

69.地方法院刑事第一審簡易判決案件裁判結果一按罪名別分

中華民國 98 年

單位：件；人

罪名別 Crime type	終結 件數 Cases Closed	被告人數 Defendants									
		合計 Total	六月以下 有期徒刑 Timed imprison- ment of 6 or less than 6 months	逾六月至 一年以下 有期徒刑 Timed imprison- ment of over 6 months to 1 year	逾一年至 二年以下 有期徒刑 Timed imprison- ment of over 1 year to 2 years	逾二年至 三年以下 有期徒刑 Timed imprison- ment of over 2 years to 3 years	拘役 Detention	罰金 Punitive fine	免除 其刑 Penalty released	其他 Other	
合 Total	計 101 827	111 157	51 136	671	154	-	35 073	24 040	9	74	
普通刑法 Subtotal of general criminal law	計	86 339	94 321	39 015	492	79	-	31 133	23 532	8	62
瀆職 Offenses of malfeasance in office	罪	5	9	7	-	-	-	2	-	-	-
妨害公務 Offenses of interference with public functions	罪	621	654	235	1	-	-	412	6	-	-
妨害投票 Offenses of interference with voting	罪	18	95	94	1	-	-	-	-	-	-
妨害秩序 Offenses of interference with public order	罪	16	16	7	-	-	-	7	2	-	-
脫逃 Offenses of escape	罪	22	24	21	2	-	-	1	-	-	-
藏匿人犯及湮滅證據 Offenses of concealment of offenders and destruction of evidence	罪	88	131	53	1	-	-	75	1	1	-
偽證 Offenses of perjury	罪	59	76	73	2	-	-	-	-	1	-
誣告 Offenses of malicious accusation	罪	257	271	61	2	-	-	203	4	1	-
公共危險 Offenses against public safety	罪	41 711	41 949	10 922	141	11	-	14 514	16 350	1	10
偽造貨幣 Offenses of counterfeiting currency	罪	5	5	-	-	-	-	-	5	-	-
偽造有價證券 Offenses of counterfeiting valuable securities	罪	27	31	8	5	13	-	5	-	-	-
偽造度量衡 Offenses of falsifying weights and measures	罪	-	-	-	-	-	-	-	-	-	-
偽造文書印文 Offenses of forging instruments or seals	罪	2 313	2 733	2 495	17	11	-	202	1	-	7
妨害性自主 Offenses against sexual autonomy	罪	89	89	58	21	10	-	-	-	-	-
妨害風化 Offenses against sexual morality	罪	1 866	2 266	1 593	4	1	-	583	83	-	2
妨害婚姻及家庭 Offenses against marriage and family	罪	177	229	225	3	-	-	1	-	-	-
褻瀆祀典及侵害墳墓屍體 Offenses against religion, graves, and corpses	罪	3	4	4	-	-	-	-	-	-	-
妨害農工商 Offenses against agriculture, industry & commerce	罪	1	1	1	-	-	-	-	-	-	-

