14.最高法院刑事上訴案件被告裁判結果－按罪名別分
14. Results of Judgments and Rulings of Criminal Appeals Cases Concluded by Supreme Court － by Crime Type

中華民國 109 年 (2020)

單位：人 (Unit: individual)

罪名別 Crime type	合計 Total	科刑 Individuals sentenced													免除其刑 Penalty released	無罪 Acquitted	免訴 Not prosecutable	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Rehabilitative measures	罪名別 Crime type
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑 Time imprisonments								拘役 Detention	罰金 Punitive fine									
					小計 Subtotal	一年以下 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年 Over 10 years											
合計 Total	**6 783**	**6 353**	**1**	**32**	**6 231**	**1 543**	**1 453**	**384**	**1 454**	**284**	**811**	**302**	**63**	**26**	**1**	**257**	**2**	**150**	**2**	**18**	**5**	**16**	**合計 Total**
普通刑法計 Subtotal of general criminal law	**3 094**	**2 886**	**1**	**31**	**2 790**	**888**	**912**	**160**	**377**	**121**	**242**	**90**	**58**	**6**	**-**	**136**	**1**	**58**	**2**	**11**	**5**	**6**	**普通刑法計 Subtotal of general criminal law**
內亂罪 Offenses against the internal security of the state	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	內亂罪 Offenses against the internal security of the state
外患罪 Offenses against the external security of the state	5	5	-	-	5	4	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	外患罪 Offenses against the external security of the state
妨害國交罪 Offenses of interference with relations with other states	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨害國交罪 Offenses of interference with relations with other states
瀆職罪 Offenses of malfeasance in office	19	3	-	-	3	1	-	1	-	1	-	-	-	-	-	1	-	15	-	-	-	-	瀆職罪 Offenses of malfeasance in office
妨害公務罪 Offenses of interference with public functions	8	6	-	-	5	5	-	-	-	-	-	-	1	-	-	-	-	-	-	2	-	-	妨害公務罪 Offenses of interference with public functions
妨害投票罪 Offenses of interference with voting	18	2	-	-	2	2	-	-	-	-	-	-	-	-	-	16	-	-	-	-	-	-	妨害投票罪 Offenses of interference with voting
妨害秩序罪 Offenses of interference with public order	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨害秩序罪 Offenses of interference with public order
脫逃罪 Offenses of escape	2	2	-	-	2	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	脫逃罪 Offenses of escape
藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence
偽證罪 Offenses of perjury	29	21	-	-	21	19	2	-	-	-	-	-	-	-	-	8	-	-	-	-	-	-	偽證罪 Offenses of perjury
誣告罪 Offenses of malicious accusation	56	34	-	-	34	34	-	-	-	-	-	-	-	-	-	21	-	1	-	-	-	-	誣告罪 Offenses of malicious accusation
公共危險罪 Offenses against public safety	162	158	-	-	157	63	61	5	16	8	3	1	1	-	-	2	-	2	-	-	-	-	公共危險罪 Offenses against public safety
放火 Arson	28	27	-	-	27	4	12	3	6	1	1	-	-	-	-	-	-	1	-	-	-	-	放火 Arson
燒燬建築物及住宅 Destruction by fire of building and residence	17	17	-	-	17	1	6	2	6	1	1	-	-	-	-	-	-	-	-	-	-	-	燒燬建築物及住宅 Destruction by fire of building and residence
燒燬其他物件 Destruction by fire of other objects	11	10	-	-	10	3	6	1	-	-	-	-	-	-	-	-	-	1	-	-	-	-	燒燬其他物件 Destruction by fire of other objects
失火 Negligent fire	2	2	-	-	1	1	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	失火 Negligent fire
燒燬建築物及住宅 Destruction by fire of building and residence	2	2	-	-	1	1	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	燒燬建築物及住宅 Destruction by fire of building and residence
燒燬其他物件 Destruction by fire of other objects	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	燒燬其他物件 Destruction by fire of other objects
違背建築術成規 Violation of building practice	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違背建築術成規 Violation of building practice
妨害衛生安全 Obstruction to sanitation	3	3	-	-	3	1	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	妨害衛生安全 Obstruction to sanitation
漏逸氣體 Gas leak	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	漏逸氣體 Gas leak
妨害交通安全 Obstruction to traffic safetv	129	126	-	-	126	57	49	2	8	7	2	1	-	-	-	2	-	1	-	-	-	-	妨害交通安全 Obstruction to traffic safetv
強暴脅迫危害交通安全 Obstruction by violence or threat of traffic safety	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	強暴脅迫危害交通安全 Obstruction by violence or threat of traffic safety
不能安全駕駛 Inability to drive safelv	25	25	-	-	25	3	6	2	6	7	1	-	-	-	-	-	-	-	-	-	-	-	不能安全駕駛 Inability to drive safelv
肇事致人死傷逃逸 Hit and run	94	91	-	-	91	49	42	-	-	-	-	-	-	-	-	2	-	1	-	-	-	-	肇事致人死傷逃逸 Hit and run
其他 Other	10	10	-	-	10	5	1	-	2	-	1	1	-	-	-	-	-	-	-	-	-	-	其他 Other
危險物 Hazard materials	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	危險物 Hazard materials
爆裂物 Explosives	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	爆裂物 Explosives
核能放射線 Nuclear radiation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	核能放射線 Nuclear radiation
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	其他 Other

