

考 試 科 目	管理文獻評析	所 別	科技管理研究所	考 試 時 間	5 月 12 日(六) 第 一、二 節 (08:30 ~ 12:00)
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說明：本考卷共三大題，共七小題，共 100 分，每一題配分不同，目的在了解考生的歸納與推理的基本能力。評量標準包含三項。第一，請以自己的知識體系重新歸納問題，切勿按照附件所提供資料重複整理，也不可以抄襲這四項報導所整理出之內容，否則以零分計算。考生不是要針對各考題找出標準解案，而是要提出自己的解讀。第二，推理必須細膩，答題時考生要提出相關資料與案例以佐證自己的觀點。第三，考生所提出的分析與見解盡量要獨到，凸顯考生個人的專業背景與生活經驗，切勿提出人云亦云的常識性說法。

第一題：請閱讀附件一至四，有關「台北市都市再生」的報導，並分析以下問題。

- 1-1 請歸納台北市 URS (Urban Regeneration Stations) 的三項主要施政重點，請由自己的觀點重新歸納。  
(本題共計十分)
- 1-2 請歸納台北市 URS (Urban Regeneration Stations) 實施後的優缺點，各歸納為三點，共六點(優點三點，缺點三點)。(本題共計十分)
- 1-3 分析以上兩題後，請提出自己的見解，分析未來台北市 URS 施政應如何調整，請提出創意的解決方案。  
(本題共計十五分)

第二題：請閱讀附件五「新聞的未來」，並探討以下問題。

- 2-1 為何業界普遍對新聞報紙抱持著悲觀態度？未來，報紙真的會被網路取代嗎？(本題共計十五分)。
- 2-2 如果你是中國時報的研發中心主管(對手是蘋果日報)，你會想做哪些創新？請由內容、載體以及商業模式分述之。(本題共計二十分)

第三題：請閱讀附件六「致命的失意」，並探討以下問題，提出個人的見解。

- 3-1 如果你是法官，你對這些因大意而使小孩悶死在車裡的父母，會做出什麼處份？你會同意文中法官的判決嗎？還是你會傾向同情這些父母？請提出三點有利的理由。(本題共計十五分)
- 3-2 你認為這個故事背後更大的社會問題是什麼？請提出三點深入分析。(本題共計十五分)

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## 附件一：都市再生前進基地 (Urban Regeneration Station, URS)

一個城市的生命力，需要活水般不斷的注入文化創意灌溉滋養。摩天大樓的高度、經濟建設的發展程度就如同城市的表象，或許會隨著年齡而改變、衰老，但城市內心卻會隨著時光的流逝而更顯風韻。都市再生前進基地（以下簡稱 URS）正是為了讓舊社區注入新文化活水而誕生。在台北，目前預計有六座 URS 概念基地將在台北的各個角落生根發芽，茁壯成既可為城市製造創意氧氣，又可美化城市文化景觀的大樹。

表一：台北市六個 URS 概念基地

編號	名稱	地點
URS 127	Design Gallery + TKU Architecture Incubator 大稻埕都市再生工作坊	迪化街一段 127 號
URS 27	Grand Green 華山大草原	林森北路 27 號
URS 21	Creative Incubator 都市創意產業育成基地	民生東路 1 段 21 號 菸酒公賣局中山配銷處
URS 13	Revived Vanguard 南港都市再生前進基地	南港路二段 原公賣局瓶蓋工廠
URS 89-6	Regeneration Plant	中華路一段 89 之 6 號
URS B2	Future Lab	大直美麗華附近

URS 以「再生」為主軸，有別於先破壞再建立的重建模式，URS 將計畫在舊的輪廓中加入新的概念。這些舊空間都曾經歷過繁榮的景象，也曾是許多老台北人依靠著的生活重心，卻隨著無情時光的腳步而漸漸破舊荒廢，成為城市裡最不起眼的角落。如今，四周高樓林立，人們漸漸遺忘了它們，它們也彷彿成為了影響城市發展與美觀的絆腳石。因此，臺北市都市更新處於 2010 年開啓了 URS 推動計畫，由政府單位提供地點，鼓勵民間單位進駐，讓民間單位得以自由展現創新力量，將文化創意的種子埋進這些老舊街廓中。並將結合台北市文化局之「台北文創群聚推動計畫」，推動台北文化創意產業的雙 L 軸帶，依據每個地區的特性規畫不同型的文創群聚區，打造傳統、人文、創意、次文化等創意街區，藉由群聚效應與產業的帶動，將台北建構成一個創意城市。

臺北市都市更新處一直以來致力於改善老舊街區環境、引入產業活動等都市更新發展策略，這些年的努力讓不少人深深感覺到「台北變美了」！但都市更新不僅僅是硬體基礎建設的推動，而應該要使其得以永續發展，因此「都市再生」概念應運而生。都市再生的概念包含了創新、開發導向、公私合夥、整合、生態永續等多方面向的整合，透過城市的軟創新實力，產出更豐富多元的城市記憶。而 URS 就是要透過都市更新再生，將更多元、更具活力的創意讓市民共享。

