her death, they must quickly determine the identities of the drug party members to track them down, or the important evidence retained in these members' bodies would gradually disappear.

Although Lung-X Chu booked the room in her name, and thus, was found in the shortest time, it was determined that Yen-X Hung and Wei-X Chiang sent the deceased to the hospital, and when investigators checked the security videos of the room's corridor, as provided by W Hotel, they found that many young men and women, of unknown identities, had also entered and left the room, in addition to the victim, Lung-X Chu, Yen-X Hung, and Wei-X Chiang. Moreover, Lung-X Chu had deleted all the contact information with other accomplices in her mobile phone before appearing in court, and intentionally nicknamed herself as "Hsiao-yen", "A-hsiao", etc. The remaining young women entering and leaving the

room argued that they did not know each other, so it was more difficult for the police to pinpoint the birth dates of persons concerned or participants. Moreover, under the extensive coverage of the media, the case had long caught the attention of the public, and in order to seek protection, the persons concerned or participants had long fled the area, and were difficult to contact. Therefore, it was very difficult to find the relevant persons that entered and left the room to collect urine and hair.

Furthermore, the later the important persons concerned were arrested, the higher the chances of contact and collusion between them. However, 2 days after this case was initiated, only Lung-X Chu, who had booked the room, had appeared in court and gave ambiguous descriptions of the involved persons, thus, the testimonies of other persons entering and leaving the room could not be obtained in a timely manner. In addition, while the responsible prosecutor appointed forensic officers from the police station to collect evidence in the room concerned, the crime scene was cleaned up and

the evidence destroyed by the hotel's cleaning staff. Moreover, the victim's mobile phone, which may have contained the most important information, was also deliberately taken away and discarded by Tse-X Chen, who was in the room after the overdose took place, and could not be found. Worse still, suspect Yen-X Hung and the related person, "Chiang-chiang", who had appeared in court, later confessed that the mobile phone had been discarded before they appeared, in order to prevent their detention and involvement in the case. Clearly, the efforts to obtain evidence failed in the early investigation of the case, and it was difficult to grasp the main outline of the case based solely on existing and missing evidence.

In a race against time to uncover the truth about the death of the deceased before the evidence was lost to time, the project group began to work day and night.

(5)A Glimmer of Hope— Blood, Urine,

and Hair Verification and "Identification of Mobile Communication Devices"²

As the prosecutors and police officers compared the monitor video files, about 600 hours in total (approximately 120 hours for each of the five files), analyzed the communication records of relevant persons, and restored and examined the calls stored in the retained mobile phones, they gradually determined the true identity of the persons who entered and left the room, and took part in the drug party. As of December 19, 2016, a total number of nine related persons were summoned by the responsible prosecutors and police officers, including Lung-X Chu, Wei-X Chiang, Yen-X Hung, Hsueh-X Tsai, Tse-X Chen, Han-X Chen, Di-X Wang, and Yi-X Wang. Moreover, after collecting the urine and hair samples of the said nine persons, according to the verification permit issued by the responsible prosecutors or by obtaining the said persons' consent, the samples were immediately sent to Taiwan Advance Bio-Pharma-

2.Also known as "mobile phone forensics". The reasons and prospects of conducting this business by the drug database of the Office are detailed in other sections of this paper.



ceutical (special testing institution of the Taipei City Police Department) and Laboratory on Drug Abuse under Investigation Bureau, MOJ, for testing.

According to the entrusted testing agreement, as executed by the Taipei City Police Department, and the testing organization, Taiwan Advance Bio-Pharmaceutical, the entrusted testing items of urine only include "opium (heroin)," "amphetamine," "cannabis," "MDMA (ecstasy) ", "ketamine", and other traditional common drug items; while the Laboratory on Drug Abuse under the Investigation Bureau, MOJ only conducts hair testing for "heroin", "amphetamine drug", "synthetic cannabis," "ketamine," and "phenylethylamine". However, most of the emerging drugs available in hotels and nightclubs for entertainment, such as PMA, Mephedrone, Methylone, and Ethylone, are packaged in homemade coffee bags and mixed with myriad drugs. The responsible prosecutors, after many inquiries, chose Taipei Veterans General Hospital Department of Clinical Toxicology & Occupational Medicine, which has long been entrusted by judicial and police organs to test urine and drugs;