說明：本表僅含宣告不合法、無理由及自為判決之被告資料。

Note: This table only contains the defendants declared as improform, groundless or ruled by Supreme Court.

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續一)
14. Results of Judgments and Rulings of Criminal Appeals Cases Concluded by Supreme Court － by Crime Type(Cont. 1)

中華民國 109 年 (2020)

單位：人 (Unit: individual)

罪名別 Crime type	合計 Total	科刑 Individuals sentenced													免除其刑 Penalty released	無罪 Acquitted	免訴 Not prosecutable	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Rehabilitative measures	罪名別 Crime type
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偽造貨幣罪 Offenses of counterfeiting currency	6	6	-	-	6	-	-	1	5	-	-	-	-	-	-	-	-	-	-	-	-	-	偽造貨幣罪 Offenses of counterfeiting currency
偽造有價證券罪 Offenses of counterfeiting valuable securities	94	87	-	-	87	2	43	5	37	-	-	-	-	-	-	7	-	-	-	-	-	-	偽造有價證券罪 Offenses of counterfeiting valuable securities
偽造度量衡罪 Offenses of falsifying weights and measures	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	偽造度量衡罪 Offenses of falsifying weights and measures
偽造文書印文罪 Offenses of forging instruments or seals	296	237	-	-	235	181	31	13	10	-	-	-	2	-	-	31	-	27	1	-	-	-	偽造文書印文罪 Offenses of forging instruments or seals
偽造變造私文書 Forgery or alteration of private documents	240	194	-	-	194	164	14	11	5	-	-	-	-	-	-	27	-	19	-	-	-	-	偽造變造私文書 Forgery or alteration of private documents
偽造變造公文書 Forgery or alteration of public documents	22	22	-	-	22	6	13	2	1	-	-	-	-	-	-	-	-	-	-	-	-	-	偽造變造公文書 Forgery or alteration of public documents
偽造變造特種文書 Forgery or alteration of special documents	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	偽造變造特種文書 Forgery or alteration of special documents
公文書不實登載 False entry in public documents	19	9	-	-	9	1	4	-	4	-	-	-	-	-	-	4	-	5	1	-	-	-	公文書不實登載 False entry in public documents
使公務員登載不實 Causing a functionary to make false entries in public documents	9	8	-	-	6	6	-	-	-	-	-	-	2	-	-	-	-	1	-	-	-	-	使公務員登載不實 Causing a functionary to make false entries in public documents
業務上文書登載不實 False entry in occupational documents	4	2	-	-	2	2	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	業務上文書登載不實 False entry in occupational documents
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal
妨害性自主罪 Offenses against sexual autonomy	422	401	-	7	394	59	47	19	189	11	69	-	-	-	-	18	-	3	-	-	1	1	妨害性自主罪 Offenses against sexual autonomy
強制性交猥褻 Forced sexual intercourse or obscene act	411	391	-	-	391	56	47	19	189	11	69	-	-	-	-	17	-	3	-	-	1	1	強制性交猥褻 Forced sexual intercourse or obscene act
強制性交猥褻之殺人或重傷害 Manslaughter or serious bodily harm from forced sexual intercourse or obscene act	7	7	-	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	強制性交猥褻之殺人或重傷害 Manslaughter or serious bodily harm from forced sexual intercourse or obscene act
其他 Other	4	3	-	-	3	3	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	其他 Other
妨害風化罪 Offenses against sexual morality	39	36	-	-	36	33	1	-	-	1	1	-	-	-	-	3	-	-	-	-	-	-	妨害風化罪 Offenses against sexual morality
強姦 Rape	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	強姦 Rape
強姦殺人 Rape homicide	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	強姦殺人 Rape homicide
意圖營利性交猥褻 Sexual intercourse or obscene act for the purpose of gain	39	36	-	-	36	33	1	-	-	1	1	-	-	-	-	3	-	-	-	-	-	-	意圖營利性交猥褻 Sexual intercourse or obscene act for the purpose of gain
製造散布持有陳列猥褻文字圖書物品 Production, distribution, possession or display of pornographic text, book or article	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	製造散布持有陳列猥褻文字圖書物品 Production, distribution, possession or display of pornographic text, book or article
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	其他 Other
妨害婚姻及家庭罪 Offenses against marriage and family	4	3	-	-	3	3	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	妨害婚姻及家庭罪 Offenses against marriage and family

