

國立中正大學 103 學年度犯罪防治學系博士班入學考試

科目：專業英文 考試時間：90 分鐘

1. Porter(2013)針對美國俄亥俄州的一個交通法案進行實證研究，請將下文翻譯成流利的中文。(35%)

From 1967 to 2004, Ohio judges had the option of issuing restricted license plates to DUI offenders who had been granted limited driving privileges. In January 2004, the state passed the Traffic Law Reform Act (TLRA), which removed judicial discretion and instead required plates to be issued to drivers with a blood-alcohol content of .17 or higher and to all repeat offenders. Restricted plates are bright yellow with red lettering and carry a special serial number readily identifiable by law enforcement officers (see Ohio Revised Code, 4503.231, Sec. A.). The rationale for the plates is twofold: general deterrence and incapacitation. With respect to the first aim, plates are intended to deter drunk driving through the threat or application of shame (O'Rourke 2004). Indeed, the plates are more commonly known as "family plates," receiving the name due to "the impact on anyone who drives the marked car and the pressure family members can put on the driver to avoid offenses leading to the plates" (Diroll 2005, 46). Second, the plates are intended to improve traffic safety, since offenders should drive more carefully knowing their cars are identifiable by police officers, and also by alerting other drivers to potentially dangerous motorists (Dyer 2009).

This study investigated whether formal shaming is associated with drunk driving or alcohol-related crashes in Ohio. First, a quasi-experimental method was employed as an initial assessment of whether the TLRA had any impact on drunk driving in Ohio. Results suggest that Ohio counties experienced an appreciable decline in DUI arrest rates after the law was passed in 2004. However, because the TLRA also included other provisions that may influence drunk-driving levels, analyses were conducted to isolate the effect of the formal shaming itself. Regression equations were estimated to predict suspension rates and alcohol-related crash levels as outcomes of punishment levels. Taken together, findings indicate that punishment levels are not significant predictors of alcohol-related crash levels, but have significant curvilinear associations with suspension rates. Based on these findings, increasing the visibility and certainty of punishment predicts decreases in suspension rates, but there is a point at which increasing punishment levels produces the reverse effect.

2. 法務部針對死刑存廢問題進行民意調查，得出支持死刑廢止的意見摘錄如下。請將下文翻譯成英文。(40%)

支持死刑廢止意見

- (1) 國家一方面用法律禁止殺人，另一方面卻制定法律殺人，不僅互相矛盾，更違背人道精神。
- (2) 犯罪行為非僅出於犯罪者個人因素，漠視社會病態原因，剝奪犯罪者生命，並不公平。
- (3) 一旦死刑執行過後，生命權即無法回復，如果因為誤判造成無辜者受死，根本沒有救濟機會。
- (4) 目前並無確切的證據，足以證明死刑具有威嚇作用，反而是刑罰愈苛，愈容易助長人類的殘酷心態。
- (5) 犯罪人處死，對被害人生活並無實質幫助。若能讓犯罪人勞作，填補被害人損害，較為合理，對於被害人家屬而言，也有避免陷入生活困境的效果。

3. Please answer the following question in **English** (25%)

School bullying has become an increasing concern in Taiwan. In the past year, there has been several shocking news stories regarding school bullying reported on news media. Many of the bullying cases involve physical abuse on victims. Please pick one criminological theory from the list below and discuss how the theory you select helps understand school bullying.

Theory list

Biological Theories, Conflict Theory, Deterrence Theory, Labeling Theory, Life Course Theories, Routine Activities Theory, Self-control Theory, Social Control Theory, Social Disorganization Theory, Social Learning Theory, Subculture Theory, or any other theory that you can name (and explain the content)