

104 年公務人員特種考試警察人員考試

等 別：三等警察人員考試

類 科：行政警察人員、外事警察人員（選試英語）、外事警察人員（選試日語）、刑事警察人員、公共安全人員、犯罪防治人員預防組、交通警察人員交通組、交通警察人員電訊組、警察資訊管理人員、刑事鑑識人員、國境警察人員、警察法制人員、行政管理人員

科 目：中華民國憲法與警察專業英文

甲、申論題部分：

一、中譯英：

(一)開車時傳簡訊，不但危險也是違法的。

【擬答】：

It is not only dangerous but also illegal to send text messages while people are driving.

(二)自行車再度受歡迎的主要原因是運動需求。

【擬答】：

The main reason why bicycles gain popularity again is to meet the need of exercise.

二、英文作文：

警察執行勤務時，如果和民眾溝通不良，容易因誤解而發生爭執甚至衝突。請寫一篇短文，並舉例說明警察與民眾互動時，可以應用那些溝通技巧或原則來完成任務。

【擬答】：

- (一)第一段可說明溝通的重要性，尤其是執法時為了避免不必要的對峙及衝突，良好的溝通技巧更形重要。
- (二)第二段可舉實例說明。因為警察常常需要面對違法事件，對於犯罪人員的心理想法，應該要有基本的瞭解。同時在執行公權力時，應是以理服人，並提供佐證。例如在強制拆除違建時，可提供相關之土地權狀證明；或是在取締交通違規時，提供錄影。
- (三)第三段可說明警察在處理危難狀況時，可適時給予家屬安慰。
- (四)最後一段結論，可說明惟有具備良好的溝通技巧，可大大消弭不必要的衝突，並增進民眾與警方合作的意願，共同維持社會的治安。

Communication is common and important in our daily life. When we face strangers, we must pay attention to our manners, speed, pitch, expressions and body language. Especially when the police enforce law, to avoid unnecessary confrontation and dispute, it is crucial to have a good communication skill.

Because the police usually have to deal with crimes or violations, they must have basic understanding of criminals' or violators' thought. When the police implement civic rights, they should convince people by reasoning and provide evidence. For instance, while the police are enforcing on demolishing illicit buildings, they can offer related property certificate. By the same token, while the police are clamping down on traffic violations, they should provide video films.

The police are often used as an emergency service and may provide a public safety function at large gatherings, as well as in emergencies, disasters, search and rescue situations, and road traffic collisions. In addition to rescuing the victims, it's also essential to assuage the victims' families' anxiety. The police can tell them not to worry and that everything will be all right.

Only by having a good communication skill can greatly avert unnecessary dispute. At the same time, it will foster the general public's willingness to cooperate with the police and maintain the peace and order together.

