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# 高齡受刑人在監進修、社會支持與憂鬱關係之研究

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## 摘要

從人口結構老化發展趨勢推論，可預見高齡受刑人的比重將大幅提高，有關高齡受刑人的問題，勢將顯現且日益重要，宜及早研究因應。本研究以年滿 65 歲以上的高齡受刑人為對象，探究高齡受刑人在監進修（種類數與滿意度）、社會支持與憂鬱的關係；經立意選定雲林、嘉義、臺南、高雄地區監獄 472 人施測，回收有效問卷 452 份，有效問卷回收率達 95.8%。研究結果發現：（一）社會支持對憂鬱未具顯著預測力影響；（二）在監進修種類數在部分社會支持（同學支持、管教支持）對憂鬱間具調節效果；（三）在監進修滿意度在家庭支持對憂鬱間具調節效果。本研究結果，可供矯正機關、未來研究者參考，並研提建議，期為高齡受刑人成功老化之目標，共同努力。

關鍵詞：高齡受刑人、在監進修、社會支持、憂鬱

# **A Study on the Relationships between In-jail Learning, Social Support and Depression for Elderly Inmates**

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## **Abstract**

Inferring from the aging development trend of the population structure, it is foreseeable that the proportion of elderly inmates will increase significantly. Related issues specific to elderly inmates will emerge and become increasingly important, and that is better to research and respond as soon as possible. This research uses elderly inmates over 65 years of age as the research objects, and explores the relationship among elderly inmates with in-jail learning(number and satisfactory), social support, and depression. 472 people in Yunlin, Chiayi, Tainan, and Kaohsiung regional prisons were selected for the research. There were 452 questionnaires, and the valid questionnaire response rate reached 95.8%. The quantitative research results showed that: (1) Social support does not have a significant predictive effect on depression, and (2) The number of types of in-jail learning in partly social support (classmate support, discipline support) group has a moderating effect on depression, (3) Satisfaction with in-jail learning and family support has a moderating effect on depression. The results of this research can be used by correction agencies and future researchers for references, and leading toward the goal of successful aging for the elderly inmates.

**Keywords:** elderly inmates, in-jail learning, social support, depression

# 更生人復歸需求與適應之追蹤研究

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## 摘要

更生人離開監獄復歸社會才是挑戰的開始，過去研究大都仰賴官方再犯資料來評估更生復歸的成功與否，尚須對其復歸需求、生活適應與再犯現象進行整體觀察。本研究主要目的有三：(1)了解更生人在就業、關係重建、法律問題和諮商輔導等復歸需求狀況；(2)分析更生人復歸需求與適應(含:依附關係、風險情境和再犯等)之關聯性；(3)從生命史的觀點，檢驗入監前的自我控制、社會控制和風險因子等對出監後生活適應的影響。本研究以 236 位假釋更生人為研究對象，進行二階段調查(含 2004 年出監前調查和 2011 年追蹤面訪)。研究結果顯示，職業訓練/就業協助為更生復歸的首要需求，其次為法律諮詢和與家人關係修復。復歸需求較高的更生人其復歸適應，家庭依附/支持度較高，風險因子較少，且有較低的再犯率。再犯現象為復歸適應的不良反應，而非獨立事件。自我控制與入監前與出監後的社會控制、風險因子、復歸需求和再犯均具有顯著關聯性，非正式社會控制與風險因子具有持續性；更生需求與風險因子為影響更生人再犯的顯著因子。最後根據研究結果，建議參酌社會控制理論與正向犯罪學，提供更生人矯正處遇和社會復歸之相關對策。

**關鍵詞：**更生人、復歸需求、復歸適應、追蹤研究

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# **A Follow-up Study on Reentry Needs and Adaptation for Ex-offenders**

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## **Abstract**

Ex-offenders released from prison face a myriad of challenges to re-entering the community. Most prior studies have employed recidivism records measured by official data to assess the success or failure in the ex-offender's reentry. However, factors influencing their needs, adaptation, and recidivism should be examined simultaneously to fully observe the ex-offender's reentry issue. The purposes of the current study are to understand ex-offender's needs for employment, reestablishing their social relationship, solving legal problem, and counseling, to analyze the correlation between reentry needs and adaptations, and to test the impact of low self-control, social control, and risk factors on reentry adaptations. The research data were collected from 236 ex-offenders released from 7 prisons in 2004 and the follow-up survey was conducted in 2011 sponsored by the Ministry of Science and Technology in Taiwan. Findings of the current study showed that vocational training/employment assistance, legal counseling, and reintegrated relationships with families were three major reentry needs. Ex-offenders with higher reentry needs had better adaptations, higher family attachment/support, less risky lifestyle, and lower recidivism rates. Hence, recidivism is a multiple maladaptation problem rather than an independent event. Self-control was significantly correlated with social control, risk factors, reentry needs, and recidivism. There was the continuity of both informal social control and risk factor over time. Reentry needs and risk factors had significant impacts on recidivism. According to research findings, suggestions based on social control theory and positive criminology for adult ex-offenders' correctional treatment and reentry are also discussed.