URS 的讀音等同於「yours」(你們的)，凸顯出 URS 的精神——將空間開放給每個對於城市充滿熱情的人。我們將以再生基地為

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中心點，把創意因子漸漸擴散到社區周邊，進而再擴散到整個城市，讓台北城不僅僅擁有現代化的外表，也成為蘊含文化創意的心靈之都。

資料來源：台北市政府

[End of Article]



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【請注意，背面還有試題】



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附件二：城市再生計畫@迪化街

文/ 李勇達

2 月 13 日是台灣創新之旅的第一天，科管所師生今天的第一站來到迪化街，主題是台北市都市再生前進基地—URS(Urban Regeneration Station)。首先，由台北都市更新處的謝旻成股長，為科管所師生導覽迪化街的老建築，與建築復原的情況，同學們展現對建築與創新使用用途的熱情，不只以攝影記錄街景，更深入詢問謝股長關於當地生活與都更之關聯。從迪化街一段南京西路口，到參訪的目的地 URS-127 公店短短 400 公尺的距離，一行人花了近半個鐘頭探索，親炙老街區的獨特風情。

進入由當地居民捐出的店屋，URS-127 計畫融入了公共空間的概念，並且投入建築師與藝文團體育成，讓原本的私店面轉變成新的「公店」。為說明公店的概念，淡江大學建築系副教授王俊雄帶著我們從 URS127 的大門，一路穿越走廊與天井，引發同學對都市更新之提問，碩一學生許惟翔就問到，「公店是否無法融入社區商業成為孤立空間？」

王俊雄表示，當城市發展到一個境界，會開始對文化的小聚落產生多元的需求，因此 URS-127 這個案例，並不以完全融入當地文化與生活為主要目的，而是要為當地帶來新的刺激與新的人潮。至於創新育成的面向，王俊雄則認為 URS 計畫應該要為剛起步的創業者，全力提供「第一哩路」的幫助，讓更多年輕人能實踐理想。

然而這一切都需要政府在背後支持，才能統和繁瑣的法令，並且與地主之間溝通斡旋。由北市都更處徐燕興總工程司，與科管所師生分享都更處在實務上與政策上之困難。他說，由於城市持續變革，全盤規畫的再執行方式不可行，都更處只能邊做邊調整，也透露出公部門間權責的問題加深了都市更新的難度。

在正午的大稻埕的陽光下，URS 參訪結束，同學間仍有許多問題尚未獲得解答，會後的談話持續且熱絡，有些好奇仍沒被滿足，我們將回頭去追問那些問題，並且試圖提供我們的觀點與解決的方法。

資料來源：政治大學科技管理研究所

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## 附件三： URS 除舊創新，就像都市針灸術

中國時報 陳芃 / 台北報導 2011-08-13

「現在走到迪化街，不只看得到南北雜貨店，也有咖啡店。」台北市都市更新處長林崇傑說，都市更新計畫是去鬆動一個地方的根基，重新改造，創造新的可能性，他把這個過程稱作「都市針灸術」。

都更處提出的「都市再生前進基地」(Urban Regeneration Station, URS)，是一個社會性的城市再生策略。目前台北市有七處 URS 基地，分別位於南港路、民生東路、華山大草原、迪化街和中華路。這些據點多利用老舊建築改建，希望成為社區藝術交流中心。像南港的 URS13，就是由原菸酒公賣局的瓶蓋工廠改建，迪化街的 URS127 原本則是街屋。

林崇傑說，都更處設置這些基地前，都會和里長及居民溝通，共同思考當地未來。URS 的概念就和中醫講求氣血通順一樣，慢慢去鬆動社區舊有的價值，注入新的可能性，改變本質。林崇傑提到，迪化街自從 URS127「設計公店」開幕後，附近也開了三家咖啡店。

過去當地人多吃中式的麵線、飯糰當早餐，現在也可以看到五、六十歲的中年人坐在咖啡店裡吃土司了，這就是地方文化與生活價值的改變。

林崇傑表示，URS 基地的功能多元，可以當展覽館、會議室，甚至是表演空間，希望能吸引民眾和藝術家聚集，創新社區價值。

林崇傑說，九月九日新的據點「中山創意中心」即將開幕，未來文山區、士林區的天母也將出現 URS 基地。

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【請注意，背面還有試題】

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附件四：自掘的是空間還是墳墓？

撰稿/Koyujia

從上次參加了在新莊重劃區豪宅建案「都峰苑」內舉辦的【一瞬之光-當代藝術聯展】後，遲遲無法提筆寫有關藝術與商業（建商）的文字，除了是因為知道到這其中涉及到許多複雜的人際網絡，找不到個頭可起（想避免對號入座問題），也知道這些都是結構性的問題，大家一個黏一個，緊貼得無法切開而個個擊破，顧慮太多太多，以致於幾乎就要放棄去談這個主題了。