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乙、測驗題部分：

- (C) 1. 我國憲法基本上已揭示了國家形式，下列何者不屬之？
(A)民主國 (B)法治國 (C)君主國 (D)共和國
- (A) 2. 依據地方制度法規定，直轄市市長如何產生？
(A)由市民依法選舉之 (B)由行政院院長任命
(C)由市議員選舉之 (D)由內政部民政司派任
- (A) 3. 直轄市政府辦理之自治事項有無違背憲法、法律、中央法規發生疑義時，得聲請何者解決？
(A)司法院 (B)立法院 (C)行政院 (D)監察院
- (C) 4. 直轄市議會或縣議會議長，其產生方式為何？
(A)人民直接選舉之 (B)由市長提名經議會同意之
(C)議會議員互選之 (D)立法院院長提名經議會同意之
- (C) 5. 下列何者不是縣市申請合併改制為直轄市之法定必要程序？
(A)擬訂改制計畫 (B)縣市議會同意
(C)縣市住民公民投票同意 (D)內政部報請行政院核定
- (A) 6. 依憲法增修條文第 10 條第 3 項之規定：「國家對於人民興辦之中小型經濟事業，應扶助並保護其生存與發展。」下列何者主要目的在於實踐此一目標？
(A)中小企業發展條例 (B)科學技術基本法
(C)營業秘密法 (D)公平交易法
- (D) 7. 下列關於基本權主體之敘述，何者正確？
(A)凡自然人均應享有基本權，因此不分國籍，外國人也都可享有全部我國憲法所賦予之基本權
(B)私法人可作為基本權之主體，因此私法人亦得主張宗教自由、選舉自由與政治選舉權
(C)地方自治團體可主張享有工作權，而要求不經中央許可發行彩券
(D)自然人及私法人為權利義務之主體，固均為憲法保護之對象，但為貫徹憲法對人格權及財產權之保障，於一定條件下，非法人團體亦為基本權主體
- (D) 8. 憲法第 8 條規定，人民非經法定程序，不受逮捕、拘禁及審判，係屬下列何種權利之保障內容？
(A)居住自由 (B)遷徙自由 (C)生存權 (D)人身自由
- (D) 9. 依司法院解釋，有關平等之敘述，下列何者錯誤？
(A)立法機關得斟酌規範事物本質之差異而為合理之差別對待
(B)平等原則不只拘束行政權與司法權，也可以拘束立法權
(C)貨物稅條例規定僅對設廠機製之清涼飲料品課徵貨物稅，而未對非設廠機製者課徵貨物稅，不違反平等原則
(D)大陸地區人民經許可進入臺灣地區者，非在臺灣地區設有戶籍滿 10 年，不得擔任公務人員，違反平等原則
- (C) 10. 自由旅行各地屬於下列何種憲法權利之保障內容？
(A)人身自由 (B)通訊自由 (C)居住遷徙自由 (D)結社自由
- (C) 11. 下列何者是考試院會議之成員？
(A)考試院秘書長 (B)行政院人事行政總處人事長
(C)銓敘部部長 (D)公務人員保障暨培訓委員會委員
- (D) 12. 憲法第 16 條規定，人民有請願、訴願及訴訟之權，針對上述基本權，下列敘述何者正確？
(A)請願係人民向司法機關提起，並須由法院判決之
(B)此之訴訟僅指公法事件之爭議
(C)訴願之標的為所有行政行為
(D)訴願為法院外之救濟途徑

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- (B) 13. 關於憲法第 22 條之基本權保障概括規定，下列敘述何者錯誤？
(A)個人為己命名之自由受憲法第 22 條保障
(B)個人工作選擇之自由受憲法第 22 條保障
(C)個人自主控制個人資料之權利受憲法第 22 條保障
(D)個人之名譽權受憲法第 22 條保障
- (C) 14. 有關集會與結社自由之敘述，下列何者正確？
(A)憲法之集會自由規定，不及於遊行自由
(B)集會與結社之不同處，在於集會為組成長期間之團體
(C)集會自由兼具消極防禦侵害權與積極請求集會地點之公物利用權
(D)人民團體之命名權，非屬憲法第 14 條結社自由所保障之範疇
- (D) 15. 下列涉及人民工作權之法律規定，依司法院解釋，何者已侵害人民之工作權？
(A)限制中醫師不得以西藥製劑或西藥成藥為人治病
(B)對於航空人員經體格檢查不合格者，限制、暫停或終止其執業
(C)對於曾因觸犯故意殺人、搶劫、搶奪、強盜、恐嚇取財、擄人勒贖、妨害性自主等特定罪名並經判決罪刑確定之人，禁止其辦理營業小客車駕駛人執業登記
(D)禁止非視覺功能障礙者從事按摩業
- (B) 16. 司法院釋字第 696 號解釋，對於所得稅法關於夫妻非薪資所得強制合併計算之規定，與單獨計算稅額比較，認為有增加稅負之情形，宣告相關規定違憲。本號解釋違憲審查之基準為何？
(A)信賴保護原則 (B)實質平等原則 (C)量能課稅原則 (D)法律保留原則
- (B) 17. 依公民投票法之規定，下列何者並無針對公民投票之相關爭議直接提起司法救濟的可能？
(A)公民投票案之領銜提案人 (B)投票權人
(C)立法委員現有總額三分之一以上 (D)檢察官
- (B) 18. 依司法院釋字第 645 號解釋之見解，對於公民投票法之敘述，下列何者正確？
(A)立法院依法得提出公民投票之議案，違反憲法權力分立之基本原則
(B)全國性公民投票審議委員會之組織係置於行政院內，並非獨立之行政機關
(C)公民投票違反我國憲政體制
(D)公民投票審議委員會委員之任命，由各政黨依立法院各黨團席次比例推荐，並不牴觸權力分立原則
- (B) 19. 對於行政院及其所屬行政機關之處分，人民認為有違法，致損害其權利或利益，得向下列何者提起救濟？
(A)普通法院民事庭 (B)行政法院
(C)公務員懲戒委員會 (D)普通法院刑事庭
- (B) 20. 下列何種事項得作為公民投票之提案？
(A)預算 (B)核能政策 (C)租稅 (D)薪俸
- (D) 21. 有關憲法保障之罷免權，下列敘述何者錯誤？
(A)公職人員之罷免，得由原選舉區選舉人向選舉委員會提出罷免案，但就職未滿 1 年者，不得罷免
(B)罷免案，一案不得為 2 人以上之提議，但有二個以上罷免案時，得同時投票
(C)罷免案之連署人，以被罷免人原選舉區選舉人為連署人，其人數應為原選舉區選舉人總數百分之十三以上
(D)罷免案之投票，應於罷免案宣告成立後 2 個月內為之，但不得與各類選舉之投票同時舉行
- (A) 22. 依國家賠償法之規定，有關國家賠償之損害賠償請求，若賠償義務機關拒絕賠償或協議不成立，被害人得：
(A)依民事訴訟法提起損害賠償之訴 (B)依刑事訴訟法附帶提起損害賠償之訴
(C)向行政法院聲請假扣押 (D)向普通法院聲請假扣押
- (A) 23. 依公職人員選舉罷免法之規定，選舉或罷免無效之訴，何者有審判權？
(A)普通法院 (B)行政法院 (C)中央選舉委員會 (D)司法院大法官