**Key words** : ex-offender, reentry needs, adaptation, follow-up study

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# 警察執法之國際人權標準與準則：以聯合國禁止酷刑公約 為中心

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## 摘要

本文旨在探討警察職權行使與國際人權保障間的關係，並重點置於警察執法時應遵守之國際人權法上的標準與準則，特別是聯合國於 1984 年 12 月 10 日通過、我國政府近年來有意立法施行的《禁止酷刑及其他殘忍不人道或有辱人格之待遇或處罰公約》(Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment)，以及相關國際軟法文件。

**關鍵詞：**警察執法、國際人權法、聯合國禁止酷刑及其他殘忍不人道或有辱人格之待遇或處罰公約

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# **International Human Rights Standards and Rules for Policing: Focus on the United Nations Convention against Torture**

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## **Abstract**

This paper examines the relationship between the exercise of police power and the human rights guaranteed by international law. The main focus will thereby be on the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and relevant international soft law documents.

**Key Words: Law Enforcement by Police, International Human Rights, United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

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# 禁止酷刑公約之探討：以檢察官為中心

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## 摘要

本文探討即將內國法化的《禁止酷刑公約》對於檢察官可能產生的影響與需要改革之處。本文首先分析《禁止酷刑公約》之內涵與實質義務，其次就該公約與檢察官的關係，分成四個面向探討：偵查程序、刑之執行程序、禁止酷刑的人權教育、設立酷刑罪。於偵查程序的部分，由於檢察官作為偵查主體，必須監督注意偵查程序中的酷刑存在之有無；其次，刑之執行程序的部分，本文強調檢察官需要確保受刑人具備受刑能力，自由刑的收容條件應符合聯合國收容人最低處遇基準等國際人權公約之標準；禁止酷刑的人權教育至少應自大學的法學教育中予以投入，以及檢察官培訓和在職進修亦應強化該教育。至於酷刑犯罪化，我國刑法固然有相關條文，但在法體系上如何整合確立，仍有探究之必要，本文認為此除了參考國際人權標準之外，亦應考量我國之狀況，明確酷刑之定義。

關鍵字：禁止酷刑公約、檢察官、刑之執行、受刑能力

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# **On the Convention against Torture: Focus on the role of the prosecutor**

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## **Abstract**

This article examines the possible impact to the prosecutor within "The United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment", which is about to be incorporated into domestic law on prosecutors. This article first analyzes the connotation of the "Convention against Torture", and then examines the relationship between the Convention and the prosecutor in four aspects: investigation procedures, execution procedures, human rights education against torture, and establishment of torture crimes. In the part of the investigation procedure, the prosecutor is the subject of investigation, that is necessary to supervise and pay attention to the existence of the investigation procedure. Secondly, the prosecutor should ensure that the prisoner has the competency to be excused. The conditions of correction facilities should comply with United Nations Standard Minimum Rules for the Treatment of Prisoners. Human rights education against torture should at least be invested in the legal education of universities, and the training of prosecutors and on-the-job training should also be strengthened. As for the criminalization of torture, criminal law of Taiwan already has relevant provisions, but it is still necessary to find how to integrate and establish the legal system. I think establishment of torture crimes is not only need to refer to international human rights standards, the situation in Taiwan should also be considered to clarify the definition of torture.

Key words: The United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, prosecutor, punishment execution, competency to be excused

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# 禁止酷刑公約於我國監所法規與實務之實踐

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所謂酷刑，概指包含立法、司法與行政機關在內之國家機關或其手足為達特定目的而對於特定人採取足以令其感受到無比痛苦之殘酷或非人道措施。狹義的酷刑，係指《禁止酷刑及其他殘忍不人道或有辱人格之待遇或處罰公約》第1條規定之行為；而廣義之酷刑，則除了上開狹義的酷刑概念外，尚包括同公約第16條所定，國家機關或其手足，對於特定人所實施之未達上開狹義酷刑程度之「其他殘忍、不人道或有辱人格之待遇或處罰之行為」。職是，舉凡因國家機關基於刑事追訴、審判、執行之目的，而對於他人造成人性尊嚴遭受侵害結果之待遇或刑罰，均係屬上開（廣義）酷刑。由於（廣義）酷刑本質上乃是對於人性尊嚴價值之否定，為捍衛人性尊嚴，聯合國乃於1948年議定之《世界人權宣言》第5條宣示，禁止對於任何人施以酷刑或殘忍、不人道或有辱人格的待遇或刑罰。從此，禁止（廣義）酷刑乃是普世之人權價值。雖然，我國尚非聯合國之會員國，但從憲法之人性尊嚴之尊重原則，亦可導出禁止酷刑乃是我國憲法規範之基本原則，更何況立法院業於2009年3月31日審議通過《公民與政治權利國際公約》與《經濟社會文化權利國際公約》，以及《公民與政治權利國際公約及經濟社會文化權利國際公約施行法》（以下簡稱兩公約施行法），並於同年4月22日公佈，同年12月10日正式施行。其中具有內國法效力之《公民與政治權利國際公約》第7條既亦有明定酷刑禁止條款，則所有內國可能涉及（廣義）酷刑之法規與實務均應朝此調校，特別是以拘束人身自由為基礎之監所法規與實務，更應切合酷刑禁止之國際規範要求。理由在於監所的法規本身，乃至各種法定措施之實施過程，小至舍房安置、入監（所）檢查、安全檢查、大至作業、違規處罰等等，無不會對於受收容人之基本人權造成一定程度之干預，甚至侵犯之人性尊嚴，故有特別討論之必要。2020年1月15日公布施行之新《監獄行刑法》與《羈押法》固然已朝國際監所人權之規範調校，但其是否完全符（廣義）酷刑禁止之國際規範的要求，仍有討論之空間。此外，酷刑之研究，向來多聚焦於酷刑行為之入罪化研究，以及依法執行追訴、處罰職務之公務員之行為是否牴觸酷刑禁止之刑罰規範，忽略立法機關之立法不當，乃至刑事司法機關之措施或處遇，亦可能造成受規範者或受刑事審判或執行者之人性尊嚴遭受侵害的酷刑結果，是以本文擬從酷刑禁止之國際法規範入手，藉由比較法學之研究方法以及法釋義學之方法，探索（廣義）酷刑概念之具體判斷標準，據以檢視現行法制以及實務運作，是否仍有違反酷刑禁止原則之處，而形成「立法形成之酷刑」或「刑事司法實務形成之酷刑」現象，並提出改進之道。