given the fact that the said emerging drugs are not traditionally entrusted testing items, and due to the deficiency of testing items, in order to prevent the efforts of the prosecutors and police officers being in vain, they applied themselves to figuring out the identity of the drug party goers, and collected their urine and hair after summoning them to court. The Department could test whether there were metabolites of the many emerging drugs found in the urine, and thus, used more sophisticated testing equipment to obtain more accurate test values when testing the said traditional entrusted test items. Upon approval by the chief prosecutor, the responsible prosecutors immediately instructed the responsible police officers to send the collected urine of the said 9 persons to Taipei Veterans General Hospital for testing, and contacted the responsible person of the Department to confirm the pace of testing every day.

While waiting for the release of relevant testing reports, specific prosecution investigators of the Office's drug database, Criminal Investigation Division of Taipei City Police Department,

Drug Enforcement Center, and other organizations, as instructed by the responsible prosecutors, collected evidence from the existing detained mobile phones (owners included Lung-X Chu, Wei-X Chiang, Hsueh-X Tsai, Tse-X Chen, Han-X Chen, and Di-X Wang), and achieved results. The investigation discovered the true identities of the party goers, including "Man-man", "Chiang-chiang", "Yi-X Chang", and "Wu-X Shih", "A-pao" a suspected drug smuggler who contacted the party goers, and "Cheng-X Wu" who gave the detoxification injection at the crime scene.

(6) Break Defense with Empathy -- Interrogated People Present at the Crime Scene Regarding what they Saw and Heard, and the Connection

The memories of the witnesses were also affected by "time"; they forgot or confused the facts as time went by, their memories could have been

guided by the contents of media coverage during that period, or may even have been affected by public opinion. Worse still, the witnesses could collude with the suspects, meaning the testimonies of the witnesses may be false. Therefore, after figuring out the true identities of all party goers, the project group immediately summoned the prostitutes that took part in this drug party through a prostitution company or a hotel broker, including "Man-man" and "Chiang-chiang" as well as Di-X Wang, Yi-X Wang, Yu-X Yang, and Ling-X Tang, who knew the organizer Lung -X Chu. After the responsible prosecutors constantly analyzed the stakes during the interrogation, and demanded that the interrogated should assist in finding out the cause of the victim's death with empathy, they gradually broke through the defenses of the interrogated. Their original, and almost useless, confessions consisted



of a variety of excuses, such as "too drunk to remember" and "too drowsy to remember", were improved upon further interrogation. Moreover, the details of the drug party's start, process, and end were more complete. All records of interrogation were carefully scrutinized and the greatest common factor of the suspects' confessions was obtained, thus, clarifying the identity of all drug party goers and other relationships. Additionally, after the responsible prosecutors compared the evidence collected from mobile phones, personally examined the detained mobile phone of Lung-X Chu, and spent large amounts of time checking the contents on the phone, they eventually found the key messaging software conversation records, meaning when Lung-X Chu invited her friend Di-X Wang, and other female friends, to attend the drug party. Therefore, it was clear that Lung-X Chu did not book a room in her name only, she was invited to take part in the drug party, and was even one of the organizers of the party. Yen-X Hung and Hsueh-X Tsai assisted the organizer Lung -X Chu in contacting friends that were drug traffickers. Wei-X Chi-

ang was a participating friend, and also provided drugs, while Yi-X Chang, Wu-X Shih, and Hsiu-X Hsueh either entered the room or delivered items in public places in the hotel during the party. Yen-X Hung and Wei-X Chiang were suspected of supplying drugs for this party. Di-X Wang, Yi-X Wang, Yu-X Yang, and Ling-X Tang were female friends invited to the drug party, while Tse-X Chen, Han-X Chen, and the fake doctor, Cheng-X Wu, who had administered the detoxification injection, were the members who arrived at the scene to deal with the aftermath of the incident. The said details of the case boosted the morale of the project group, proved that the original investigation ideas were correct, and that the assumptions about the case did not diverge from reality. These details laid the foundation for planning a clean sweep of "the drug users in the room" "the drug suppliers in the room", and "the sources of supplying drugs in the room".