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- (C) 24. 下列何種人員得登記為公職人員選舉之候選人？
(A)現役軍人 (B)替代役男
(C)就讀碩士在職專班之現職公職人員 (D)各級選舉委員會之委員
- (D) 25. 下列何者並非國家安全會議組織法第 4 條規定之國家安全會議出席人員？
(A)內政部部長 (B)經濟部部長
(C)行政院大陸委員會主任委員 (D)總統府秘書長
- (B) 26. 有關總統副總統選舉競選費用補貼之敘述，下列何者錯誤？
(A)各組候選人選舉得票數達當選票數三分之一以上者，應補貼其競選費用
(B)每票補貼新臺幣 20 元。但其最高額，不得超過候選人競選經費最高金額
(C)政黨推薦之候選人其補貼費用，應由該推薦之政黨領取
(D)候選人競選費用之補貼，應於接獲通知 3 個月內掣據，向中央選舉委員會領取
- (C) 27. 行政院各部會之組織，應如何規範？
(A)由行政院頒布組織規程定之 (B)由行政院擬訂準則，各部會依準則自訂組織規程
(C)以法律定之 (D)行政院各部會自訂組織規程定之
- (C) 28. 依據憲法增修條文第 3 條第 2 項規定，行政院對於立法院之決議案，如認為有窒礙難行時，得經總統之核可，於該決議案送達行政院 10 日內，移請立法院覆議，下列何者不屬之？
(A)法律案 (B)預算案 (C)媾和案 (D)條約案
- (C) 29. 下列何者無須經行政院會議議決？
(A)條約案 (B)預算案 (C)特赦案 (D)法律案
- (D) 30. 依行政院組織法第 3 條之規定，下列何者為行政院所設機關？
(A)考選部 (B)審計部 (C)銓敘部 (D)科技部
- (C) 31. 有關立法院院長之敘述，下列何者錯誤？
(A)任期至該屆立法委員任期屆滿
(B)立法院院長綜理院務
(C)立法院院長由總統提名，立法院同意之
(D)立法院院長因故不能視事時，由副院長代理
- (A) 32. 依憲法增修條文規定，立法院對於行政院之重要政策不贊同時：
(A)得對行政院院長提出不信任案
(B)得對負責之部會首長提出不信任案
(C)得對行政院院長及負責之部會首長提出不信任案
(D)得以決議移請總統命行政院院長變更之
- (C) 33. 依憲法規定，下列何者無向立法院提法律案之權？
(A)監察院 (B)考試院 (C)總統 (D)司法院
- (B) 34. 有關立法院行使人事同意權之規定，下列敘述何者錯誤？
(A)立法院行使人事同意權時，就總統所提人事案，可不經討論，即交付全院委員會審查
(B)立法院行使人事同意權時，是以全體立法委員三分之二同意為通過
(C)被提名人未獲得立法院同意時，總統應另提他人咨請立法院同意
(D)全院委員會可就被提名人之資格及是否適任等相關事項進行審查與詢問
- (B) 35. 依司法院解釋，律師懲戒委員會在性質上相當於設在下列何機關之初審職業懲戒法庭？
(A)地方法院 (B)高等法院 (C)最高法院 (D)司法院
- (A) 36. 依我國現行憲法及憲法增修條文之規定，下列有關我國司法院之規定，何者正確？
(A)司法院設大法官 15 人，並以其中 1 人為院長，1 人為副院長
(B)司法院大法官，由總統提名，經監察院同意任命之
(C)司法院大法官，均適用憲法第 81 條及有關法官終身職待遇之規定
(D)司法院大法官任期 9 年，分屆次，一併計算
- (C) 37. 依司法院大法官審理案件法之規定，有關司法院大法官解釋或審理案件，其可決人數之通過或決定，下列敘述何者正確？
(A)解釋憲法，應有總額過半數出席，及出席人過半數同意