# 兒童虐待案件施虐者風險因子之探討

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## 摘要

從 1998 年家庭暴力防治法實施以來，已超過 20 年，各項防治工作的建置，漸漸已達到一定規模。本研究的目的為：針對台灣兒少保護行政上的大數據資料，進行分析，以了解兒少保護案件中，施虐者的施虐風險因子，補足過去保護工作中，對施虐者理解有限之狀況。本研究針對台灣 2016 年 7 月至 2018 年 6 月間，衛生福利部兒童保護案件資料進行整理，取得較完整的資料共 36801 筆，分析上採次數分配、交叉表分析、T 檢定等分析方法。研究結果發現：0 至 18 歲以下的兒童青少年的保護案件中，施虐者本身的特殊狀況的風險因子包括（1）施虐者本身缺乏親職教育知識、（2）情緒不穩定、（3）親密關係失調、（4）經濟上的貧困負債與失業問題最為明顯。而且，針對不同年齡層的兒童青少年而言，在不同階段，則有不同的施虐者風險因子。本研究建議為施虐者發展適切的處遇工作之外，亦需考慮就業和教養支持系統的建置。

關鍵詞：兒童虐待、施虐者、大數據、危險因子

# **Risk Factors of Abuser in Child Maltreatment**

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## **Abstract**

It's been 20 years after the enforcement of Domestic Violence Prevention Act in Taiwan, and the procedures of intervention by public sectors became more standardized and sizable. The goal of this study aimed to analyze the data from the administrative measures of children and adolescents protection by government in Taiwan. Risk factors of abusers in the databank were analyzed, focusing on the understanding of child abusers. The study analyzed data of all child protection cases registry from the Ministry of Health and Welfare from July 2016 to July 2018, composed of 36,801 cases in total. Statistical analyses using frequency distribution, cross tabulation and Student's t test. The study revealed the factors of abusers include: 1. lack of parenting knowledge; 2. emotional instability; 3. dysfunctioning intimate partner relationship; and 4. financial difficulty due to poverty and job loss. Furthermore, differential risk factors of the child maltreatment exist in different age groups. This study suggested a development of different strategy to the child abusers intervention, including the support on aspects of employment and parenting skill training.

Key words: child abuse, abuser, big data, risk factor

# 性侵犯治療處遇與再犯關聯性分析

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## 摘要

我國對性侵犯施以強制治療迄今已逾 20 年，但仍缺乏本土化實證研究檢視處遇成效。爰此，本研究以次級資料調查法蒐集 2006 至 2007 年間於臺北、臺中及高雄等 3 所治療專責監獄出監 996 名性侵犯之治療與再犯紀錄。

研究發現：(一)五年內再犯性犯罪及非性犯罪比率分別為 5.62%及 32.83%，再犯高峰期係出監後三年；(二)須治療性侵犯的再犯率(6.5%)顯著高於不須治療者(3.9%)；(三)性再犯組個別治療次數(25.325 次)顯著大於非性再犯組(17.173 次)；(四)性再犯組平均治療時間(19.839 月)顯著大於未再犯組(12.439 月)及非性再犯組(11.434 月)；(五)未通過治療再犯性犯罪率(30.8%)顯著高於通過治療者(6.6%)。

綜上，本研究雖因制度規範無法評估治療處遇對於降低須治療性侵犯再犯之成效，但從研究發現可知，我國性侵犯出監後再犯具有明顯高峰期，應為社區監控積極介入之階段，且治療處遇之篩選、治療進行及結案評估等紀錄確實可以有效區辨性侵犯之危險性。

**關鍵詞：**性侵犯、治療、再犯

## **Abstract**

It has been over 20 years since the introduction of compulsory treatment for sexual offenders in Taiwan, but there is still a lack of localized empirical research to examine the effectiveness of the treatment. To this end, this study uses a secondary data research method to collect the treatment and recidivism records of 996 sexual offenders discharged from three treatment prisons in Taipei, Taichung and Kaohsiung between 2006 and 2007.

