

105年公務人員特種考試警察人員、一般警察人員 考試及105年特種考試交通事業鐵路人員考試試題

考試別：警察人員考試

等別：四等考試

類科別：行政警察人員

科目：中華民國憲法與警察專業英文

考試時間：1 小時

座號：_____

※注意：(一)本試題為單一選擇題，請選出一個正確或最適當的答案，複選作答者，該題不予計分。

(二)共 50 題，每題 2 分，須用 2B 鉛筆 在試卡上依題號清楚劃記，於本試題上作答者，不予計分。

(三)禁止使用電子計算器。

- 1 依憲法及憲法增修條文規定，下列何者非屬現行監察院之職權？
(A)向行政院及其各部會調閱其所發布之命令及各種有關文件
(B)監察院經各該委員會之審查及決議，向行政院及其有關部會提出糾正案
(C)對於失職及違法之中央及地方公務人員，提出糾舉案或彈劾案
(D)彈劾總統、副總統
- 2 關於考試院職權之行使，下列敘述何者錯誤？
(A)公務人員之訓練專屬於考試院之職權
(B)考試委員應超出黨派，行使職權
(C)考試院會議為合議制，並以院長為主席
(D)考試委員須依據法律獨立行使其職權
- 3 關於司法權之敘述，下列何者錯誤？
(A)司法權之行使，應受憲法及法律之拘束
(B)公務員懲戒不屬於司法權之作用
(C)根據司法院大法官解釋，司法院應不得僅具最高司法行政機關之地位
(D)司法權之獨立性，受憲法明文保障
- 4 下列有關行政院會議之敘述，何者錯誤？
(A)法律案、預算案、條約案須先經行政院會議議決才能送交立法院審議
(B)行政院會議原則上以行政院院長為主席
(C)行政院會議之成員，包括行政院院長、各部會首長、政務委員及各直轄市、縣市政府首長
(D)緊急命令須經行政院會議議決，總統始得發布之
- 5 依憲法增修條文之規定，下列有關覆議制度之敘述，何者錯誤？
(A)行政院得提出覆議案者，限於對立法院決議之法律案、預算案、條約案
(B)有關法律案之覆議，由總統向立法院提出
(C)立法院對覆議案，在會期中若逾 15 日未作成決議，原決議失效
(D)立法院若決定維持原決議，行政院院長應接受該決議而無須辭職
- 6 依據憲法及憲法增修條文之規定，總統履行下列何種職權，須經行政院院長副署？
(A)任命行政院院長
(B)任命監察委員
(C)發布解散立法院之命令
(D)公布法律
- 7 依據憲法增修條文之規定，關於憲政體制中行政院院長不信任案與解散立法院之敘述，下列何者錯誤？
(A)立法院得經全體立法委員三分之一以上連署，對行政院院長提出不信任案
(B)不信任案提出 72 小時後，應於 48 小時內以記名投票表決之
(C)不信任案應先經全院委員會通過後，再提至立法院院會，如經全體立法委員二分之一以上贊成，行政院院長應於 10 日內提出辭職，並得同時解散立法院
(D)不信任案如未獲通過，1 年內不得對同一行政院院長再提不信任案
- 8 下列何者非屬憲法上行政權之範圍？
(A)政策擬定
(B)公務員懲戒
(C)預算案提出
(D)財經重大變故之因應
- 9 下列何者非屬總統之特權或職權？
(A)提出憲法修正案
(B)解散立法院
(C)國家機密特權
(D)決定國家安全有關之大政方針
- 10 依憲法增修條文之規定，總統得解散立法院，其程序或條件，下列何者不屬之？
(A)戒嚴或緊急命令生效期間不得解散立法院
(B)須經諮詢立法院院長
(C)立法院須先通過對行政院院長之不信任案
(D)須經行政院院長副署