At this time, Taipei Veterans General Hospital and the Laboratory on Drug Abuse under the Investigation Bureau,

MOJ finally released the test reports of the urine and hair tests. After comparing the reports with the autopsy verification and blood test reports of the victim, the assumption that "those present will have the metabolites of the same drugs, since they took drugs from the same source" was finally proved by objective scientific instruments, thus, this case no longer had to rely on "confession evidence" only.

(7)The Time Was Ripe - Settle the Case

While this case originally hit a bottleneck, due to the unremitting efforts of prosecutors and police officers, it finally reached a turning point, and the crime scene was reconstructed after the witnesses who participated in the party and arrived at the scene after the incident, gradually appeared in court, and relevant test reports were released. After an investigation of approximately 1,080 hours (45 days), the prosecutors finally restored the 120 hours in the crime room of W Hotel through incomplete and fragmented testimonies, and material evidence. On January 23, 2017, the project group decided that the time was ripe, and they discussed

the facts with the responsible police officers, and planned a clean sweep, and after the responsible prosecutor issued a warrant and applied to the court for permission to hunt down the suspected drug smugglers, Yi-X Chang, Wu-X Shih, and Hsiu-X Hsueh, and a total of 18 people were arrested, including the suspected "small bees" who supplied drugs via the contact network of those present. A total of about 940 grams of ketamine, electronic scales, and case with more than NTD430,000 were seized. With respect to who was directly associated with this drug party, apart from Yi-X Chang, who appeared in court after being arrested, Wei-X Chiang, who voluntarily appeared in court after being summoned, was believed to be a major suspect with clear evidence after the interrogation by the responsible prosecutors, and was notified of being placed under arrest in court. The responsible prosecutors applied to the court for the detention and incommunicado of the suspects, and gained its approval. In accordance with the provision of Article 23-1.1 of the Narcotics Hazard Prevention Act, after deliberation, Lung-X Chu and Yen-X Hung,



After an investigation of approximately 1,080 hours (45 days), the prosecutors finally restored the 120 hours in the crime room of W Hotel through incomplete and fragmented testimonies, and material evidence.

who also voluntarily appeared in court after being summoned, were notified of their arrest after interrogation by the responsible prosecutors. The responsible prosecutors applied to the court for the detoxification of the suspects in the detention center, and gained its approval. In this way, the drug smugglers, as well as key persons at this drug party, were prevented from meeting the organizer and witnesses after the case occurred. Out of prudence, the responsible prosecutors interviewed Lung-X Chu and Yen-X Hung during their detoxification in the detention center, as well as Wei-X Chiang and Yi-X Chang during their detention and incommunicado, in order to confirm the details of the case.

(8) End of the Investigation and Restoration of the Facts

According to the final findings of the

investigation, the victim did not merely die from drug overdose. In fact, an absurd drug party was held in the crime room starting from the early hours of December 3. During the 5 days and 4 nights, all the people in the room came and left, but what was unchanged was miscellaneous drugs that were banned from holding and using by Taiwan laws, such as drug-laced instant coffee, borneol, ecstasy, drug-laced candy and ketamine. After Lung-X Chu, Yen-X Hung and Hsueh-X Tsai, who organized this party, had obtained these drugs from participating friend and drug smuggler Wei-X Chiang, and drug smuggler Yi-X Chang through different channels, an unlimited number of these drugs were supplied to the members in the room. On the second night of the drug party, the deceased received an invitation from Yen-X Hung to enter into the room in order to earn money

by playing games with the guests. In the following 3 days and nights, the deceased did not sleep at all. During the party, she played different games with people in the room, drank the drug-laced instant coffee on the table, and took ecstasy pills with different labels, and finally lost consciousness under the effects of different drugs. However, the people in the room did not send the deceased to hospital as soon as possible, but for fear and evasion, called the fake doctor Cheng-X Wu with a doctor's license who only gave the conscious girl an injection containing multi-vitamins. As they did not want this crime to be disclosed, a young woman gradually lost her life.

