本土化卡其領貪污犯罪特色之探討

一以迴歸分析重新驗證爲例

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關鍵詞:卡其領犯罪、公務員、貪污、犯罪特性、職務

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摘 要

貪污是一種經過計算,由行為人理性抉擇的犯罪行為;而軍人也是廣義的公務員,其所為之貪污犯罪,本文以學名卡其領貪污犯罪稱之外,並利用 1999 年至 2014 年第一審貪污判決書為文本 (分析樣本數計 472 人)區分人口、行為特徵及刑期進行內容分析後,分別以次數分配、卡方檢定及多元邏輯斯迴歸模型等量化方式實證其與貪污治罪條例第四條、第五條及第六條之顯著性,研究發現人口及行為特徵之部分自變項對於貪污治罪條例所列犯罪類型而言,具有相當關聯之顯著性;至於在刑期之訴訟特徵上,對於貪污犯罪而言,並無相當明顯之關聯性。在歸納是類犯罪特徵後,提出公務員篩選機制、強化渠等操守、法制輔助、職務防弊及建置良善的社會福利政策,重塑財務價值觀等面向,具體提供防制建議,以塑立卡其領生態圈優質純淨之預防環境。

Discussion on the Characteristics of Local Khaki-Collar Corruption — Re-verification by Regression Analysis as an Example

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Abstract

Corruption is a crime committed by government officials who should normally have assessed the risk and the illegal benefit rationally and intentionally before violating the law. Although military officers are also commonly considered as civil servants, the special academic terminology of corruption committed by military personnel that we use in this paper is called Khaki-Collar Corruption. In order to find the influence of 1) demographics, 2) behavioral characteristics and 3) the length of sentence on corruptive military personnel, 472 verdict during 1999-2014 are used as the set of research object. After conducting content analysis, the methods of frequency demonstration, the chi-square test and the multivariate logistic regression