This study found that: (1) the recidivism rates for sexual and non-sexual offences within five years were 5.62% and 32.83% respectively, with the peak recidivism period being three years after release from prison; (2) the recidivism rate of those requiring treatment for sexual assault (6.5%) was significantly higher than those not requiring treatment (3.9%); (3) the number of individual treatment sessions for the sexual recidivism group (25.325) was significantly greater than that for the non-sexual recidivism group (17.173); (4) the mean duration of therapy was significantly greater in the sexual recidivism group (19.839 months) than in the non-recidivism group (12.439 months) and the recidivism group of a non-sexual nature (11.434 months); and (5) the sexual recidivist rate in those who failed to pass the therapy (30.8%) was significantly higher than that in those who passed (6.6%).

In summary, although the effectiveness of treatment in reducing recidivism in sexual offenders cannot be assessed in this study due to institutional norms, it is clear from the findings of this study that recidivism after release from prison in the nation shows a significant peak and requires active intervention by the community, and that records regarding treatment screening, treatment delivery and final assessment are indeed effective in identifying the risk of sexual offenders.

Key Words: Sexual Offender, Treatment, Recidivism

# 心理創傷述說之隱現:性創傷字詞分析之心理學意義

黃苑捷 黃健 沈勝昂

## 摘要

性暴力犯導致受害者在生理、心理問題致其發展為創傷後壓力症候群的高風險族群。而性暴力的研究多著重創傷後的負向結果，如何因應、經歷創傷歷程並發展出正向結果也很值得進一步探索。本研究嘗試透過電腦化文字分析(LIWC)之研究法，藉以了解PTSD 與PTG 兩者展現在具有心理意義之字詞變項上的關聯差異，並進一步分析有關 PTSD 與PTG 的語文指標。

研究首先比較網路公開之性創傷、分手經歷，及一般性主題述說文本，探索性創傷文本之語文特色，藉以推論可能的內在心理歷程。另從網路招募有性創傷經歷參與者，藉由成長主題書寫與自陳式問卷相關分析，探索從創傷到創傷後成長不同階段的語言風格。

結果顯示網路性創傷文本展現之語言風格與過往研究有類似發現，亦即具較多第一人稱單數代名詞、明顯的情感歷程聚焦、認知複雜度顯著下降，及對生理歷程的關注。從有性創傷經歷者書寫文本中，亦發現其語言風格之第二人稱單數代名詞、情感歷程詞，以及認知複雜度相關詞彙使用與芻思和創傷後成長表現有顯著關聯。因此，若能掌握性暴力受創者之語言風格，將對受創者之創傷後壓力反應與創傷後成長樣態的評估工作有所幫助。

# 早期受虐經驗與犯罪關聯之後設研究

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## 摘要

本研究採後設分析研究方法，探討兒童及少年時期受虐經驗與成年時期犯罪發生之關聯性。透過文獻搜尋共獲得 15 項研究與 42 個獨立效果量，包含 11,464 個研究樣本。後設分析結果發現，早期受虐經驗與犯罪具有顯著關聯性，且不同的受虐經驗(身體虐待、精神虐待、性虐待、疏忽)與犯罪關聯性介於  $r=0.21^{***} \sim 0.24^{***}$  之間，僅有正向小效果量。另外，由於 15 項研究間之異質性極大，故採後設迴歸分析(Meta-analysis)與次團體分析(subgroup analysis)，以找出可解釋此異質性的調節變項(moderators)，研究發現縱向研究的影響很小( $r=0.17^{***}$ )，而橫斷面研究的影響達到中等效果量 ( $r=0.31^{***}$ )，在眾多調節變項中，研究設計不同對於研究間產生異質性的影響最大。然而，本研究發現，研究間效果量(effect size)會因採用不同研究方法、抽樣方式、變項概念、測量工具而產生差異。這些發現並不支持早期虐待經歷與犯罪傾向之間存在著簡單、直接的聯繫關係，但表明許多因素會影響兩者間關係。

**關鍵字：**受虐少年、縱貫性研究、犯罪與偏差、犯罪風險

# **A meta-study on the association between early abuse experience and criminal behavior**

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## **Abstract**

This research uses meta-analyses to explore the relationship between the abuse experience of childhood and adolescence and the occurrence of adult crime. As a result of the literature search, a total of 15 studies and 42 independent effects were identified, including a total of 11,464 research samples. We found that there is a significant correlation between early abuse experience and criminal behavior. In addition, the correlation between the different experiences of violence (physical abuse, mental abuse, sexual abuse, neglect) and the crime ranges from  $r=0.21^{**}$ ~ $0.24^{**}$ . This only has a small positive impact. In addition, due to the extreme heterogeneity of the 15 studies, meta-regression analysis and subgroup analysis were established to identify moderators who could explain this heterogeneity. Results indicated a small effect from longitudinal studies ( $r=0.17^{***}$ ) and a middle effect from cross-sectional studies ( $r=0.31^{***}$ ). It has showed that cross-sectional and longitudinal research has the greatest influence on the heterogeneity of research. However, the magnitude of the effect varied across studies using different methodologies, sampling methods, variable designs and measurement tools. These findings do not support a simple and direct link between early maltreatment experience and criminal propensity, but suggest that many factors influence this relationship.