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續二)
14. Results of Judgments and Rulings of Criminal Appeals Cases Concluded by Supreme Court － by Crime Type(Cont. 2)

中華民國 109 年 (2020)

單位：人 (Unit: individual)

罪名別 Crime type	合計 Total	科刑 Individuals sentenced													免除其刑 Penalty released	無罪 Acquitted	免訴 Not prosecutable	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Rehabilitative measures	罪名別 Crime type
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褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves and corpses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves and corpses
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨害農工商罪 Offenses against agriculture, industry & commerce
賭博罪 Offenses of gambling	2	2	-	-	1	1	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	賭博罪 Offenses of gambling
單純賭博 Simple gambling	1	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	單純賭博 Simple gambling
供給賭博場所等賭博 Gamble of providing gambling places and the like	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	供給賭博場所等賭博 Gamble of providing gambling places and the like
殺人罪 Offenses of homicide	218	211	1	21	189	27	6	3	14	52	16	71	-	-	-	4	-	3	-	-	4	4	殺人罪 Offenses of homicide
殺人 Homicide	184	179	1	21	157	-	1	3	14	52	16	71	-	-	-	2	-	3	-	-	-	4	殺人 Homicide
既遂 Consummation	104	103	1	21	81	-	-	-	2	2	8	69	-	-	-	-	-	1	-	-	-	1	既遂 Consummation
普通殺人 General homicide	95	94	1	18	75	-	-	-	2	2	8	63	-	-	-	-	-	1	-	-	-	1	普通殺人 General homicide
殺害直系尊親屬 Homicide of lineal ascendants by blood	9	9	-	3	6	-	-	-	-	-	-	6	-	-	-	-	-	-	-	-	-	-	殺害直系尊親屬 Homicide of lineal ascendants by blood
未遂 Attempt	80	76	-	-	76	-	1	3	12	50	8	2	-	-	-	2	-	2	-	-	-	3	未遂 Attempt
普通殺人 General homicide	80	76	-	-	76	-	1	3	12	50	8	2	-	-	-	2	-	2	-	-	-	3	普通殺人 General homicide
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	殺害直系尊親屬 Homicide of lineal ascendants by blood
過失致死 Manslaughter	34	32	-	-	32	27	5	-	-	-	-	-	-	-	-	2	-	-	-	-	4	-	過失致死 Manslaughter
醫療過失致人於死 Negligent killing by a physician	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	醫療過失致人於死 Negligent killing by a physician
交通過失致人於死 Negligent killing by a driver	22	21	-	-	21	16	5	-	-	-	-	-	-	-	-	1	-	-	-	-	3	-	交通過失致人於死 Negligent killing by a driver
其他過失致人於死 Other negligent killing	11	10	-	-	10	10	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1	-	其他過失致人於死 Other negligent killing

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續三)
14. Results of Judgments and Rulings of Criminal Appeals Cases Concluded by Supreme Court － by Crime Type(Cont. 3)

中華民國 109 年 (2020)

單位：人 (Unit: individual)