不過，可能冥冥中有某種力量的牽引，在那之後，接連參加了幾個關於空間的座談、展覽，主題全圍繞在「空間」，無論是藝術社群的替代空間經營、閒廢置空間的踏查、台北市都更處「都市再生前進基地」計畫(Urban Regeneration Station, 簡稱 URS)的推行與批判，全都指向一個議題：空間。

於是便不得不寫了。

藝術家對空間的需求，幾乎與一般人要房子住是同等迫切，工作狂型的藝術家幾乎就是住在工作室裡的。因此，如果是一般的公民，住家往往與工作場是兩個地方，那麼，他生活中面臨到的空間需求，最緊迫的大概就是居住空間了（在德國人看來，政府提供居住空間是天經地義，但在台灣則否，請參考：失控的數字）。

然而，一個藝術工作者除了需要居住空間，如果沒有贊助或簽約，則他的工作空間必須自理，而作品還需要展示空間，但無論是工作空間或展示空間，私屬的有許多門檻，公有的不僅也有門檻，數量也少，因此，如果身為一個沒有多資源的藝術工作者，身上便要同時背負尋求三種空間的壓力。

於是，在地小人稠的台灣，寸土寸金的都市，甚至還有炒地炒房等弊病未解的這樣一個地方，不僅無力購屋的市井小民是弱勢，背負尋求三種空間壓力的藝術工作者更是弱勢中的弱勢，在這樣的背景下，URS 計畫與建商會請藝文團體短期進駐空間也就不令人意外，但是，筆者這裡請許多人在表述什麼「意圖推動生活美學、營造更優質的城市空間等等」論點時，請先將台灣的在空間權的強勢與弱勢方搞清楚，因為之後所有的討論，都脫離不了這樣權力失衡的背景。

我們就從 URS 這個計畫談起吧！首先，URS 計畫最重要的概念乃在「活化改建前的建物再利用」（全文詳見都更處官網），至於計畫實施的對象則有「類型 I：閒置未利用公有房地的臨時活化利用」與「類型 II：民間都市更新重建前的活化利用」；前者公有地包括：URS-21：中山配銷處、URS-127：大稻埕迪化街 127 號、URS27-華山（華山創意文化園區後方長型空地）、URS13-南港基地，後者最有名的，莫過於忠泰建築文化藝術基金會主導的「城中藝術街區」了。

於是你可以看到 URS 計畫，就像是一個把「政府」、「建商」與「藝文團體」串連起來（甚至是將檯面下關係浮上檯面）的短期空間規劃案。拜這個計畫之賜，我們也才能剝絲抽繭，發現這其中有如「連連看遊戲」的權力關係圖。

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<p>正在城中藝術街區展出的【2012，城中末日】談的正是「政府」、「建商」與「藝文團體」(藝術)最不願面對的問題：空間與權力。以忠泰基金會為例，它分別承攬了公有地「URS-21：中山配銷處」的展覽【垂直村落】，並在自家即將整合都更的私有地推動「城中藝術街區」(後亦被納入 URS 計畫成為 URS89-6)，【2012，城中末日】正好就在城中藝術街區，這兩檔展覽，恰好也能拿來作一對話與參照。</p> <p>URS-21 的展覽【垂直村落】，運用建築慣常使用的生活美學符號來打造空間，容我形容這些符號不僅是虛幻想像式的，更是華而不實的，為什麼這麼形容，這得要先看看策展團隊 MVRDV 如何形容【垂直村落】，然後再看看忠泰曾經辦過的「朗讀違章」，最後再看看目前台北市對於違建的處理方式，就知道我所謂「虛幻想像式」的形容從何而來，一個在現實不可得的空間想像，就算再美好，都是徒然。</p> <p>有許多投入所謂「為城市生活美學而努力」的年輕設計師、藝文、文創工作者會再三強調夢想、理想的重要性，也以參與這類型的展為榮，甚至很開心的在【垂直村落】五顏六色的積木模型前留影，但我要說，當你回到你現實的住家，鄰人們照舊緊盯誰家頂樓加蓋，習慣性把垃圾堆置在寒酸的鐵皮屋旁，這個展覽的生活美學想像，至多，只告訴你展場擺設的家具設計還不錯，建築模型堆疊得挺有創意，電腦繪圖與 3D 也都訓練有素，但說到底，該展與真實生活形成的斷裂，幾乎成了它策展概念最尖銳的反諷。</p> <p>藝術與建築或設計不同，在於它總是有股批判與自覺問題的力量。於是，我們看到【2012，城中末日】對當前都更政策近乎「寫實的」批判，甚至企圖警醒接受贊助而在空間中自我麻痺的藝文工作者，正視政商結構對於藝術自主性的影響。</p> <p>展覽中的攝影、文本、錄像，每一種形式都沒有過多的修飾，艸執法的音樂與文字更摒棄已經在年輕藝術圈流行很久的 KUSO 風(頓挫風?)，幾乎是將悲愴與憤怒當作子彈，一字一句瞄準所欲批判的對象擊發。除了揭露都更政策多數決暴力的一面，展覽也對藝文團體明年約滿退出城中藝術街區，這般僅僅作為建商活形象廣告、失去主體性、浮萍般的都市遊牧生活提出大哉問。</p> <p>(上)</p> <p>[End of Article]</p>					
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附件五：新聞的未來

### The Future of Journalism

Is Rupert Murdoch right to predict the end of newspapers as we now know them?