- 11 有關憲法增修條文第 4 條第 1 項及第 2 項關於單一選區兩票制之並立制、政黨比例代表席次及政黨門檻的規定，依據司法院大法官解釋，下列敘述何者正確？
(A)該規定具有憲法本質之重要性而為規範秩序存立之基礎
(B)選舉方法不得有礙民主共和國及國民主權原則之實現，亦不得變動選舉權、平等權之核心內涵
(C)百分之五之政黨門檻規定部分，可能使政黨所得選票與獲得分配席次之百分比有一定差距，而有選票不等值之現象，違反選舉平等
(D)單一選區兩票制之並立制兼顧選區代表性與政黨多元性，此一混合設計及其席次分配，違反自由民主憲政秩序
- 12 依憲法、憲法增修條文及相關法律之規定，關於創制、複決之敘述，下列何者錯誤？
(A)創制與複決之實施，係為避免立法機關怠於立法或立法獨裁，以彌補代議政治之缺失
(B)複決包括人民對於憲法修正案或法律，以投票決定是否通過之權利
(C)創制包括人民得依法律規定之程序提出法案，促使立法機關修改法律之權利
(D)複決包括立法原則之複決
- 13 若國家安全法規定人民入出國境均須經主管機關之許可，將構成對人民何種基本權利之限制？
(A)言論自由 (B)資訊自由 (C)遷徙自由 (D)職業自由
- 14 有關人民結社組織人民團體之權利，依法律及司法院大法官解釋意旨，下列敘述何者正確？
(A)依照人民團體法，組織政黨無須事前許可，如其目的危害民主憲政秩序，主管機關得命其解散
(B)依照人民團體法，組織政黨以外人民團體須經事前許可，如成立後其行為危害民主憲政秩序，主管機關得廢止其許可
(C)人民團體之命名權與更名權，不屬於憲法第 14 條結社自由保障之範圍，但受憲法第 22 條人格權之保障
(D)依照人民團體法，主管機關對人民團體限期整理並停止理事、監事之職權，如該等人員為無給職，即不涉憲法第 15 條工作權保障問題
- 15 依司法院大法官解釋之見解，下列何者非屬憲法上制度性保障？
(A)工作權 (B)訴訟權 (C)學術自由 (D)婚姻與家庭
- 16 關於我國選舉、罷免制度之敘述，下列何者錯誤？
(A)中央選舉委員會隸屬行政院，置委員若干人，由行政院院長提請總統派充之，並指定一人為主任委員
(B)在各該選舉區繼續居住 6 個月以上者，為公職人員選舉各該選舉區之選舉人
(C)選舉人年滿 23 歲，得於其行使選舉權之選舉區登記為公職人員候選人。但直轄市長、縣（市）長候選人須年滿 30 歲；鄉（鎮、市）長、原住民區長候選人須年滿 26 歲
(D)現役軍人、服替代役之現役役男或公務人員，不得為罷免案提議人
- 17 有關人身自由限制之敘述，下列何者錯誤？
(A)人身自由之限制一律有法官保留原則之適用
(B)外國人受驅逐前由內政部移民署為暫時收容，若未超過 15 日者，無法官保留之適用
(C)限制人身自由之處置，須以法律規定
(D)強制進入勞動教育場所，亦屬對人身自由之限制
- 18 下列何者不是憲法基本國策與憲法增修條文規定國家應實施或推行之制度？
(A)公醫制度 (B)全民健康保險 (C)勞資糾紛仲裁 (D)公務人員退休撫卹
- 19 關於職業自由之保障，下列敘述何者正確？
(A)非營利性質之職業，亦受職業自由保障
(B)私立學校之董事，不受職業自由保障
(C)法律必須為追求重要之公共利益，始得限制人民之執行職業自由
(D)法律不得規定人民選擇職業應具備之客觀條件
- 20 關於資訊隱私權之保障，下列敘述何者錯誤？
(A)資訊隱私權屬於憲法第 7 條至第 21 條明文列舉之基本權利
(B)資訊隱私權保障人民對於其個人資料之揭露有決定之權利
(C)資訊隱私權保障人民對於其個人資料之使用有知悉之權利
(D)資訊隱私權保障人民對於其個人資料之錯誤記載有更正權
- 21 依司法院大法官解釋意旨，下列何者係屬憲法第 22 條所保障之權利？
(A)新聞自由 (B)學術自由 (C)婚姻自由 (D)人身自由
- 22 有關憲法本文前言之敘述，下列何者錯誤？
(A)具有法的拘束力 (B)前言可作為釋憲的依據
(C)明示制憲目的 (D)非憲法一部分，僅具政治意涵