**Keywords: early abuse experience, child maltreatment, criminal behavior, Meta analysis**

# 再探警察人員離職意向之影響因素

林文煜<sup>7</sup>、賴擁連、章光明、黃啟賓

## 摘要

近年來隨著警察工作日益繁重與增加，警察人員離職的情況屢見不鮮。然而，離職的原因為何？受限不易直接探究離職警察人員之離職原因，遂興起針對在職警察人員進行潛在離職想法的研究，藉此辨識興起離職念頭或意向之因素為何，進一步提供警政單位作為組織管理及留住優秀人才之參考。本研究運用 2012 年於新北市政府警察局針對各層級警察人員所收取的 1,315 份問卷，進行結構方程式 (SEM) 分析，結果發現所建構之理論模式中，男性、單身、無接受過警大教育者表達出較強的離職意向；工作危勞壓力、個人壓力及教育訓練等變項雖與離職意向呈現正相關，但組織氣氛愈好、自我實現愈好、組織外部壓力愈高、與長官互動愈良好及工作滿意度愈高者，均造成離職的意向降低。另工作滿意度具有相當中介效果，使婚姻狀況、自我實現、個人壓力、與長官關係、升遷制度及教育訓練等變項透過工作滿意度而產生對於離職意向的間接影響力。

關鍵字：警察人員、離職念頭、教育訓練、升遷制度、工作滿意度、中介效果

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# **Revisiting the Influential Factors on Police Officers' Perceived Turnover Intention**

**Lin, Wen-yu, Lai, Yung-lien, Chang Kuang,-ming, Huang, Chi-bin**

## **Abstract**

In recent years, as police work has become heavier and heavier, it is not uncommon for police officers to resign. However, what is the reasons for leaving? Difficulties are not easy to overcome directly exploring the reasons for resignation among those resigning police officers. Therefore, research examining the potential effects on turnover intentions among those in-service police officers has been an alternative method. By doing this, some insightful findings of significant factors relating to quitting a police job can be further provided to the police administrators of thinking how to hold those outstanding staff. Using survey data from a sample with 1,315 police officers from the New Taipei City Government Police Department in the year 2012, the results from the structural equation modeling (SEM) revealed that among those demographics, the male, unmarried, and those with no bachelor degree from Central Police University expressed higher levels of turnover intention ; in terms of the workplace variables, the job itself stress, personal stress, and training course quality was positively related to the turnover intention, whereas higher levels of the organizational atmosphere, external stress, supportive interaction with supervisors, and job satisfaction reduced the levels of thinking quitting jobs. In addition, job satisfaction has a considerable mediating effect, by which marital status, self-realization, personal stress, relationship with supervisor, promotion system, and on-the-job training produce indirect influences on turnover intention. .

**Keywords: police personnel, turnover intention, on-the-job training, promotion system, job satisfaction, mediating effect**

# **The Impact of Social Learning and Social Bonds on Juvenile Delinquency: An empirical study of Secondary School students in Saint Lucia**

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## **Abstract**

From a theoretical standpoint, there is a lack of information related to the phenomenon of juvenile delinquency among Saint Lucian adolescents. Using 268 secondary school students as a sample, this study explores the criminogenic risk factors for juvenile delinquent behavior in Saint Lucian adolescents. In conjunction with mainstream criminological theories (i.e., social learning, and social bond), the adolescent's patterns of delinquent behavior (i.e., violent, and nonviolent delinquency) were analyzed. The results showed that there was markedly higher delinquency among male adolescents in comparison to female adolescents. Multiple regression and structural equation modeling (path analysis) demonstrate that the social learning and social bond variables analyzed in this study were found to be significantly correlated with violent and nonviolent delinquency. The findings offer implications for addressing the risk factors associated with criminogenic behavior in adolescents and preventing them from engaging in violent or nonviolent delinquent behavior.

**Keywords:** Saint Lucia, , nonviolent delinquency, adolescent, secondary schools, violent delinquency

# 正向心理學及正念在女性受刑人處遇課程應用之實證研究

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## 摘要

近年來臨床醫學與研究者開始將正向心理學與正念納入受刑人的矯正以及非法藥物使用者的戒治之處遇選項中。本研究採取六單元以正向心理學及正念為基礎的處遇課程，並採用準實驗（quasi-experimental）的介入設計（intervention design），在2020年12月至2021年01月間，進行6次的處遇課程（每週一次），研究參與者為台灣某女子監獄的61位女性受刑人（實驗組）及60位具對照特質（年齡、監禁時間、過往犯罪記錄）的同監所女性受刑人。

為建立衡量的基準（Baseline），實驗組與對照組均於研究一開始接受問卷調查，最後一堂課結束後再次進行問卷調查，以比較兩組之知覺壓力、正念態度、賦權、憂鬱、監所處遇參與度及自我效能的差異，進而檢驗正向心理學結合正念介入處遇的成效。

相依 $t$ 檢定的統計結果顯示，經過處遇課程之後，實驗組在「正念態度」、「賦權」、「憂鬱」、「監所處遇參與度」、「自我效能」面向的前、後測分數皆達統計顯著水準。另外，「知覺壓力」的面向雖無顯著差異，但有減輕的趨勢；而控制組前、後測分數表現並未達顯著水準差異。另以獨立 $t$ 檢定分析實驗組與控制組的後測分數，結果顯示，「正念態度」、「賦權」、「監所處遇參與度」有顯著的差異；而「知覺壓力」、「憂鬱」、「自我效能」雖無顯著差異，但「知覺壓力」、「憂鬱」分數呈現下降的趨勢，而「自我效能」分數則是有增長的趨勢。表示此課程有助女性受刑人賦權增能，以及建立正向的態度。