Apr 21st 2005 | LONDON, NEW YORK AND SAN FRANCISCO | from the Economist

"I BELIEVE too many of us editors and reporters are out of touch with our readers," Rupert Murdoch, the boss of News Corporation, one of the world's largest media companies, told the American Society of Newspaper Editors last week. No wonder that people, and in particular the young, are ditching their newspapers. Today's teens, twenty- and thirty-somethings "don't want to rely on a god-like figure from above to tell them what's important," Mr. Murdoch said, "and they certainly don't want news presented as gospel." And yet, he went on, "as an industry, many of us have been remarkably, unaccountably, complacent."

The speech—astonishing not so much for what it said as for who said it—may go down in history as the day that the stodgy newspaper business officially woke up to the new realities of the internet age. Talking at times more like a pony-tailed, new-age technophile than a septuagenarian old-media god-like figure, Mr. Murdoch said that news "providers" such as his own organization had better get web-savvy, stop lecturing their audiences, "become places for conversation" and "destinations" where "bloggers" and "podcasters" congregate to "engage our reporters and editors in more extended discussions." He also criticised editors and reporters who often "think their readers are stupid".

Mr Murdoch's argument begins with the fact that newspapers worldwide have been—and seem destined to keep on—losing readers, and with them advertising revenue. In 1995-2003, says the World Association of Newspapers, circulation fell by 5% in America, 3% in Europe and 2% in Japan. In the 1960s, four out of five Americans read a paper every day; today only half do so. Philip Meyer, author of "The Vanishing Newspaper: Saving Journalism in the Information Age" (University of Missouri Press), says that if the trend continues, the last newspaper reader will recycle his final paper copy in April 2040.

Gotcha!

The decline of newspapers predates the internet. But the second—broadband—generation of the internet is not only accelerating it but is also changing the business in a way that the previous rivals to newspapers—radio and TV—never did. Older people, whom Mr Murdoch calls "digital immigrants", may not have noticed, but young "digital natives" increasingly get their news from web portals such as Yahoo! or Google, and from newer web media such as blogs. Short for "web logs", these are online journal entries of thoughts and web links that anybody can post. Whereas 56% of Americans haven't heard of blogs, and only 3% read them daily, among the young they are standard fare, with 44% of online Americans aged 18-29 reading them often, according to a poll by CNN/USA Today/Gallup.

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Blogs, moreover, are but one item on a growing list of new media tools that the internet makes available. Wikis are collaborative web pages that allow readers to edit and contribute. This, to digital immigrants, may sound like a recipe for anarchic chaos, until they visit, for instance, wikipedia.org, an online encyclopaedia that is growing dramatically richer by the day through exactly this spontaneous (and surprisingly orderly) collaboration among strangers. Photoblogs are becoming common; videoblogs are just starting. Podcasting (a conjunction of iPod, Apple's iconic audio player, and broadcasting) lets both professionals and amateurs produce audio files that people can download and listen to.

It is tempting, but wrong, for the traditional mainstream media (which includes The Economist) to belittle this sort of thing. It is true, for instance, that the vast majority of blogs are not worth reading and, in fact, are not read (although the same is true of much in traditional newspapers). On the other hand, bloggers play an increasingly prominent part in the wider media drama—witness their role in America's presidential election last year. The most popular bloggers now get as much traffic individually as the opinion pages of most newspapers. Many bloggers are windbags, but some are world experts in their field. Matthew Hindman, a political scientist at Arizona State University, found that the top bloggers are more likely than top newspaper columnists to have gone to a top university, and far more likely to have an advanced degree, such as a doctorate.

Another dangerous cliché is to consider bloggers intrinsically parasitic on (and thus, ultimately, no threat to) the traditional news business. True, many thrive on debunking, contradicting or analysing stories that originate in the old media. In this sense, the blogosphere is, so far, mostly an expanded op-ed medium. But there is nothing to suggest that bloggers cannot also do original reporting. Glenn Reynolds, whose political blog, Instapundit.com, counts 250,000 readers on a good day, often includes eyewitness accounts from people in Afghanistan or Shanghai, whom he considers “correspondents” in the original sense of the word.

“The basic notion is that if people have the tools to create their own content, they will do that, and that this will result in an emerging global conversation,” says Dan Gillmor, founder of Grassroots Media in San Francisco, and the author of “We the Media” (O'Reilly, 2004), a book about, well, grassroots journalism. Take, for instance, OhmyNews in South Korea. Its “main concept is that every citizen can be a reporter,” says Oh Yeon Ho, the boss and founder. Five years old, OhmyNews already has 2m readers and over 33,000 “citizen reporters”, all of them volunteers who contribute stories that are edited and fact-checked by some 50 permanent staff.