69. Results of Judgments and Rulings of Criminal First Instance Simple Cases by the District Courts – by Crime Type

2009

Unit: case; individual

聲請簡易判決處刑者(件) Number of defendants (cases) petitioning for summary judgment		緩刑人數 Number of persons suspended of punishment	從刑 Accessory Penalties			累犯人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines	減刑人數 Number of defendants eligible for reduced penalties			法院依求刑或請求緩刑為判決人數 Number of defendants adjudged according to requested penalties or suspension of punishment
檢察官聲請 Prosecutor's petition	被告自白 法院逕以簡易處刑 Summary sentencing by the court upon the defendant's confession		沒收件數 Number of confiscation cases	沒收並追徵、追繳或抵償件數 Number of confiscation and payment	追徵、追繳或抵償件數 Number of payment			依九十六年減刑條例 As per the Reduction of Penalties Act of 2007	依八十年減刑條例 As per the Reduction of Penalties Act of 1991	依七十七年減刑條例 As per the Reduction of Penalties Act of 1988	
92 379	9 448	10 671	15 236	14	3	19 798	85 865	5 294	-	-	1 982
79 186	7 153	8 364	8 000	2	2	14 586	69 910	3 580	-	-	1 568
1	4	9	-	-	-	-	9	3	-	-	-
555	66	79	15	-	-	150	646	14	-	-	8
11	7	77	2	2	-	4	94	64	-	-	-
15	1	4	11	-	-	2	13	-	-	-	-
18	4	2	-	-	-	4	22	-	-	-	2
69	19	39	3	-	-	28	128	8	-	-	10
26	33	55	1	-	-	8	-	12	-	-	12
213	44	83	1	-	-	34	230	25	-	-	10
40 797	914	1 568	55	-	-	4 710	25 421	117	-	-	556
5	-	-	5	-	-	-	-	-	-	-	-
11	16	21	26	-	-	1	13	3	-	-	5
-	-	-	-	-	-	-	-	-	-	-	-
1 760	553	667	1 582	-	-	476	2 680	1 114	-	-	63
23	66	77	1	-	-	-	27	4	-	-	14
1 688	178	329	1 102	-	1	390	2 174	43	-	-	55
151	26	23	-	-	-	8	226	27	-	-	3
3	-	2	-	-	-	1	4	-	-	-	-
1	-	-	-	-	-	-	1	1	-	-	-

69.地方法院刑事第一審簡易判決案件裁判結果—按罪名別分(續一)

中華民國 98 年

單位：件；人

罪名別 Crime type	終結 件數 Cases Closed	被告人數 Defendants								
		合計 Total	六月以下 有期徒刑 Timed imprison- ment of 6 or less than 6 months	逾六月至 一年以下 有期徒刑 Timed imprison- ment of over 6 months to 1 year	逾一年至 二年以下 有期徒刑 Timed imprison- ment of over 1 year to 2 years	逾二年至 三年以下 有期徒刑 Timed imprison- ment of over 2 years to 3 years	拘役 Detention	罰金 Punitive fine	免除 其刑 Penalty released	其他 Other
賭博 Offenses of gambling	罪 3 552	7 437	3 183	2	-	-	9	4 242	-	1
殺人 Offenses of homicide	罪 660	695	519	144	18	-	14	-	-	-
傷害 Offenses of causing bodily harm	罪 4 509	5 036	1 606	8	6	-	3 286	123	-	7
墮胎 Offenses of abortion	罪 1	1	-	-	-	-	1	-	-	-
遺棄 Offenses of abandonment	罪 7	8	3	5	-	-	-	-	-	-
妨害自由 Offenses against personal liberty	罪 1 406	1 716	544	8	-	-	1 106	57	-	1
妨害名譽及信用 Offenses against personal reputation & credits	罪 476	542	13	-	-	-	332	197	-	-
妨害秘密 Offenses relating to protection of secrets	罪 36	38	14	-	-	-	23	1	-	-
竊盜 Offenses of larceny	罪 11 037	11 542	5 386	36	1	-	4 879	1 229	4	7
強盜、搶奪及海盜 Offenses of robbery, snatch of property and piracy	罪 27	29	23	4	1	-	1	-	-	-
侵占 Offenses of misappropriation	罪 1 614	1 734	477	58	3	-	143	1 049	-	4
詐欺 Offenses of fraud	罪 12 816	13 576	9 626	13	4	-	3 831	82	-	20
背信 Offenses of breach of trust	罪 37	45	35	2	-	-	7	1	-	-
重利 Offenses of usury	罪 722	901	454	1	-	-	442	4	-	-
恐嚇取財 Offenses of obtaining property by threats	罪 597	652	634	8	-	-	9	-	-	1
擄人勒贖 Offenses of kidnapping for ransom	罪 -	-	-	-	-	-	-	-	-	-
贓物 Offenses relating to illegally obtained property	罪 1 043	1 207	545	1	-	-	626	34	-	1
毀棄損壞 Offenses of destruction, abandonment, and damage of property	罪 487	542	86	-	-	-	394	61	-	1
妨害電腦使用 Offenses of impairment to use of computers	罪 34	37	10	2	-	-	25	-	-	-

