



Banchiao District Prosecutors Office Press Release

Published on: 16 March 2012

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Banchiao District Prosecutors Office (BDPO) ends investigation of the election bribery case of Tseng and others and the breach of trust case of Lu

The Banchiao District Prosecutors Office (BDPO) closed today the investigation of the election bribery case of Legislator candidate Wen-chen Tseng (曾文振) and the breach of trust case of ex-chief coach Wen-zheng Lu (呂文生) of Uni-Lion of the Chinese Professional Baseball League (CPBL). The prosecution pressed charges on seven defendants in Tseng's case according to the law; and deferred prosecution of all three defendants in Lu's case, including Lu and his wife, and bookmaker Huang.

I. Election Bribery Case of Tseng and Others

Tseng was the eighth term Legislator candidate of the seventh constituency of New Taipei City. As the competition among candidates in that constituency was extremely keen, in order to win the campaign, Tseng and his group planned to give bribe to gain more votes in Xikun (溪崑) and Fuzhou (浮洲) areas in Banchiao District. His accomplices included his son Huan-jia Tseng (曾煥嘉), a New Taipei City councilperson; his nephew Huan-qi Tseng (曾煥榮) (both are now wanted by the prosecution); his campaign staff Shu-hua Huang (黃淑華), Jian-he Zhou (周建和), and Rong-cai Lin (林榮彩). Therefore, they colluded with the vote brokers in these areas. These included Shang-rong Lu (呂上榮), a neighborhood head of Kunlun Borough; and Feng-zhi Wei (魏烽智), head of Kunlun Borough. In this massive election bribery, they decided give a sum of NT\$200,000 to the vote brokers to buy votes from voters at NT\$500 each. At the same time, they arranged feasts to treat voters as another form of bribery. In mid-December 2011, through the mediation of Shu-hua Huang, Tseng gave a sum of NT\$1.5 million to Shang-rong Lu, who in turn gave NT\$1.2 million to Feng-zhi Wei, to buy votes from voters. Shang-rong Lu further requested Yue-cha Deng (鄧月茶), a friend of him and head of Chenghe Borough, to prepare a list of reliable bribe-taking voters to prepare the bribery. In late December, Yue-cha Deng set everything in her borough and waited for Shang-rong Lu. Shang-rong Lu did not appear as there was an occurrence at his store. Having received information about the alleged election bribery and started investigation and evidence collection, the prosecution began a series of raids and interrogations of the concerned parties since 1 January 2012. Later on, the prosecution tracked down aforementioned suspects: The prosecution seized NT\$630,000 of cash on the body and in the residence of Shang-rong Lu. Feng-zhi Wei voluntarily turned in the bribe of NT\$900,000 in the investigation.

After further investigations, the prosecution confirmed that defendants Wen-chen Tseng, Jian-he Zhou, Rong-cai Lin, Shu-hua Huang, and Shang-rong Lu were accomplices committing the election bribery crime prescribed in Paragraph 1 of Article 99 of the Civil Servants Election and Recall Act; defendants Feng-zhi Wei committed the crime of taking bribe prescribed in Article 143 of the Code of Criminal Law; and defendants Shang-rong Lu

and Yue-cha, Deng committed the crime of bribery preparation prescribed in Paragraphs 1 and 2 of Article 99 of the Civil Servants Election and Recall Act.

According to the prosecution, although Tseng has been a county councilperson for five terms, instead of legally running for the campaign, he ignored the government's determination to eliminate election bribery and bribed vote brokers with a large sum to win the election by means of massive election bribery, which jeopardizes democracy. Furthermore, after the prosecution started the investigation, Tseng hid up the accomplices and colluded with other defendants, aiming to obstruct the investigation. Even worse, Tseng denied any at he committed. Therefore, the prosecution requested imprisonment of 6 years and deprivation of civil rights for a term of 3 years on Tseng. Defendants Shang-rong Lu and Feng-zhi Wei confessed the important events of the case and provided evidence of other accomplices. Therefore, the prosecution agreed to include them in the witness protection program and dropped all charges on them according to Paragraph 1 of Article 14 of the Witness Protection Act. In the investigation, defendants Rong-cai Lin and Jian-he Zhou confessed their crime of bribery with Tseng and requested abatement from penalty according to Paragraph 5 of Article 99 of the Civil Servants Election and Recall Act.

Also, the seven bribe-takers, including Zhong-hai Huang, Yu-yeh Kuo(郭玉葉), Liang-mei Cai (蔡良美), Wu-mei Hsu (徐五妹), Zheng-zong Chen (陳正宗), Mei-qi Yao (姚美圻), and Xiu-zhu Ke-Xao (柯蕭秀珠), were charged of the bribe-taking crime prescribed in Paragraph 1 of Article 143 of the Criminal Code of the Republic of China. The prosecution deferred the prosecution on them. However, they should pay a sum of NT\$10,000 to the charity groups or local autonomous groups specified by the prosecution; and should provide 40 hours of voluntary labor services for the government agencies, government organizations, executive agencies, communities, or other charity agencies or groups specified by the prosecution.

II. Lus' Breach of Trust Case

Ex-Chief Coach Wen-sheng Lu of the Uni-Lion of CPBL knew that his old friends De-ming Huang (黃德銘) and Xiu-zhen Yang (楊秀珍) operated an illegal gambling business and took bets on sporting events. From June and July 2009 to November 2011, Huang enquired the inside information of Uni-Lion from Lu through his wife Fu-yu Hsieh (謝馥鈺), in order to enhance the accuracy of bets. Disregarding the Uni-Lion and CPBL's code of prohibiting staff and players from involving in any act of gambling relating to sporting events, Lu disclosed many times the inside information of the team to Huang through his wife Hsieh. The information included the "dual starting pitcher", the physical condition of players, pitcher shift, batters, defense strategy, and other for-eyes-only information, in order to help Huang to run his illegal gambling business. Compared with the self-strengthening efforts of CTBL and pro-baseball teams to win faith back from fans after the match-fixing scandals of CTBL in recent years, as the chief coach of a pro-baseball team, what Lu has done has severely tarnished corporate image and reputation, and tangible assets, such as box office incomes, of Uni Lion and CTBL. Therefore, the prosecution noted that Lu and his wife Hsieh committed the breach of trust crime specified in Paragraph 1 of Article 342 of the Code of Criminal Law and aid and abet in gambling prescribed in Paragraph 1 of Article 30 and Paragraph 1 of Article 266 of the Code of Criminal Law.

Considering the following, including Lu and Hsieh's full confession of their crimes and

regret for what they have committed; none of them attempted to seek personal benefits from the case; Lu has resigned from the chief coach post; and Uni-Lion won the CBPL champion for four times in Lu's leadership and his contributions for the team; the prosecution offered deferred prosecution for a terms of two years. Lu and Hsieh should pay respectively a sum of NT\$200,000 and NT\$150,000 to the charity groups or local autonomous groups specified by the prosecution. They should also provide respectively 60 hours and 40 hours of voluntary labor services for the government agencies, government organizations, executive agencies, communities, or other charity agencies or groups specified by the prosecution. The prosecution also deferred the prosecution on Huang accused of attempted profiting from gambling. The prosecution requested Huang to pay a sum of NT\$100,000 the charity groups or local autonomous groups specified by the prosecution. At the close of the investigation, the prosecutor did not find any player involved in the case, nor was there any sign of match-fixing or thrown games.