With so many new kinds of journalists joining the old kinds, it is also likely that new business models will arise to challenge existing ones. Some bloggers are allowing Google to place advertising links next to their postings, and thus get paid every time a reader of their blog clicks on them. Other bloggers, just like existing providers of specialist content, may ask for subscriptions to all, or part, of their content. Tip-jar systems, where readers click to make small payments to their favorite writers, are catching on. In one case last year, an OhmyNews article attacking an unpopular court verdict reaped \$30,000 in tips from readers, though most of the site's revenues come from advertising.

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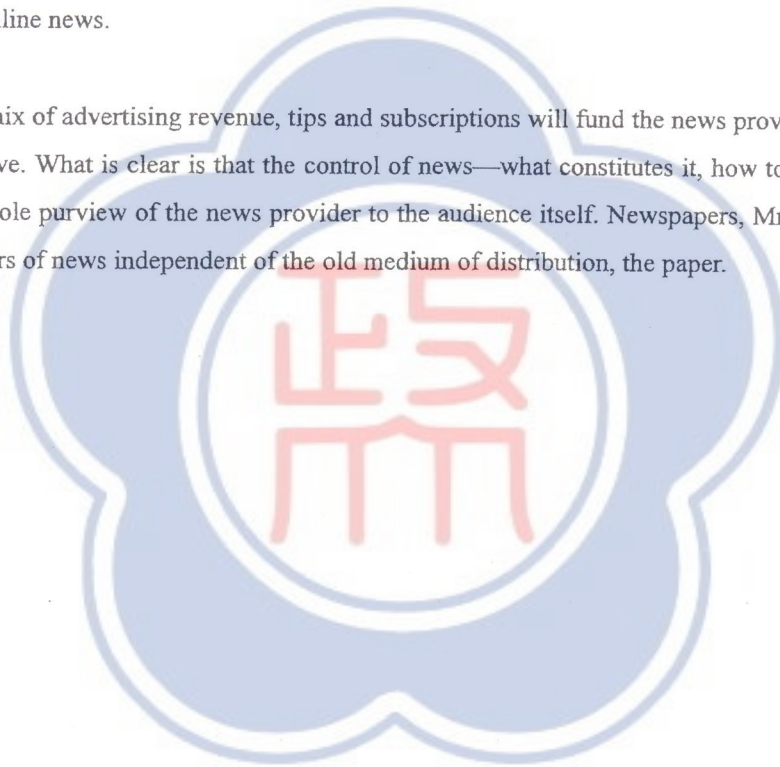
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The tone in these new media is radically different. For today's digital natives, says Mr. Gillmor, it is anathema to be lectured at. Instead, they expect to be informed as part of an online dialogue. They are at once less likely to write a traditional letter to the editor, and more likely to post a response on the web—and then to carry on the discussion. A letters page pre-selected by an editor makes no sense to them; spotting the best responses using the spontaneous voting systems of the internet does.

Even if established media groups—such as Mr Murdoch's—start to respond better to these changes, can they profit from them? Mr Murdoch says that some media firms, at least, will be able to navigate the transition as advertising revenue switches from print-based to electronic media. Indeed, this is one area where news providers can use technology to their advantage, by providing more targeted audiences for advertisers, both by interest group and location. He also thinks that video clips, which his firm can conveniently provide, will be crucial ingredients of online news.

But it remains uncertain what mix of advertising revenue, tips and subscriptions will fund the news providers of the future, and how large a role today's providers will have. What is clear is that the control of news—what constitutes it, how to prioritise it and what is fact—is shifting subtly from being the sole purview of the news provider to the audience itself. Newspapers, Mr. Murdoch implies, must learn to understand their role as providers of news independent of the old medium of distribution, the paper.

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## 附件六：致命的失意

## Fatal Distraction

Forgetting a child in the back seat of a hot, parked car is a horrifying, inexcusable mistake. But is it a crime?

By: Gene Weingarten March 8, 2009 (節錄自 The Washington Post, 此報導獲得 2010 年普立茲新聞獎)

The defendant was an immense man, well over 300 pounds, but in the gravity of his sorrow and shame he seemed larger still. He hunched forward in the sturdy wooden armchair that barely contained him, sobbing softly into tissue after tissue, a leg bouncing nervously under the table. In the first pew of spectators sat his wife, looking stricken, absently twisting her wedding band. The room was a sepulcher. Witnesses spoke softly of events so painful that many lost their composure. When a hospital emergency room nurse described how the defendant had behaved after the police first brought him in, she wept. He was virtually catatonic, she remembered, his eyes shut tight, rocking back and forth, locked away in some unfathomable private torment. He would not speak at all for the longest time, not until the nurse sank down beside him and held his hand. It was only then that the patient began to open up, and what he said was that he didn't want any sedation, that he didn't deserve a respite from pain, that he wanted to feel it all, and then to die.