- 23 早年政府將患有漢生病（俗稱麻瘋病）之病患，依職權強制隔離於特定院區居住，不得擅自離開，此種作法，侵害病患何種基本權？
(A)生命權 (B)名譽權 (C)人身自由 (D)通訊自由
- 24 承上題，對於政府依職權強制隔離病患相關作法之違憲審查，不涉及下列何種原則？
(A)比例原則 (B)信賴保護原則 (C)法律保留原則 (D)正當程序原則
- 25 關於原住民族之保障，下列何者非憲法增修條文明文要求國家應採取之措施？
(A)保障原住民族之地位及政治參與
(B)積極發展維護原住民族語言及文化
(C)保障、扶助原住民族經濟土地，並促進其發展
(D)以優惠性差別待遇保障原住民族之平等受教育權
- 26 As a stranger's fingerprint was found in the crime scene, Miss Smith's death was considered a _____ and the police now have to find out who killed her.
(A) patricide (B) pesticide (C) homicide (D) herbicide
- 27 Boston Marathon bomber Dzhokhar Tsarnaev was _____ to death penalty for killing three and injuring 264 people. However, he wouldn't be executed anytime soon.
(A) judged (B) prisoned (C) criticized (D) sentenced
- 28 The police must convince the judge that a crime has been committed in order to obtain a _____ to search the suspect's house or arrest the suspect.
(A) wiretap (B) witness (C) warrant (D) weapon
- 29 The talented young chess player _____ laid himself open to attack, made himself look vulnerable and then checkmated his opponent when least expected.
(A) deficiently (B) deliberately (C) imprudently (D) implicationally
- 30 Having been _____ for more than ten hours and asked the same questions repeatedly, the suspect finally confessed that he murdered the two people.
(A) arrogated (B) convicted (C) confronted (D) interrogated
- 31 Non-profit organizations that advocate for the rights of children, primarily in the _____ justice and child welfare systems, are commonly found in Western countries.
(A) juvenile (B) immature (C) undeveloped (D) disadvantaged
- 32 Every city has a/an _____ telephone number for people to ask immediate helps from the police department. In the US, people call 911, here in Taiwan the number people dial in that case is 110.
(A) insurance (B) rescue (C) emergency (D) disaster
- 33 You have the right to _____ silent. If you do say anything, what you say can be used against you in a court of law.
(A) stand (B) say (C) remain (D) promise
- 34 If you are arrested or detained by the police, you have the right to retain _____.
(A) coroner (B) counsel (C) cousin (D) corporal
- 35 Sir, thanks for your calling. An officer in the neighborhood will be _____ to your home as soon as possible.
(A) dispatched (B) dispersed (C) distributed (D) dissembled
- 36 As a police officer, it is my duty to _____ the law courteously and appropriately without fear or favor.
(A) refine (B) defeat (C) employ (D) enforce
- 37 Excuse me, Sir. You were speeding, and here is your _____.
(A) ticket (B) fine (C) notice (D) warrant
- 38 Police _____ the brothel, and arrested 10 people for prostitution, including two juveniles.
(A) permitted (B) raided (C) demoted (D) washed
- 39 Riot police may be employed to _____ or control crowd.
(A) dissemble (B) disport (C) disperse (D) dispread
- 40 The new committee decided to put more officers on the street to _____ high crime areas.
(A) patrol (B) park (C) parole (D) probate
- 41 In a democratic society, those who are charged with a criminal offence shall be presumed _____ until proven guilty.
(A) naive (B) nothing (C) innocent (D) incorrect
- 42 Peter spent 20 years in and out of the drug rehabilitation centers only to find himself relapsing into drug _____ over and over again.
(A) addition (B) addiction (C) adjustment (D) admission