罪名別 Crime type	合計 Total	科刑 Individuals sentenced													免除其刑 Penalty released	無罪 Acquitted	免訴 Not prosecutable	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Rehabilitative measures	罪名別 Crime type
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					小計 Subtotal	一年以下 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年 Over 10 years										
傷害罪 Offenses of causing bodily harm	179	176	-	-	156	28	13	18	48	9	32	8	20	-	-	1	-	2	-	-	-	-	傷害罪 Offenses of causing bodily harm
傷害直系尊親屬 Bodily harm of lineal ascendants by blood	4	4	-	-	3	3	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	傷害直系尊親屬 Bodily harm of lineal ascendants by blood
重傷害 Serious bodily harm	42	42	-	-	42	-	8	15	8	5	6	-	-	-	-	-	-	-	-	-	-	-	重傷害 Serious bodily harm
傷害致死 Bodily harm resulting in death	49	49	-	-	49	-	-	1	12	3	25	8	-	-	-	-	-	-	-	-	-	-	傷害致死 Bodily harm resulting in death
醫療過失傷害 Negligent bodily harm by a physician	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	醫療過失傷害 Negligent bodily harm by a physician
交通過失傷害 Negligent bodily harm by a driver	13	13	-	-	3	3	-	-	-	-	-	-	10	-	-	-	-	-	-	-	-	-	交通過失傷害 Negligent bodily harm by a driver
其他過失傷害 Other negligent bodily harm	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	其他過失傷害 Other negligent bodily harm
其他 Other	71	68	-	-	59	22	5	2	28	1	1	-	9	-	-	1	-	2	-	-	-	-	其他 Other
墮胎罪 Offenses of abortion	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	墮胎罪 Offenses of abortion
遺棄罪 Offenses of abandonment	5	4	-	-	4	-	-	1	-	-	3	-	-	-	-	1	-	-	-	-	-	-	遺棄罪 Offenses of abandonment
妨害自由罪 Offenses against personal liberty	143	139	-	-	133	107	19	4	3	-	-	-	6	-	-	3	-	1	-	-	-	-	妨害自由罪 Offenses against personal liberty
使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons
詐術使人出國 Fraudulently causing a person to leave the territory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	詐術使人出國 Fraudulently causing a person to leave the territory
略誘罪 Abduction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	略誘罪 Abduction
剝奪行動自由 Deprivation of freedom of movement	126	122	-	-	122	97	18	4	3	-	-	-	-	-	-	3	-	1	-	-	-	-	剝奪行動自由 Deprivation of freedom of movement
強制罪 Coercion offense	13	13	-	-	9	9	-	-	-	-	-	-	4	-	-	-	-	-	-	-	-	-	強制罪 Coercion offense
恐嚇危害安全 Obstruction of safety by threat	4	4	-	-	2	1	1	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	恐嚇危害安全 Obstruction of safety by threat
侵入或滯留 Trespassing on, or lingering in, a property	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	侵入或滯留 Trespassing on, or lingering in, a property
違法搜索 Illegal search	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違法搜索 Illegal search

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續四)
14. Results of Judgments and Rulings of Criminal Appeals Cases Concluded by Supreme Court － by Crime Type(Cont. 4)

中華民國 109 年 (2020)

單位：人 (Unit: individual)