The charge in the courtroom was manslaughter, brought by the Commonwealth of Virginia. No significant facts were in dispute. Miles Harrison, 49, was an amiable person, a diligent businessman and a doting, conscientious father until the day last summer -- beset by problems at work, making call after call on his cellphone -- he forgot to drop his son, Chase, at day care. The toddler slowly sweltered to death, strapped into a car seat for nearly nine hours in an office parking lot in Herndon in the blistering heat of July.

It was an inexplicable, inexcusable mistake, but was it a crime? That was the question for a judge to decide.

At one point, during a recess, Harrison rose unsteadily to his feet, turned to leave the courtroom and saw, as if for the first time, that there were people witnessing his disgrace. The big man's eyes lowered. He swayed a little until someone steadied him, and then he gasped out in a keening falsetto: "My poor baby!"

A group of middle-schoolers filed into the room for a scheduled class trip to the courthouse. The teacher clearly hadn't expected this; within a few minutes, the wide-eyed kids were hustled back out.

The trial would last three days. Sitting through it, side by side in the rear of the courtroom, were two women who had traveled hours to get there. Unlike almost everyone else on the spectator benches, they were not relatives or co-workers or close friends of the accused.

"... the lower portion of the body was red to red-purple. . ."

As the most excruciating of the evidence came out, from the medical examiner, the women in the back drew closer together, leaning in to each other.

"... a green discoloration of the abdomen . . . autolysis of the organs . . . what we call skin slippage . . . the core body temperature

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reaches 108 degrees when death ensues."

Mary -- the older, shorter one -- trembled. Lyn -- the younger, taller one with the long, strawberry-blond hair -- gathered her in, one arm around the shoulder, the other across their bodies, holding hands.

When the trial ended, Lyn Balfour and Mary Parks left quietly, drawing no attention to themselves. They hadn't wanted to be there, but they'd felt a duty, both to the defendant and, in a much more complicated way, to themselves.

It was unusual, to say the least: three people together in one place, sharing the same heartbreaking history. All three had accidentally killed their babies in the identical, incomprehensible, modern way.

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**Death by hyperthermia is the official designation.** When it happens to young children, the facts are often the same: An otherwise loving and attentive parent one day gets busy, or distracted, or upset, or confused by a change in his or her daily routine, and just... forgets a child is in the car. It happens that way somewhere in the United States 15 to 25 times a year, parceled out through the spring, summer and early fall. The season is almost upon us.

Two decades ago, this was relatively rare. But in the early 1990s, car-safety experts declared that passenger-side front airbags could kill children, and they recommended that child seats be moved to the back of the car; then, for even more safety for the very young, that the baby seats be pivoted to face the rear. If few foresaw the tragic consequence of the lessened visibility of the child... well, who can blame them? What kind of person forgets a baby?

The wealthy do, it turns out. And the poor, and the middle class. Parents of all ages and ethnicities do it. Mothers are just as likely to do it as fathers. It happens to the chronically absent-minded and to the fanatically organized, to the college-educated and to the marginally literate. In the last 10 years, it has happened to a dentist. A postal clerk. A social worker. A police officer. An accountant. A soldier. A paralegal. An electrician. A Protestant clergyman. A rabbinical student. A nurse. A construction worker. An assistant principal. It happened to a mental health counselor, a college professor and a pizza chef. It happened to a pediatrician. It happened to a rocket scientist.

Last year it happened three times in one day, the worst day so far in the worst year so far in a phenomenon that gives no sign of abating.

The facts in each case differ a little, but always there is the terrible moment when the parent realizes what he or she has done, often through a phone call from a spouse or caregiver. This is followed by a frantic sprint to the car. What awaits there is the worst thing in the world.

Each instance has its own macabre signature. One father had parked his car next to the grounds of a county fair; as he discovered his son's body, a calliope tootled merrily beside him. Another man, wanting to end things quickly, tried to wrestle a gun from a police