- 43 The police officer must have hard evidence at hand to believe that the arrestee has _____ a crime.
(A) conducted (B) committed (C) consumed (D) concluded
- 44 Stop! You are _____ arrest.
(A) down (B) below (C) over (D) under
- 45 Chen You-hau is a _____ person of Taiwan for economy crimes. He is at large abroad.
(A) running (B) escaped (C) missing (D) wanted

請依下文回答第 46 題至第 50 題：

On April 17, 2011, Helen Lander was found dead in her home. The medical examiner Dr. Robertson originally declared the death an accident. After an anonymous letter and belief from former medical examiner Meryn Jumble that Helen's death was a murder, the case was reopened.

Helen's husband, Mr. Richard Lander, was indicted on charges of murder and tampering with evidence. However, Lander had a solid alibi. His daughter, the sole eyewitness, claimed that the door to the bathroom was shut, and when Lander heard no response from his wife, he opened the door and found his wife, and then he moved her to the bedroom to lay her on a more comfortable floor. Besides, the prosecution failed to come up with a murder weapon and motive at beginning.

Later in the trial, an alleged murder weapon was brought forth, the shower bench. But Lander's defense team called upon many witnesses to testify for Mr. Lander. One of them was Tracy Williams, a personal trainer, who said Helen Lander had dizziness, which would explain why she fell in the shower.

The possibility that Lander was innocent was quickly disputed by the facts that District Attorney Will Thompson displayed. From the opening statements of the trial, the prosecution stressed the idea that, in view of the rigor mortis, i.e., the stiffening of the limbs after death, Helen Lander had been dead for hours before her daughter called the police. The rigor mortis, which would not happen in twenty minutes, contradicted Lander's alibi that he moved his wife's body from the bathroom where he claimed that she fell to the bedroom almost 60 feet away. Lander's movement of the body also became more noted when the prosecution began to investigate blood spatter around the bedroom. There was blood spatter at the scene on a bedside lampshade, a slanted wall and water bottles next to the bed. This blood spatter indicated to Rose Green, a forensic scientist, that the injuries occurred while at the bedside, not the shower as Mr. Lander had claimed.

After a two-week-long trial, Mr. Lander was found guilty of second-degree murder in killing his wife. He was also convicted of tampering with evidence in his attempt to cover up the crime.

- 46 Where was Helen Lander killed?
(A) In the bedroom. (B) In the basement. (C) In the bathroom. (D) In the living room.
- 47 Which is the most important evidence for Mr. Lander's prosecution?
(A) Blood stains were found in the bathroom.
(B) Helen's personal trainer testified against him.
(C) Helen's death time wasn't what Lander claimed to be.
(D) The shower bench was found to be the murder weapon.
- 48 Why didn't Mr. Lander have a solid alibi?
(A) The text message left by Helen was contradictory with his testimony.
(B) The time his daughter was with him was not Helen's death time.
(C) An anonymous letter pointed out the invalidity of his alibi.
(D) A mysterious woman witnessed the murder.
- 49 What are the charges against Richard Lander?
(A) Murdering his wife and injuring his daughter
(B) Helping his wife committing suicide and hiding the murder weapon
(C) Murdering his wife and altering the evidence
(D) Hiding the murder weapon and deceiving the police
- 50 According to the passage, which of the following statements is true?
(A) The murder weapon was not found.
(B) There were several eyewitnesses to the murder.
(C) Helen Lander fell in the shower because of dizziness.
(D) The motive of the murder is not mentioned in the passage.