罪名別 Crime type	合計 Total	科刑 Individuals sentenced													免除其刑 Penalty released	無罪 Acquitted	免訴 Not prosecu-table	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Re-habilitative measures	罪名別 Crime type
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑 Time imprisonments								拘役 Detention	罰金 Punitive fine									
					小計 Subtotal	一年以下 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年 Over 10 years											
妨害名譽及信用罪 Offenses against personal reputation & credits	6	6	-	-	-	-	-	-	-	-	-	-	3	3	-	-	-	-	-	-	-	-	妨害名譽及信用罪 Offenses against personal reputation & credits
妨害秘密罪 Offenses relating to protection of secrets	6	6	-	-	3	3	-	-	-	-	-	-	3	-	-	-	-	-	-	-	-	-	妨害秘密罪 Offenses relating to protection of secrets
竊盜罪 Offenses of larceny	13	13	-	-	12	12	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	竊盜罪 Offenses of larceny
普通竊盜竊占 Common theft and theft of movables or immovables	5	5	-	-	5	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	普通竊盜竊占 Common theft and theft of movables or immovables
加重竊盜 Severe theft	8	8	-	-	7	7	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	加重竊盜 Severe theft
常業竊盜 Occupational theft	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	常業竊盜 Occupational theft
強盜罪 Offenses of robbery	190	182	-	3	179	-	3	4	19	26	117	10	-	-	-	1	-	1	-	6	-	1	強盜罪 Offenses of robbery
搶奪及海盜罪 Offenses of snatch of property and piracy	11	10	-	-	10	5	5	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	搶奪及海盜罪 Offenses of snatch of property and piracy
侵占罪 Offenses of misappropriation	24	22	-	-	21	13	5	2	1	-	-	-	-	1	-	2	-	-	-	-	-	-	侵占罪 Offenses of misappropriation
普通侵占 Common embezzlement	9	9	-	-	9	6	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	普通侵占 Common embezzlement
公務公益侵占 Official embezzlement	2	2	-	-	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	公務公益侵占 Official embezzlement
業務侵占 Occupational embezzlement	12	10	-	-	10	7	2	1	-	-	-	-	-	-	-	2	-	-	-	-	-	-	業務侵占 Occupational embezzlement
侵占遺失物 Embezzlement of lost articles	1	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	侵占遺失物 Embezzlement of lost articles
詐欺罪 Offenses of fraud	1 078	1 060	-	-	1 044	255	668	82	30	9	-	-	16	-	-	11	-	3	1	3	-	-	詐欺罪 Offenses of fraud
一般詐欺 Common fraud	1 076	1 060	-	-	1 044	255	668	82	30	9	-	-	16	-	-	9	-	3	1	3	-	-	一般詐欺 Common fraud
常業詐欺 Occupational fraud	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-	-	常業詐欺 Occupational fraud
背信罪 Offenses of breach of trust	7	5	-	-	5	2	2	1	-	-	-	-	-	-	-	2	-	-	-	-	-	-	背信罪 Offenses of breach of trust
重利罪 Offenses of usury	7	7	-	-	6	4	2	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	重利罪 Offenses of usury
恐嚇取財罪 Offenses of obtaining property by threats	18	17	-	-	17	14	3	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	恐嚇取財罪 Offenses of obtaining property by threats
擄人勒贖罪 Offenses of kidnapping for ransom	9	9	-	-	9	-	-	-	4	4	1	-	-	-	-	-	-	-	-	-	-	-	擄人勒贖罪 Offenses of kidnapping for ransom
贓物罪 Offenses relating to illegally obtained property	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	贓物罪 Offenses relating to illegally obtained property
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	14	12	-	-	7	7	-	-	-	-	-	-	5	-	-	2	-	-	-	-	-	-	毀棄損壞罪 Offenses of destruction, abandonment, and damage of property
妨害電腦使用罪 Offenses of impairment to use of computers	2	2	-	-	2	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨害電腦使用罪 Offenses of impairment to use of computers

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續五)
14. Results of Judgments and Rulings of Criminal Appeals Cases Concluded by Supreme Court － by Crime Type(Cont. 5)

中華民國 109 年 (2020)

單位：人 (Unit: individual)

罪名別 Crime type	合計 Total	科刑 Individuals sentenced												免除其刑 Penalty released	無罪 Acquitted	免訴 Not prosecutable	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Rehabilitative measures	罪名別 Crime type
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑 Time imprisonments								拘役 Detention	罰金 Punitive fine								
					小計 Subtotal	一年以下 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年 Over 10 years										
特別刑事法令計 Subtotal of special criminal law	**3 689**	**3 467**	**-**	**1**	**3 441**	**655**	**541**	**224**	**1 077**	**163**	**569**	**212**	**5**	**20**	**1**	**121**	**1**	**92**	**-**	**7**	**-**	**10**	**特別刑事法令計 Subtotal of special criminal law**
貪污治罪條例 Punishment of corruption act	138	120	-	-	120	14	30	12	19	12	16	17	-	-	1	16	-	1	-	-	-	-	貪污治罪條例 Punishment of corruption act
懲治盜匪條例 Punishment of thieves and bandits act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨害兵役治罪條例 Punishment of offenses against military service act
違反電信法 Violation of the telecommunications act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反電信法 Violation of the telecommunications act
違反糧食管理法 Violation of the grain control law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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	16	16	-	-	16	9	6	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	懲治走私條例 Punishment of smuggling act
違反森林法 Violation of the forestry law	61	59	-	-	59	20	37	2	-	-	-	-	-	-	-	1	-	1	-	-	-	-	違反森林法 Violation of the forestry law
違反漁業法 Violation of the fishery law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反漁業法 Violation of the fishery law
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	2 215	2 181	-	1	2 180	338	238	120	691	96	506	191	-	-	-	23	-	11	-	-	-	-	違反毒品危害防制條例 Violation of the narcotics endangerment prevention act
製造運輸販賣 Manufacture, transport, or sale	1 812	1 782	-	1	1 781	15	185	110	682	93	505	191	-	-	-	23	-	7	-	-	-	-	製造運輸販賣 Manufacture, transport, or sale
施用 Use	318	314	-	-	314	295	18	1	-	-	-	-	-	-	-	-	-	4	-	-	-	-	施用 Use
其他 Other	85	85	-	-	85	28	35	9	9	3	1	-	-	-	-	-	-	-	-	-	-	-	其他 Other
陸海空軍刑法 Criminal law of the armed forces	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	陸海空軍刑法 Criminal law of the armed forces
違反水利法 Violation of the irrigation management law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反水利法 Violation of the irrigation management law
違反電業法 Violation of the electricity management law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反電業法 Violation of the electricity management law
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反海商法 Violation of the maritime commercial law
違反就業服務法 Violation of the employment services law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反就業服務法 Violation of the employment services law
違反能源管理法 Violation of the energy management law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反商業登記法 Violation of the commercial registration law
違反勞動基準法 Violation of the labor standards law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反勞動基準法 Violation of the labor standards law
違反職業安全衛生法 Violation of the labor safety and health law	1	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	違反職業安全衛生法 Violation of the labor safety and health law