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<p>officer at the scene. Several people -- including Mary Parks of Blacksburg -- have driven from their workplace to the day-care center to pick up the child they'd thought they'd dropped off, never noticing the corpse in the back seat.</p> <p>Then there is the Chattanooga, Tenn., business executive who must live with this: His motion-detector car alarm went off, three separate times, out there in the broiling sun. But when he looked out, he couldn't see anyone tampering with the car. So he remotely deactivated the alarm and went calmly back to work.</p> <p>***</p> <p><b>There may be no act of human failing that more fundamentally challenges our society's views about crime, punishment, justice and mercy.</b> According to statistics compiled by a national child's safety advocacy group, in about 40 percent of cases authorities examine the evidence, determine that the child's death was a terrible accident -- a mistake of memory that delivers a lifelong sentence of guilt far greater than any a judge or jury could mete out -- and file no charges. In the other 60 percent of the cases, parsing essentially identical facts and applying them to essentially identical laws, authorities decide that the negligence was so great and the injury so grievous that it must be called a felony, and it must be aggressively pursued.</p> <p>As it happens, just five days before Miles Harrison forgot his toddler son in the parking lot of the Herndon corporate-relocation business where he worked, a similar event had occurred a few hundred miles southeast. After a long shift at work, a Portsmouth, Va., sanitation department electrician named Andrew Culpepper picked up his toddler son from his parents, drove home, went into the house and then fell asleep, forgetting he'd had the boy in the car, leaving him to bake to death outside his home.</p> <p>Harrison was charged with a crime. Culpepper was not. In each case, the decision fell to one person.</p> <p>With Harrison, it was Ray Morrogh, the Fairfax commonwealth's attorney. In an interview a few days after he brought the charge of involuntary manslaughter, Morrogh explained why.</p> <p>"There is a lot to be said for reaffirming people's obligations to protect their children," he said. "When you have children, you have responsibilities. I am very strong in the defense of children's safety."</p> <p>Morrogh has two kids himself, ages 12 and 14. He was asked if he could imagine this ever having happened to him. The question seemed to take him aback. He went on to another subject, and then, 10 minutes later, made up his mind:</p> <p>"I have to say no, it couldn't have happened to me. I am a watchful father."</p> <p>In Portsmouth, the decision not to charge Culpepper, 40, was made by Commonwealth's Attorney Earle Mobley. As tragic as the child's death was, Mobley says, a police investigation showed that there was no crime because there was no intent; Culpepper wasn't callously gambling with the child's life -- he had forgotten the child was there.</p> <p>"The easy thing in a case like this is to dump it on a jury, but that is not the right thing to do," Mobley says. A prosecutor's responsibility, he says, is to achieve justice, not to settle some sort of score.</p>					
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<p>"I'm not pretty sure I made the right decision," he says. "I'm positive I made the right decision."</p> <p>There may be no clear right or wrong in deciding how to handle cases such as these; in each case, a public servant is trying to do his best with a Solomonic dilemma. But public servants are also human beings, and they will inevitably bring to their judgment the full weight of that complicated fact.</p> <p>"You know, it's interesting we're talking today," Mobley says.</p> <p>He has five children. Today, he says, is the birthday of his sixth.</p> <p>"She died of leukemia in 1993. She was almost 3."</p> <p>Mobley pauses. He doesn't want to create the wrong impression.</p> <p>He made the decision on the law, he says, "but I also have some idea what it feels like, what it does to you, when you lose a child."</p> <p>So, after his son's death, Andrew Culpepper was sent home to try to live the remainder of his life with what he had done. After his son's death, Miles Harrison was charged with a felony. His mug shot was in the newspapers and on TV, with the haunted, hunted, naked-eyed look these parents always have, up against the wall. He hired an expensive lawyer. Over months, both sides developed their cases. Witnesses were assembled and interviewed. Efforts at a plea bargain failed. The trial began.</p> <p>The court heard how Harrison and his wife had been a late-40s childless couple desperately wanting to become parents, and how they'd made three visits to Moscow, setting out each time on a grueling 10-hour railroad trip to the Russian hinterlands to find and adopt their 18-month-old son from an orphanage bed he'd seldom been allowed to leave. Harrison's next-door neighbor testified how she'd watched the new father giddily frolic on the lawn with his son. Harrison's sister testified how she had worked with her brother and sister-in-law for weeks to find the ideal day-care situation for the boy, who would need special attention to recover from the effects of his painfully austere beginnings.</p> <p>From the witness stand, Harrison's mother defiantly declared that Miles had been a fine son and a perfect, loving father. Distraught but composed, Harrison's wife, Carol, described the phone call that her husband had made to her right after he'd discovered what he'd done, the phone call she'd fielded on a bus coming home from work. It was, she said, unintelligible screaming.</p> <p>In the end, Fairfax County Circuit Court Judge R. Terence Ney found Miles Harrison not guilty. There was no crime, he said, citing the identical legal reasons Earle Mobley had cited for not charging Andrew Culpepper in the first place.</p> <p>At the verdict, Harrison gasped, sobbed, then tried to stand, but the man had nothing left. His legs buckled, and he crashed pathetically to his knees.</p> <p>***</p> <p>So, if it's not manslaughter, what is it? An accident?</p>					
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"No, that's an imperfect word."

This is Mark Warschauer, an internationally acclaimed expert in language learning and technology, professor of education at the University of California at Irvine.

"The word 'accident' makes it sound like it can't be prevented," Warschauer says, "but 'incident' makes it sound trivial. And it is not trivial."

Warschauer is a Fulbright scholar, specializing in the use of laptops to spread literacy to children. In the summer of 2003, he returned to his office from lunch to find a crowd surrounding a car in the parking lot. Police had smashed the window open with a crowbar. Only as he got closer did Warschauer realize it was his car. That was his first clue that he'd forgotten to drop his 10-month-old son, Mikey, at day care that morning. Mikey was dead.