綜上，建議監所未來可將正向心理學及正念納入處遇課程，因本研究屬於前導性研究，亟待未來有更多相關研究，以更具系統性及長時間的介入，檢視正向心理學元素及正念在女性受刑人處遇上的成效。

關鍵詞：正念、賦權、女性受刑人、藥物濫用、正向心理學

# Positive Psychology and Mindfulness Interventions for Female Inmates

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## Abstract

In recent years, clinicians and researchers have started to incorporate positive psychology into treatment to help ex-offenders or ex-drug users to rehabilitate. In the present study, six interventions based on strength-based positive psychology are introduced. It adopted a quasi-experimental, intervention design. Participants in the experimental (intervention) group consisted of a sample of 61 female inmates of a female prison in Taiwan. The interventions and surveys were conducted between December 2020 and January 2021. The 6 sessions intervention lasted for 6 weeks. The comparison group consisted of a sample of 60 female inmates with matched characteristics (age, length of imprisonment, history of prior criminal records) in the same prison.

To establish a base line, an entry survey (pre-intervention test) was first conducted with female inmates in both of the experimental and control groups. To assess the effectiveness of the interventions, post intervention surveys were conducted after the last class, to examine female inmates' perceived stress, mindfulness, empowerment, depression, program engagement, and self-efficacy between two groups.

The statistical results of the pair *t* test showed that the experimental group's post-intervention scores in the dimensions of "mindfulness", "empowerment", "depression", "program engagement" and "self-efficacy" were significantly higher than the pre-intervention scores. Although there was no significant difference between pre- and post-interventions scores in the dimension of "perceived stress", it showed that there was a reduction in perceived stress after the intervention. On the other hand, the control group's pre- and post-interventions scores did not show a significant difference. The results of the independent *t* test showed that experimental group's post-intervention scores in the dimensions of "mindfulness", "empowerment", "program engagement" were also significantly higher than the control group. Although there were no significant differences in the measures of "perceived stress", "depression", and "self-efficacy" between the experimental and control groups, it showed improvements for the experimental group. It suggests that this intervention helps female inmates to cultivate empowerment and build positive attitudes.

Findings of the research imply that courses incorporating the components of positive psychology and mindfulness might be included in treatment programs for female inmates. Future studies with more systematic and longer treatment period are needed to continue to assess the effects of positive psychology and mindfulness on female inmates' recovery.

Keywords: mindfulness, empowerment, female inmates, substance abuse, positive psychology

# 監獄推動藝文教化處遇及其實施成效之實證研究

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## 摘要

矯正工作是法務行政重要的一環，重點業務在於對受刑人進行教化及矯正，使其順利復歸社會。由於矯正機關致力推展各類藝文教化處遇，因此，透過對受刑人進行問卷調查，期以實證研究瞭解藝文教化處遇推動情形及其處遇成效等。

本研究以 2013 年 7 月底在監受刑人為母群體，依機關屬性、受刑人數比例、性別和處遇實施情形等，選定調查機關與抽取之施測人數計 1,084 人，經實際施測後，計完成有效樣本 1,057 人。另使用 SPSS 統計軟體，採用次數分配、獨立樣本 t 檢定、皮爾森積差相關及迴歸分析等統計考驗比較。

研究除針對受刑人在監適應(違規行為、憂鬱傾向)進行分析外，結果並發現參與藝文教化處遇者，對順利復歸社會之信心較高，情緒行為較為穩定，自我效能及社會支持明顯提升。最後，根據研究結果，提出建議供實務機關作為政策推動之參考。

關鍵詞：監獄、受刑人、藝文教化處遇、處遇成效、在監適應

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# **An Empirical Study of Prison-based Art Programs and its Implementation Effects**

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## **Abstract**

Corrections is important part of legal administration. It's profession focuses on the education and corrections implementation of inmates, and allowing them to change their behaviors and integrate into the society after discharging from prisons. Due to correctional institutions pay attention to promote prison-based art programs, a empirical questionnaire survey for inmates are investigated to understand the promotion of art programs, and its' effects on treatment.

The population of this study is inmates held in affiliated and attached prisons under Correction Department of Ministry of Justice in Taiwan on July 31, 2013. The selected ratio depends on characteristic of the institutions, ratio of inmates, gender and treatment. The selected samples are 1,084 persons, effective samples are 1,057 persons. The SPSS statistical software is used to conduct frequency distribution, independent sample t test, Pearson product-moment correlation coefficient, regression analysis, and so on.

In addition to the analysis of the prisoners' adaptation (violating behaviors, depression tendency), the results found that those who participated in the art programs and treatments have a higher confidence in returning to society, their emotional behaviors are more stable, and their self-efficacy and social support improved significantly. Finally, based upon the findings from the present study, suggestions are made for practical agencies as a reference for policy promotion.