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續六)
14. Results of Judgments and Rulings of Criminal Appeals Cases Concluded by Supreme Court － by Crime Type(Cont. 6)

中華民國 109 年 (2020)

單位：人 (Unit: individual)

罪名別 Crime type	合計 Total	科刑 Individuals sentenced												免除其刑 Penalty released	無罪 Acquitted	免訴 Not prosecu-table	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Re-habilitative measures	罪名別 Crime type
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑 Time imprisonments								拘役 Detention	罰金 Punitive fine								
					小計 Subtotal	一年以下 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年 Over 10 years										
違反各種稅法 Violation of various taxation laws	4	4	-	-	3	3	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	違反各種稅法 Violation of various taxation laws
違反菸酒管理法 Violation of the tobacco and alcohol monopoly law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反菸酒管理法 Violation of the tobacco and alcohol monopoly law
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	2	2	-	-	2	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	妨害國幣懲治條例 Violation of the punishment for impairment of state currency act
違反醫師法 Violation of the physicians law	17	17	-	-	17	9	5	2	1	-	-	-	-	-	-	-	-	-	-	-	-	違反醫師法 Violation of the physicians law
違反藥事法 Violation of the pharmaceutical affairs act	43	39	-	-	38	33	3	2	-	-	-	-	-	1	-	3	-	-	-	1	-	違反藥事法 Violation of the pharmaceutical affairs act
偽藥 Counterfeit medicine	42	38	-	-	38	33	3	2	-	-	-	-	-	-	-	3	-	-	-	1	-	偽藥 Counterfeit medicine
其他 Other	1	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	其他 Other
違反麻醉藥品管理條例 Violation of the anaesthetics control act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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	12	7	-	-	5	4	1	-	-	-	-	-	1	1	-	3	-	2	-	-	-	違反著作權法 Violation of the copyright law
違法重製罪 Offence of unlawful reproduction	10	5	-	-	4	3	1	-	-	-	-	-	-	1	-	3	-	2	-	-	-	違法重製罪 Offence of unlawful reproduction
移轉所有權或公開陳列持有侵害著作權 Infringement of copyright by means of transfer of ownership, public display or possession	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	移轉所有權或公開陳列持有侵害著作權 Infringement of copyright by means of transfer of ownership, public display or possession
公開上映或改作出租侵害著作財產權 Infringement of copyright by means of public presentation, adaptation, or renting	1	1	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	公開上映或改作出租侵害著作財產權 Infringement of copyright by means of public presentation, adaptation, or renting
侵害著作權或違法將重製物銷售國外 Infringement of copyright or unlawful sale of reproduced articles abroad	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	侵害著作權或違法將重製物銷售國外 Infringement of copyright or unlawful sale of reproduced articles abroad
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright
違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection
違法利用他人著作罪 Offense of unlawful use of another person's work of authorship	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違法利用他人著作罪 Offense of unlawful use of another person's work of authorship
虛偽記載登記罪 Offense of false entry or registration	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	虛偽記載登記罪 Offense of false entry or registration
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	其他 Other
違反建築法 Violation of the building law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反建築法 Violation of the building law
違反公平交易法 Violation of the fair trade act	18	18	-	-	18	18	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law
違反野生動物保育法 Violation of the wildlife conservation law	4	4	-	-	4	3	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反野生動物保育法 Violation of the wildlife conservation law
違反水污染防治法 Violation of the water pollution control law	2	2	-	-	1	-	-	-	1	-	-	-	-	1	-	-	-	-	-	-	-	違反水污染防治法 Violation of the water pollution control law
違反兩岸關係條例 Violation of the cross-strait relations act	24	21	-	-	21	3	14	-	4	-	-	-	-	-	-	3	-	-	-	-	-	違反兩岸關係條例 Violation of the cross-strait relations act