69. Results of Judgments and Rulings of Criminal First Instance Simple Cases by the District Courts – by Crime Type (Cont.1)

2009

Unit: case; individual

聲請簡易判決處刑案件 Number of defendants (cases) petitioning for summary judgment		緩刑人數 Number of persons suspended of punishment	從刑 Accessory Penalties			累犯人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines	減刑人數 Number of defendants eligible for reduced penalties			法院依求刑或請求緩刑為判決人數 Number of defendants adjudged according to requested penalties or suspension of punishment
檢察官聲請 Prosecutor's petition	被告自白 法院逕以簡易處刑 Summary sentencing by the court upon the defendant's confession		沒收件數 Number of confiscation cases	沒收並追徵、追繳或抵償件數 Number of confiscation and payment	追徵、追繳或抵償件數 Number of payment			依九十六年減刑條例 As per the Reduction of Penalties Act of 2007	依八十年減刑條例 As per the Reduction of Penalties Act of 1991	依七十七年減刑條例 As per the Reduction of Penalties Act of 1988	
3 420	132	494	3 431	-	1	331	3 191	46	-	-	71
373	287	592	1	-	-	6	531	21	-	-	54
3 849	660	272	104	-	-	424	4 891	60	-	-	43
1	-	-	-	-	-	-	1	-	-	-	-
4	3	5	-	-	-	1	3	1	-	-	1
1 069	337	404	134	-	-	304	1 647	69	-	-	68
441	35	23	4	-	-	8	345	23	-	-	2
30	6	6	28	-	-	2	37	-	-	-	-
9 709	1 328	1 366	1 091	-	-	4 596	10 242	131	-	-	182
11	16	13	3	-	-	3	23	-	-	-	2
1 375	239	369	17	-	-	109	603	151	-	-	33
11 110	1 706	1 435	94	-	-	2 148	13 445	1 285	-	-	276
18	19	23	-	-	-	3	41	24	-	-	4
612	110	84	204	-	-	159	894	125	-	-	35
485	112	79	17	-	-	154	642	79	-	-	18
-	-	-	-	-	-	-	-	-	-	-	-
864	179	136	18	-	-	425	1 171	124	-	-	33
440	47	19	46	-	-	96	480	5	-	-	8
28	6	9	4	-	-	1	35	1	-	-	-

69.地方法院刑事第一審簡易判決案件裁判結果—按罪名別分(續二)

中華民國 98 年

單位：件；人

罪名別 Crime type	終結 件數 Cases Closed	被告人數 Defendants								
		合計 Total	六月以下 有期徒刑 Timed imprisonment of 6 or less than 6 months	逾六月至 一年以下 有期徒刑 Timed imprisonment of over 6 months to 1 year	逾一年至 二年以下 有期徒刑 Timed imprisonment of over 1 year to 2 years	逾二年至 三年以下 有期徒刑 Timed imprisonment of over 2 years to 3 years	拘役 Detention	罰金 Punitive fine	免除 其刑 Penalty released	其他 Other
特別刑事法計 Sub-total of special criminal law	15 425	16 836	12 121	179	75	-	3 940	508	1	12
貪污治罪條例 Punishment of corruption act	3	4	-	4	-	-	-	-	-	-
懲治盜匪條例 Punishment of thieves and bandits act	-	-	-	-	-	-	-	-	-	-
妨害兵役治罪條例 Punishment of offenses against military service act	648	648	629	-	-	-	16	-	-	3
違反電信法 Violation of the telecommunications act	250	310	167	-	-	-	122	21	-	-
違反糧食管理法 Violation of the grain control law	-	-	-	-	-	-	-	-	-	-
違反國家總動員法 Violation of the national general mobilization law	-	-	-	-	-	-	-	-	-	-
懲治走私條例 Punishment of smuggling act	18	26	24	2	-	-	-	-	-	-
違反森林法 Violation of the forestry law	35	55	40	10	-	-	5	-	-	-
違反漁業法 Violation of the fishery law	25	32	6	-	-	-	26	-	-	-
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	8 632	8 653	7 767	7	1	-	858	18	-	2
陸海空軍刑法 Criminal law of the armed forces	2	3	1	-	-	-	2	-	-	-
違反水利法 Violation of the irrigation management law	1	1	1	-	-	-	-	-	-	-
違反電業法 Violation of the electricity management law	151	164	91	1	1	-	71	-	-	-
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law	40	52	28	-	-	-	15	9	-	-
違反能源管理法 Violation of the energy management law	-	-	-	-	-	-	-	-	-	-
違反動產擔保交易法 Violation of the personal property secured transactions act	-	-	-	-	-	-	-	-	-	-
違反商業登記法 Violation of the commercial registration law	-	-	-	-	-	-	-	-	-	-
違反勞動基準法 Violation of the labor standards law	23	35	1	-	-	-	3	31	-	-
違反勞工安全衛生法 Violation of the labor safety and health law	17	36	4	-	-	-	3	29	-	-
違反各種稅法 Violation of various taxation laws	106	136	108	-	-	-	14	13	-	1
違反菸酒管理法 Violation of the tobacco and alcohol management law	13	26	24	-	-	-	2	-	-	-