Eventually, on February 21, 2017, 75 days after the case began, the project group prosecuted 3 people, including Lung-X Chu, Yen-X Hung, and Hsueh-X Tsai for transferring prohibited drugs, and Wei-X Chiang and Yi-X Chang for

trafficking drugs. In addition, Tse-X Chen, who assisted in destroying evidence, and the fake doctor, Cheng-X Wu, who administered the detoxification injection, were prosecuted for the offenses of destruction of evidence and violation of the Physicians Act, respectively. Drug users in the room and friends participating the drug party, including Di-X Wang, Yi-X Wang, Yu-X Yang, and Ling-X Tang, as well as prostitutes "Man-man" and "Chiang-chiang", worked with the police, and decided to provide information regarding this crime, thus, they were offered deferred prosecution, which stipulated the supplementary condition of detoxification treatment.

(9)When You Want Something, All the Universe Conspires in Helping You to Achieve It

In the early investigation into this case, the following factors occurred, which



hindered the truth: (1) Tse-X Chen and others who appeared in the court had cleaned and altered the original condition of the room, and discarded the drugs in the room together with the victim's mobile phone; moreover, by cleaning the room, W Hotel did not assist in maintaining the original condition of the room. (2) In order to escape punishment, Lung-X Chu, Yen-X Hung, Wei-X Chiang, and Hsueh-X Tsai deliberately deleted their contact records, and even destroyed their mobile phones. (3) The timeliness of urine and hair testing was not ideal; however, the project group spent extra time and made more efforts since they were determined to find the truth, and did not want the victim to die for unknown reasons, while not delaying the handling of other general cases. Meanwhile, this case received the full support of the Institute of Forensic Medicine, Ministry of Justice, Xinyi Police Precinct, Taipei

City Police Department, Drug Enforcement Center under Taipei City Police Department, Taipei Veterans General Hospital, Investigation Bureau, MOJ, and other organizations, and gradually surmounted a wide range of human and time obstacles, to gradually reveal the truth.

II. Public Prosecution and Presence in the Court

The responsible prosecutors, Wei-chi Hsu and Chun-tang Wang, engaged in the public prosecution of this case on February 21, 2017. To achieve a smooth connection between the investigation results and public prosecution, these two prosecutors transferred the case to Taiwan's Taipei District Court after Wei-X Chiang and Yen-X Hung were prosecuted. Additionally, on the day that Lung-X Chu and Yi-X Chang completed detoxification in the detention

center, and were escorted to the court to decide whether they should be detained, the two prosecutors accompanied public prosecutor, Ju-yu Wang, to the court and expressed their opinions, and obtained the support of all responsible judges of the collegial panel to continue the detention of the said criminals, in order to lower the risk of potential collusion of the testimonies of the witnesses concerned.

During the trial of this case, the National Affairs Conference on Judicial Reform was in full swing, thus, this case, and the people involved, received close attention from the media and the public. After reading the dossiers, the public prosecutor believed the evidence in the dossiers was complete. For a better understanding of the investigation, and to increase confidence in justice of the judges of the collegial panel, the public, and the victim's families, the public prosecutor decided to deal with the case in line with the following principles:

- (1) Interrogation, argument, and reconstruction of the scene in vernacular

Due to the difficult legal language and

professional knowledge required, previous trials have often found that the public and the media do not know the depth of prosecutors' efforts in handling such cases, or the integrity of the evidence presented, thus, the public Taipei District Prosecutors Office considered that plain and lucid language would provide judges with sufficient time to understand the evidence proposed by the prosecutors during lengthy proceedings. Therefore, in this case, from interrogation to argument, all efforts were made to present the question design and argument process in easily understood language.

In order to attain such a goal, cooperation among the public prosecutor, investigation prosecutors, and legal medical experts of the Taipei District Prosecutors Office is of great importance, as the dossiers include large numbers of drug reports and medical records, security screen images, and autopsy verification reports. After understanding and analyzing the legal arguments in the indictment, as well as the professional reports in the dossiers, they presented the said information in easily understood language. Mean-



while, prior to each court session, the backgrounds of the witnesses and related evidence in the dossiers had to be understood, meaning that each interrogation would enable the judges to personally go through a situation, and return to the room of W Hotel during the 4 days of the drug party.