Key words: prisons, inmates, art programs and treatment, treatment effectiveness, prison adaptation

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# 全球化擴張下跨境詐欺組織犯罪研究-以組織網絡視角為發軔

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## 摘要

全球化浪潮的不斷擴張，網絡科技與交通革新創造出如同 Harvey 所稱時空壓縮，不僅拉近彼此距離，也使犯罪跨越了疆界。台灣跨境詐欺犯罪的全境擴散，更因緊密的犯罪組織網絡的結合而加劇，整個組織網絡包含了個人與團體，為了探究跨境詐欺犯罪的本質，本研究針對組織犯罪的網絡來進行研究分析，了解整體詐欺犯罪的運作與主要犯罪行為間的關聯。

本研究採用文獻探究法以及質性研究中的深度訪談，針對十六位受刑人進行訪談，分析跨境詐欺犯罪集團的架構、網絡運作。研究發現跨境詐欺犯罪集團透過完整供應鏈，展現「企業集團化」的交錯架構。以集團式運作與小型集團分散合作雙模策進，集團組織內部網絡與外部網絡，利用強弱連結來兼顧犯罪效率與風險管控，並拓展跨境詐欺犯罪市場與風險控管。強弱連結、運作效率與風險管控成為犯罪組織網絡對於影主要犯罪行為與犯罪生活型態有中介強化的效果。最後以情境犯罪預防提出防治具體作為與政策建議。

關鍵字：全球化、跨境詐欺、犯罪組織網絡、電信詐欺、情境犯罪預防

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# **Exploring Cross-border Organized Fraud in the tendency of Global Expansion: From the perspective of organizational networks**

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## **Abstract**

The ever-expanding wave of globalization, network technology, and transportation innovations have created what Harvey calls space-time compression, which not only brings each other closer, but also allows crime to cross borders. In order to investigate the nature of cross-border fraud, this study focuses on the network of organized crime to understand the relationship between the overall operation of fraud and the major criminal acts.

This study adopted literature exploration and in-depth interviews to detail the structure and network operation of cross-border fraud by interviewing 16 convicted persons. The study found that fraud syndicates exhibit an interlocking structure of "conglomerates" through a complete supply chain. The syndicate is organized with both internal and external networks, using strong and weak ties to enhance efficiency and risk control, and to expand the cross-border fraud market and risk control. The strong and weak ties, operational efficiency, and risk control become the mediating and reinforcing effects of criminal organization networks on major criminal behaviors and criminal lifestyles. Finally, we propose specific actions and policy recommendations to prevent and control crime in the context of crime prevention.

Key words: Transnational Fraud, globalization, Organization Network, Telecom fraud, Situational Crime Prevention

# 犯罪移轉與利益之評估-以區域為防治標的 之警察策略為例

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## 摘要

1970 年代以降，問題導向警政、熱點巡邏等聚焦於地理區域的警政革新措施引領了歐美等國犯罪防治措施，然而該類警察策略往往引來關於犯罪移轉(crime displacement)的爭議，亦即該些警察策略只會將犯罪事件移轉到不同的地理區域(或時間、標的、方法、犯罪類型等)，而非被預防減少了；相對於犯罪移轉，部分研究則發現犯罪控制利益擴散(diffusion of benefits)的現象，即指在警察策略實施以外的鄰近區域，也發現類似於警政策略實施區域的犯罪減少效果。隨著評估該類以地理區域為對象的警政策略研究的增加，以及研究方法的進步，此一犯罪移轉或利益擴散的爭議得到一定程度的釐清。本研究回顧聚焦於地理區域的警政策略，就 12 個大型跨領域資料庫及專業警政組織之網站搜尋涵蓋犯罪移轉及利益擴散之評估的研究，進行研究結果的整合。搜尋結果發現，有 158 個研究案涉及聚焦於地理區域的警政策略的評估，其中 90 個研究符合篩選條件，去除掉重複的評估案及無法取得數據者，最終符合本研究篩選條件之研究共計 55 案。分析這 55 個研究案發現有 31 案(56.36%)並未觀測到犯罪移轉的現象，而有 20 案(39.21%)確有發現犯罪移轉的證據；而利益擴散的現象則在 24 案(43.64%)中觀測到，卻僅在 3 案(5.54%)中明確未發現。針對數據可得的 20 案作統合分析(meta-analysis)發現在最佳的情況下，鄰近緩衝區(catchment)對比於控制區域的犯罪指標勝算比(weighted mean OR)為 1.17(信心區間為 1.06-1.2)，意味著鄰近緩衝區域的犯罪數值較控制區域減少達 17%，顯示犯罪控制之利益擴散情形。

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## Abstract

Since the 1970s, geographically focused policing initiatives such as problem-oriented policing and hotspot policing have been comprehensively adopted in the US and European countries. These sorts of policing strategies, however, raise an issue of crime displacement. That is, crimes are relocated to other places, time, targets, methods, crime types and victims since the 'root causes' of crime were not addressed. In contrast to displacement, some studies found the occurrence of the diffusion of crime control benefits, which means areas, items, or individuals not targeted by a crime prevention program also benefit from the intervention. With the increase of evaluation studies on crime displacement and the progress of methodologies, it is possible to identify whether crime displacement or diffusion of benefits take place.