69. Results of Judgments and Rulings of Criminal First Instance Simple Cases by the District Courts – by Crime Type (Cont.2)

2009

Unit: case; individual

聲請簡易判決處刑者(件) Number of defendants (cases) petitioning for summary judgment		緩刑人數 Number of persons suspended of punishment	從刑 Accessory Penalties			累犯人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines	減刑人數 Number of defendants eligible for reduced penalties			法院依求刑或請求緩刑為判決人數 Number of defendants adjudged according to requested penalties or suspension of punishment
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13 165	2 260	2 307	7 236	12	1	5 212	15 955	1 714	-	-	414
-	3	4	2	-	-	-	-	4	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
606	42	159	-	-	-	167	645	13	-	-	7
221	29	48	160	-	-	49	288	8	-	-	5
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
12	6	18	11	-	-	2	17	3	-	-	9
19	16	44	14	-	-	2	45	1	-	-	3
25	-	3	22	-	-	2	32	-	-	-	-
7 323	1 309	57	4 436	2	1	4 331	8 623	40	-	-	194
2	-	-	-	-	-	1	3	1	-	-	-
1	-	-	-	-	-	-	1	-	-	-	-
127	24	92	50	-	-	9	162	7	-	-	2
-	-	-	-	-	-	-	-	-	-	-	-
36	4	2	2	-	-	8	43	8	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
20	3	4	-	-	-	-	4	2	-	-	-
14	3	1	-	-	-	-	7	2	-	-	-
68	38	31	3	-	-	7	122	106	-	-	5
12	1	5	12	-	-	5	26	-	-	-	-

69.地方法院刑事第一審簡易判決案件裁判結果—按罪名別分(續三完)