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續七完)

14. Results of Judgments and Rulings of Criminal Appeals Cases Concluded by Supreme Court － by Crime Type(Cont. End)

中華民國 109 年 (2020)

單位：人 (Unit: individual)

罪名別 Crime type	合計 Total	科刑 Individuals sentenced												免除其刑 Penalty released	無罪 Acquitted	免訴 Not prosecu-table	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Re-habilitative measures	罪名別 Crime type
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑 Time imprisonments								拘役 Detention	罰金 Punitive fine								
					小計 Subtotal	一年以下 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年 Over 10 years										
違反公司法 Violation of the company law	18	18	-	-	17	17	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	違反公司法 Violation of the company law
違反食品安全衛生管理法 Violation of the food sanitation control law	12	10	-	-	9	5	3	1	-	-	-	-	-	1	-	2	-	-	-	-	-	違反食品安全衛生管理法 Violation of the food sanitation control law
違反專利法 Violation of the patent law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反專利法 Violation of the patent law
偽造專利品罪 Offense of forgery of patented articles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	偽造專利品罪 Offense of forgery of patented articles
竊用專利方法罪 Offense of wrongful use a patented process	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	竊用專利方法罪 Offense of wrongful use a patented process
販賣陳列輸入偽造之專利品罪 Sale, display or importation of forged patented articles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	販賣陳列輸入偽造之專利品罪 Sale, display or importation of forged patented articles
虛偽標示罪 Offense of false marking	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	虛偽標示罪 Offense of false marking
違反商標法 Violation of the trademark law	2	2	-	-	1	1	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	違反商標法 Violation of the trademark law
侵害他人商標罪 Offense of trademark infringement	1	1	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	侵害他人商標罪 Offense of trademark infringement
販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark
惡意使用他人商標文字罪 Offense of malicious use of another person's trademarked words	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	惡意使用他人商標文字罪 Offense of malicious use of another person's trademarked words
違反槍砲彈藥刀械管制條例 Violation of the controlling guns, ammunition and knives act	389	379	-	-	379	13	45	41	226	45	9	-	-	-	-	8	-	2	-	-	-	1 違反槍砲彈藥刀械管制條例 Violation of the controlling guns, ammunition and knives act
國家安全法 National security law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	國家安全法 National security law
集會遊行法 Mass gathering and demonstration act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	集會遊行法 Mass gathering and demonstration act
違反銀行法 Violation of the banking law	100	95	-	-	94	1	24	8	28	4	27	2	-	1	-	1	-	2	-	2	-	違反銀行法 Violation of the banking law
違反選舉罷免法 Violation of the election and recall law	85	64	-	-	64	3	22	9	30	-	-	-	-	-	-	20	-	-	-	1	-	違反選舉罷免法 Violation of the election and recall law
違反兒童及少年性剝削防制條例 Violation of the child and youth sexual exploitation prevention act	88	82	-	-	82	9	12	5	44	3	8	1	-	-	-	5	-	-	-	1	-	違反兒童及少年性剝削防制條例 Violation of the child and youth sexual exploitation prevention act
違反兒童及少年福利與權益保障法 Violation of the protection of children and youths welfare and rights act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反兒童及少年福利與權益保障法 Violation of the protection of children and youths welfare and rights act
違反洗錢防制法 Violation of the Money Laundering Control Act	35	20	-	-	20	9	7	2	2	-	-	-	-	-	-	15	-	-	-	-	-	違反洗錢防制法 Violation of the Money Laundering Control Act
違反資恐防制法 Violation of Countering the Financing of Terrorism Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反資恐防制法 Violation of Countering the Financing of Terrorism Act
其他 Other	402	305	-	-	290	142	93	18	30	3	3	1	2	13	-	21	1	73	-	2	-	9 其他 Other