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- (B)宣告命令抵觸憲法，至少以出席人三分之二同意行之
(C)統一解釋法律及命令，應有總額過半數之出席，及出席人過半數之同意
(D)政黨違憲解散案件判決之評議，應經參與言詞辯論大法官過半數之同意
- (D) 38. 下列何者不是司法權行使之範圍？
(A)民事訴訟之審判(B)公務員之懲戒 (C)律師懲戒之覆審(D)審理總統罷免案
- (A) 39. 依現行憲法之規定，關於監察委員之敘述，下列何者錯誤？
(A)監察委員在院內所為之言論與表決，對院外不負責任
(B)監察委員由總統提名，經立法院同意任命之
(C)監察院院長由總統提名，經立法院同意任命之
(D)監察委員不得兼任其他公職或執行業務
- (C) 40. 有關監察院審計長之敘述，下列何者錯誤？
(A)審計長審核行政院之決算，應於行政院提出決算後 3 個月內完成
(B)審計長職務之性質與應隨執政黨更迭或政策變更而進退之政務官不同
(C)審計長由監察院院長提請總統任命
(D)審計長任期 6 年，依法獨立行使其審計職權，不受干涉
- (D) 41. A new bill urging US President Obama to push for observer_____ for Taiwan in the International Criminal Police Organization (Interpol) was introduced into the US Congress.
(A)squad (B)squat (C)statue (D)status
- (B) 42. A passenger plane was forced to make an emergency _____ yesterday after an air traffic control received a bomb threat.
(A) exit (B)landing (C)room (D)take-off
- (D) 43. After a fatal traffic accident, authorities urge motorists to obey road safety rules and_____ to vehicles with right of way.
(A) bow (B)dedicate (C)hail (D)yield
- (B) 44. A series of traffic control measures were_____ on all freeways throughout Taiwan during the Tomb-Sweeping Festival from April 3-6.
(A)dismantled (B)implemented (C)prosecuted (D)trespassed
- (D) 45. Taiwan and the Kingdom of Swaziland have signed a memorandum of understanding (MOU) to cooperate on anti-terrorism, immigration affairs, and the prevention of human _____.
(A) hygiene (B)longevity (C)probation (D)trafficking
- (D) 46. The National Police Agency (NPA) has decided to_____ the tasks of police officers to reduce their workloads.
(A) besiege (B)improvise (C)recruit (D)streamline
- (C) 47. The White House says U.S. President Barack Obama is removing Cuba from a list of state sponsors of terrorism.
The removal is an important step in the president's efforts to _____ relations between the two countries.
(A) designate (B)impress (C)normalize (D)tease
- (D) 48. One billion teenagers and young adults around the world risk losing their hearing by listening to loud music. The U.N. agency is asking young people to turn down the volume to prevent _____ damage to their hearing.
(A) reluctant (B)intimate (C)minor (D)irreversible
- (B) 49. A 100-year-old Japanese woman Ms.Nagaoka became the world's first centenarian to complete a 1,500-meter freestyle swimming competition in a 25-meter pool. Her race was not a race of speed but of _____, or not giving up.
(A) frustration (B) endurance (C) conference (D) allowance
- (D) 50. At least 33 miners are confirmed dead from an explosion at a coal mine in the Ukrainian city of Donetsk. Most of the injured miners are suffering from severe burns, smoke_____ and shock and are treated in the hospital.
(A) ignorance (B)paradox (C)reception (D)inhalation