中華民國 98 年

單位：件；人

罪名別 Crime type	終結 件數 Cases Closed	被告人數 Defendants								
		合計 Total	六月以下 有期徒刑 Timed imprison- ment of 6 or less than 6 months	逾六月至 一年以下 有期徒刑 Timed imprison- ment of over 6 months to 1 year	逾一年至 二年以下 有期徒刑 Timed imprison- ment of over 1 year to 2 years	逾二年至 三年以下 有期徒刑 Timed imprison- ment of over 2 years to 3 years	拘役 Detention	罰金 Punitive fine	免除 其刑 Penalty released	其他 Other
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	1	1	-	-	-	-	-	1	-	-
違反醫師法 Violation of the physicians law	16	17	11	6	-	-	-	-	-	-
違反藥事法 Violation of the pharmaceutical affairs act	60	73	47	13	2	-	7	4	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	-	-	-	-	-	-	-	-	-	-
違反著作權法 Violation of the copyright law	449	481	350	29	-	-	98	4	-	-
違反建築法 Violation of the building law	107	117	6	-	-	-	84	27	-	-
違反公平交易法 Violation of the fair trade act	-	-	-	-	-	-	-	-	-	-
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	23	27	26	1	-	-	-	-	-	-
違反野生動物保育法 Violation of the wildlife conservation law	60	63	52	5	-	-	6	-	-	-
違反水污染防治法 Violation of the water pollution control law	19	24	13	-	-	-	4	7	-	-
違反兩岸關係條例 Violation of the cross-strait relations act	400	542	418	49	15	-	55	5	-	-
違反公司法 Violation of the company law	184	526	309	1	-	-	86	130	-	-
違反食品衛生管理法 Violation of the food sanitation control law	10	11	3	-	-	-	5	3	-	-
違反專利法 Violation of the patent law	-	-	-	-	-	-	-	-	-	-
違反商標法 Violation of the trademark law	768	808	235	-	-	-	536	37	-	-
違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act	169	178	104	1	16	-	57	-	-	-
國家安全法 National security law	56	76	51	-	-	-	16	8	-	1
集會遊行法 Mass gathering and demonstration act	2	3	-	-	-	-	2	1	-	-
違反銀行法 Violation of the banking law	7	8	-	1	7	-	-	-	-	-
違反選舉罷免法 Violation of the election and recall law	6	14	10	-	4	-	-	-	-	-
違反兒童及少年性交易防制條例 Violation of the children's and juvenile's sexual transaction prevention act	190	199	183	-	3	-	11	2	-	-
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-	-
違反洗錢防制法 Violation of the Money Laundering Control Act	1	1	1	-	-	-	-	-	-	-
其他 Other	2 933	3 486	1 411	49	26	-	1 836	158	1	5
併案裁判	63	-	-	-	-	-	-	-	-	-

69. Results of Judgments and Rulings of Criminal First Instance Simple Cases by the District Courts – by Crime Type (Cont.End)

2009

Unit: case; individual

聲請簡易判決處刑案件 Number of defendants (cases) petitioning for summary judgment		緩刑人數	從刑 Accessory Penalties			累犯 人數	得易科 罰金人數	減刑人數 Number of defendants eligible for reduced penalties			法院依求 刑或請求 緩刑為判 決人數 Number of defendants adjudged according to requested penalties or suspension of punishment
檢察官聲請	被告自白 法院逕以 簡易處刑		沒收件數 Number of confiscation cases	沒收並追 徵、追繳 或抵償件 數 Number of confisca- tion and payment	追徵、追 繳或抵償 件數 Number of payment			依九十六 年減 刑條例	依八十年減 刑條例	依七十七 年減 刑條例	
Prosecutor's petition	Summary sentencing by the court upon the defendant's confession	Number of persons suspended of punishment				Number of recidivists	Number of persons whose penalties may be commuted to fines	As per the Reduction of Penalties Act of 2007	As per the Reduction of Penalties Act of 1991	As per the Reduction of Penalties Act of 1988	
1	-	-	1	-	-	-	-	-	-	-	-
7	9	13	8	-	-	1	10	3	-	-	3
40	20	52	41	-	-	2	24	12	-	-	11
-	-	-	-	-	-	-	-	-	-	-	-
380	69	248	302	1	-	21	448	18	-	-	7
104	3	9	-	-	-	2	90	6	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
10	13	21	10	-	-	1	26	4	-	-	3
43	17	51	56	-	-	1	58	5	-	-	7
16	3	3	-	-	-	5	17	-	-	-	4
303	97	272	5	-	-	35	451	460	-	-	17
139	45	128	-	-	-	16	395	508	-	-	3
9	1	3	-	-	-	-	8	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
709	59	238	736	-	-	54	771	22	-	-	10
129	40	34	141	-	-	42	161	6	-	-	5
52	4	7	6	-	-	3	67	4	-	-	-
2	-	2	-	-	-	-	2	-	-	-	-
1	6	8	2	1	-	-	-	1	-	-	-
1	5	11	3	2	-	-	10	10	-	-	1
172	18	65	17	-	-	17	189	5	-	-	7
-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	1	-	1	1	-	-	-	-
2 560	373	674	1 196	5	-	428	3 209	455	-	-	111
28	35	-	-	-	-	-	-	-	-	-	-