

Diane Lee charged with fraud, forgery

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District prosecutors yesterday charged former Chinese Nationalist Party (KMT) legislator Diane Lee (李麗) with fraud and forgery for deliberately concealing dual citizenship while holding public office.

Prosecutors allege that in the personnel forms she filled out as a Taipei City councilor in 1994 and during her three terms as a lawmaker from 1998, she deliberately left blank the field asking whether she held citizenship from a country other than the Republic of China.

Prosecutors also allege that the more than NT\$100 million (US\$3 million) in income Lee earned during her terms as councilor and lawmaker were gained via illegal means, since she illegally obtained the seats while holding dual citizenship.

The money includes NT\$22.68 million in income and public funds from her term as city councilor and NT\$80.09 million from three terms as legislator.

The matter first came to light in March last year when Next Magazine reported that Lee still possessed a US passport.

The Nationality Act (國籍法) prohibits government officials from holding dual citizenship and requires that those who are dual citizens give up their foreign citizenship before assuming office.

In January, the Taipei District Prosecutors' Office received official confirmation from the US Department of State that said that Lee's US citizenship was valid.

She had resigned from the KMT in December and gave up her position early this year.

In February, the Central Election Commission revoked its declaration of Lee's election as a member of the seventh Taipei City Council and of the fourth, fifth and sixth Legislative Yuan and annulled all her election -certificates from 1994 to 2005 after determining that she held US citizenship during that period.

Lee's lawyer, Lee Yung-ran (李永然), told reporters that his client could not accept the indictment and added that he was confident that judges would find his client not guilty.

"She served as an elected representative and participated in the legislature for 14 years. This would be unacceptable for anyone in her position," Lee Yung-ran told a press conference.

Lee Yung-ran said his client was shocked to learn that she had been indicted on fraud charges, adding that she had never deceived her electorate during her terms as a public servant.

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Lee Yung-ran said his client earned her city councilor and legislator seats by serving the people.

Asked for comment, KMT Legislator Lo Shu-lei (鄧錫珪) said she respected the judiciary, adding that Diane Lee should be punished if the court finds her guilty of fraud.

She also urged prosecutors to complete the investigation of former Taiwan Solidarity Union legislator George Liu (劉松藩). Liu was found to have US citizenship during his legislative term. The Central Election Commission also annulled his election result and invalidated his election certificate.

“Since he was allegedly involved in the same offense as Lee, prosecutors should deal with his case by the same standard,” Lo said.

The Democratic Progressive Party (DPP) criticized the prosecutors for being lenient on Diane Lee by charging her with fraud and forgery and not corruption.

The law stipulates that when a suspect is convicted of corruption or money laundering, the illegal income will be retrieved automatically. However, in fraud cases, if the offender refuses to return the income of his or her own accord, the government must file a civil lawsuit to reclaim the illegal income.

“The way the prosecutors handled the case was they turned big problems into small ones and then the small ones will turn into no problem at all,” DPP Spokesman Chao Tien-lin (趙天麟) said, adding that the party found the charges in the indictment unacceptable.

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