The present research uses a systematic review, covering 12 large-scale multi-disciplinary databases and the websites of professional policing agencies. The search leads to 158 retained studies that are concerned with the evaluation of geographically focused policing initiatives. After reading through full texts of those retained studies, 90 studies were considered met the inclusion criteria. After further removing duplicates and those with unavailable data, 55 studies were finally left for analysis.

The results show that among the 55 retained studies, 31 of them did not find crime displacement, whereas 20 of them did find evidence indicating crime displacement. By contrast, diffusion of benefits was found in 24 studies with 3 studies showing no evidence. The meta-analysis that synthesizes the odds ratio of crime indexes in catchment areas to those in control areas shows an odds ratio of 1.17 with 95% confidence interval of 1.06 to 1.2. These values indicate that crime indexes decrease by 17% in catchment areas in relation to those in control areas, implying the occurrence of diffusion of benefits.

**Key words:** geographically focused policing initiatives, crime displacement, crime diffusion, meta-analysis

# 從環境犯罪學初探國小校園竊盜案-以近十年司法判決為例

吳政倫\*

## 摘要

目標：本研究旨在從環境犯罪學角度初探近十年司法判決中，國小校園竊盜者背景變項與領域意識及環境監控的關係，輔以教育部校園安全暨災害事件通報趨勢統計，提供合宜的校園安全預防措施。方法：運用判決書資料分析法，以2010至2019年司法院法學資料檢索系統刑事類型的裁判書，查詢入侵國小校園的竊盜罪，實際有效判例共34件，被判竊盜罪63人，並依據編碼表將內容轉換成數值分析。結果：由分析結果發現國小校園：(1)竊盜者皆為男性，身心健全者佔96.8%，單獨犯佔55.6%。(2)犯罪動機以經濟和貪念則佔79.4%，前案和累犯紀錄各為54.0%及57.1%，且63.5%的人無職業。(3)犯案時間以學校非上課時間最多，佔79.4%。(4)有毀越門扇牆垣者佔38.1%、毀越安全設備者佔15%。(5)犯案後事後被察覺佔92.1%，有監視器監控紀錄佔60.3%。(6)犯罪地點以辦公室和教室合計佔62.2%。(7)財物損失以現金貨幣佔26.8%、其次為電子產品19.6%。結論：本研究具體建議如下：強化校園周界、加強門禁管理、擴充監控、保護標的物及修繕防護設備，可提高犯罪風險增加犯罪心力，進而促進校園安全、降低校園竊盜實害。

關鍵字：環境犯罪學、國小校園、竊盜案、司法判決

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# **A Preliminary Study of Theft Cases in Elementary Schools from the Perspective of Environmental Criminology : Examples of the Judicial Judgments in the Past Ten Years**

Wu Chen Lun

## **Abstract**

**Objective:** The purpose of this study is to investigate how the background of the thieves breaking into elementary schools that was associated with territorial awareness and environmental surveillance. This study was conducted from the perspective of environmental criminology using data from the judicial judgments over the past ten years. Besides, we used the statistics of the Ministry of Education's campus safety and disaster incident notification to discuss the trends and provide campus safety precautions. **Methods:** We inquired the criminal cases of thieves breaking into Elementary Schools between 2010 and 2019 through the Judicial Yuan information retrieval system. There were 34 effective cases with a total of 63 people were convicted of theft. By the coding table, the content was converted to numerical values accordingly for analysis. **Results:** According to the analysis results: (1) All the thieves were male, 96.8% of them were physically and mentally able, and 55.6% committed the crime alone. (2) Financial motives and greed accounted for 79.4% of the cases, previous crimes and recidivism records 54.0% and 57.1%, and unemployed 63.5%. (3) School non-class time was the most common for committing crimes and accounted for 79.4%. (4) Thieves who destroyed the door and wall accounted for 38.1% and damaged the safety equipment accounted for 15%. (5) 92.1% of the thieves were perceived after committing their crime, and 60.3% were recorded by CCTV. (6) Offices and classrooms accounted together for 62.2% of crime locations. (7) Property losses accounted for 26.8% in cash and 19.6% in electronic products. **Conclusion:** Based on the results, the specific suggestions are as follows: the elementary schools should strengthen the territorial awareness and the access of management, expand surveillance, protect the targets, and repair protective equipments. The recommendations should increase crime risk and crime effort, and they thereby promote school safety and reduce the damage of school theft.

**關鍵字 :** environmental criminology 、 elementary school 、 theft cases 、 judicial judgments

# 從標籤理論探討臺灣 COVID-19 疫情升級 社會氛圍-省思萬華區汙名化

李燕青<sup>13</sup>

## 摘要

「標籤理論」以社會批判為主要內涵的犯罪學理論，雖然在犯罪學之實證研究上持批判態度，但在實務刑事司法體系仍具影響力。本文藉由臺灣 COVID-19 疫情升級，探討「臺北萬華區」汙名化所帶來的社會氛圍，以萬華區發展歷史脈絡、治安統計與社福團體運作為基礎設計問題大綱，與第一線執勤的消防員進行「焦點團體訪談」，透過訪談內容釐清萬華汙名化印象，重新省思標籤理論在防疫期間，對萬華區汙名化的影響。

關鍵字：標籤理論、焦點團體訪談、汙名化

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