During the arguments, the meaning of all data in the victim's medical records and autopsy reports must be explained in easily understood language, and the possible experiences of the victim before death should be elaborated on through the accurate descriptions presented in the reports. Investigation prosecutors are the people who discover the truth, while the public prosecutor is responsible for telling the story in court, reconstructing the scene, and convincing the court of the truth of the facts, as identified by the investigation prosecutors.

(2) Make good use of electronic evidence to guide the judges and the public to understand the case

From the beginning of 2017, the Taipei District Prosecutors Office has started to present electronic evidence in the court. While it was initially difficult to present, after actual use, it was found that electronic evidence was very helpful for preparing arguments, presentation, and grasping the interrogation process. For example, when prosecutors present electronic evidence throughout their argument, it can directly present the evidence for comparison with the photos and testimonies of witnesses, and point out any discrepancies, hostility, or false defense of the defendant.

While the defense only can read out the records of the witness or the defendant, prosecutors can directly pres-

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ent the records and photos of interrogation, investigation, and trial, in order that the judges have direct access to the evidence when hearing the arguments, hence, strengthening the inner conviction to recognize the truth, and rendering the entire story more complete.

For example, in the exposition of cause and effect, the defendant in this case put forward the argument that the victim had taken drugs, and thus, should bear the responsibility. Therefore, the prosecutors directly used the photos and test reports in the electronic evidence to prove a definite causal relationship between the victim's death and the defendant's criminal offense, which was more convincing.

(3) Start from the perspectives of the victim and the victim's families

Under the current policies of criminal proceedings and trial, the victim in a murder case is often reduced to a simple presentation of evidence. Throughout the interactive interrogation and argument, the focus is often only on the murder process and the defendant's personal analysis; whereas, the victim

can only speak through the contents of the dossier. How to make the judges feel the real existence of the victim and feel the grief of their families is a significant mission of public prosecutors. During the preparation process, a defendant and their defense will put forward the theory that the victim should be responsible for putting themselves in possible danger in an attempt to mitigate their criminal act. Accordingly, prosecutors try to present the evidence from the victim's perspective during arguments. This victim was only 21 years old, a young woman from Taitung that died from drugs in Taipei while trying to earn meager remuneration by playing games with guests, thus, the presentation of prosecution arguments hope to reinforce the judges' inner conviction regarding the facts, and serve as a warning to the youth of the nation, as well as the public in general, that they should be cautious and avoid drugs.

III. Conclusions

In the course of public prosecution, continuous communication and discussions between investigation and



prosecution departments will enable public prosecutors to quickly grasp the facts of a case. Furthermore, with the help and instruction of the legal medical expert of the Office, Shih-tsung Li, the effects of taking different drugs (medicines) on the human body were known, and clearly showed the efficiency and teamwork of the group handling the case and cooperating with prosecutors and police officers. The defendants and organizers of the drug party, including Lung-X Chu, Yen-X Hung, and Hsueh-X Tsai, were sentenced by the court of the first instance for transferring drugs and causing death, and their prison sentences ranged from 10 years and 6 months to 10 years. Moreover, the drug smugglers and the defendants involved after the fact, including Wei-X Chiang, Yi-X Chang, Tse-X Chen, and Cheng-X Wu, were sentenced by the court of the first instance. After hearing about the verdict of the first instance, the victim's families were grateful to the Taipei District Prosecutors Office, as we gave the victim a voice to fight for justice, which was acknowledged by the victim's family.

Recalling this case, the media reported that Lung-X Chu, the organizer of this drug party, was born into an affluent family, and was previously a web celebrity. As this crime scene was in a high-end five-star hotel in Taipei's Xinyi District, and the case involved sensational keywords, such as drug parties, obscure models, and death from taking drugs, it attracted extensive social attention, and can be described as a classic case of emerging drug parties for entertainment that result in death of participants from drug overdose. Regarding the subsequent effects of this case, in addition to attracting public attention to the crisis of the abuse of emerging drugs by young people, this case also causes communities to strongly request that the restaurant, tourism, and accommodation sector bear the responsibility of reporting. Furthermore, this case facilitated an amendment to Article 31-1 of the Narcotics Hazard Prevention Act, which makes it a great achievement, and hopes to further curb the unhealthy trend of drug abuse and prevent more young people from being poisoned by drugs.