請依下文回答第 51 題至第 55 題：

French police on Thursday were hunting a trio of thieves who made off with a handbag containing 5 million euros (US\$5.4 million) worth of Chanel jewels in a smash-and-grab on the highway between Paris and Charles de Gaulle Airport. A Taiwanese art collector was traveling in a taxi on Wednesday afternoon through a long tunnel 51 for robbery attacks on tourists stuck in traffic when the thieves smashed a car window and 52 her handbag. The 1.3km Landy tunnel is taken by most people arriving at Charles de Gaulle Airport and heading into Paris and is the ideal spot for smash-and-grabs.

“It is often 53 delinquency. They aren’t afraid of anything, know the area and escape through emergency exits,” the source said. A driver distracted and talking on his cellphone, a handbag left on a passenger seat or luxury cars carrying tourists with possibly wads of cash on them are all easy 54.

In February 2010, Christina Chernovetska, daughter of the then mayor of Kiev, was the victim of a similar robbery when a bag she said contained jewels worth 4.5 million euros was stolen from her. Saudi prince Abdul Aziz bin Fahd, the multimillionaire son of the late King Fahd, 55 victim to a spectacular armed raid on his convoy in Paris in August last year, in which 250,000 euros and diplomatic papers were stolen.

- (C) 51. (A)anxious (B)eligible (C)notorious (D)strategic
(D) 52. (A)appreciated (B)complimented (C)kidnapped (D)snatched
(C) 53. (A)decent (B)global (C)local (D)vacant
(D) 54. (A)destinations (B)escapes (C)robberies (D)targets
(A) 55. (A)fell (B)murdered (C)rescued (D)stabbed

請依下文回答第 56 題至第 60 題：

When the police chief in Tacoma, Wash. shot and killed his wife in a parking lot after years of abusing her, the shock from that event 10 years ago mobilized national support for a more aggressive response to domestic violence in police households.

While police officers today are more aware of the problem, the following is also true: In many departments, an officer will automatically be fired for a positive marijuana test, but can stay on the job after abusing or battering a spouse.

In the wake of the Tacoma killing, the International Association of Chiefs of Police strengthened its efforts to persuade departments to adopt a set of model rules on domestic violence in their own ranks. Responding to concerns that domestic violence had long been treated more leniently than other forms of misconduct, the organization called for zero tolerance for abusers, tougher pre-employment screening and a separate set of procedures to ensure rigorous investigation of every accusation.

But police departments have been slow to adopt the rules. And while most officials say they treat domestic abuse by officers as they would any other form of misconduct, interviews and disciplinary records indicate that, in fact, punishment is often light and job loss uncommon.

Only a quarter of the 56 largest city and county police departments that responded to a recent survey have a distinct policy for domestic violence involving officers. And only one, Nashville, has adopted the entire model policy, according to the survey, conducted by The New York Times and the PBS investigative news program “Frontline.” Three others — Charlotte, N.C.; Chicago; and Columbus, Ohio — follow most of its provisions.

- (D) 56. What is the main idea of this passage?
(A) Domestic violence is rare among police officers.
(B) It is illegal to abuse one’s spouse.
(C) One police officer shot and killed his wife.
(D) Police departments are slow to police their own abusers.
- (C) 57. According to the passage, how many departments have a distinct policy for domestic violence concerning officers?
(A) 1 (B) 3 (C) 14 (D) 56
- (D) 58. According to the passage, which of the following cities has adopted the entire model policy?
(A) Charlotte, N.C. (B) Chicago (C) Columbus, Ohio (D) Nashville
- (C) 59. According to the passage, which of the following statements is TRUE?
(A) Punishment is often very severe for domestic violence concerning police officers.
(B) Police officers will be automatically fired for battering their spouses.

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- (C) Domestic violence has long been treated more leniently than other forms of misconduct.
(D) Domestic violence has been treated aggressively in the police departments.
- (A) 60. According to the passage, which of the following statements is NOT true?
(A) Tacoma, Wash. has adopted the entire model policy after the accident.
(B) An officer will be automatically fired for a positive marijuana test in many departments.
(C) An officer fired for battering his wife is uncommon in the United States.
(D) Most police departments have been slow in response to domestic violence in police households.

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