Warschauer wasn't charged with a crime, but for months afterward he contemplated suicide. Gradually, he says, the urge subsided, if not the grief and guilt.

"We lack a term for what this is," Warschauer says. And also, he says, we need an understanding of why it happens to the people it happens to.

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David Diamond is picking at his breakfast at a Washington hotel, trying to explain.

"Memory is a machine," he says, "and it is not flawless. Our conscious mind prioritizes things by importance, but on a cellular level, our memory does not. If you're capable of forgetting your cellphone, you are potentially capable of forgetting your child."

Diamond is a professor of molecular physiology at the University of South Florida and a consultant to the veterans hospital in Tampa. He's here for a national science conference to give a speech about his research, which involves the intersection of emotion, stress and memory. What he's found is that under some circumstances, the most sophisticated part of our thought-processing center can be held hostage to a competing memory system, a primitive portion of the brain that is -- by a design as old as the dinosaur's -- inattentive, pigheaded, nonanalytical, stupid.

Diamond is the memory expert with a lousy memory, the one who recently realized, while driving to the mall, that his infant granddaughter was asleep in the back of the car. He remembered only because his wife, sitting beside him, mentioned the baby. He understands what could have happened had he been alone with the child. Almost worse, he understands exactly why.

The human brain, he says, is a magnificent but jury-rigged device in which newer and more sophisticated structures sit atop a junk heap of prototype brains still used by lower species. At the top of the device are the smartest and most nimble parts: the prefrontal cortex, which thinks and analyzes, and the hippocampus, which makes and holds on to our immediate memories. At the bottom is the basal ganglia, nearly identical to the brains of lizards, controlling voluntary but barely conscious actions.

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<p>Diamond says that in situations involving familiar, routine motor skills, the human animal presses the basal ganglia into service as a sort of auxiliary autopilot. When our prefrontal cortex and hippocampus are planning our day on the way to work, the ignorant but efficient basal ganglia is operating the car; that's why you'll sometimes find yourself having driven from point A to point B without a clear recollection of the route you took, the turns you made or the scenery you saw.</p> <p>Ordinarily, says Diamond, this delegation of duty "works beautifully, like a symphony. But sometimes, it turns into the '1812 Overture.' The cannons take over and overwhelm."</p> <p>By experimentally exposing rats to the presence of cats, and then recording electrochemical changes in the rodents' brains, Diamond has found that stress -- either sudden or chronic -- can weaken the brain's higher-functioning centers, making them more susceptible to bullying from the basal ganglia. He's seen the same sort of thing play out in cases he's followed involving infant deaths in cars.</p> <p>"The quality of prior parental care seems to be irrelevant," he said. "The important factors that keep showing up involve a combination of stress, emotion, lack of sleep and change in routine, where the basal ganglia is trying to do what it's supposed to do, and the conscious mind is too weakened to resist. What happens is that the memory circuits in a vulnerable hippocampus literally get overwritten, like with a computer program. Unless the memory circuit is rebooted -- such as if the child cries, or, you know, if the wife mentions the child in the back -- it can entirely disappear."</p> <p>Diamond stops.</p> <p>"There is a case in Virginia where this is exactly what happened, the whole set of stress factors. I was consulted on it a couple of years ago. It was a woman named, ah . . ."</p> <p>He puts down his fork, searches the ceiling, the wall, the floor, then shakes his head. He's been stressing over his conference speech, he says, and his memory retrieval is shot. He can't summon the name.</p> <p>Lyn Balfour?</p> <p>"Yeah, Lyn Balfour! The perfect storm."</p> <p>***</p> <p><b>It's mid-October. Lyn Balfour is on her cellphone</b>, ordering a replacement strap for a bouncy seat for the new baby and simultaneously trying to arrange for an emergency sitter, because she has to get to the fertility clinic, pronto, because she just got lab results back, and she's ovulating, and her husband's in Iraq, and she wants to get artificially inseminated with his sperm, like right now; but, crap, the sitter is busy, so she grabs the kid and the keys and the diaper bag and is out the door and in the car and gone. But now the baby is fussing, so she's reaching back to give him a bottle of juice, one eye on him and the other on a seemingly endless series of hairpin turns that she negotiates adroitly.</p> <p>"Actually," she laughs, "I'm getting better about not doing too much at once. I've been simplifying my life a lot."</p>					
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<p>Raelyn Balfour is what is commonly called a type-A personality. She is the first to admit that her temperament contributed to the death of her son, Bryce, two years ago. It happened on March 30, 2007, the day she accidentally left the 9-month-old in the parking lot of the Charlottesville judge advocate general's office, where she worked as a transportation administrator. The high temperature that day was only in the 60s, but the biometrics and thermodynamics of babies and cars combine mercilessly: Young children have lousy thermostats, and heat builds quickly in a closed vehicle in the sun. The temperature in Balfour's car that day topped 110 degrees.</p> <p>There's a dismayingly cartoonish expression for what happened to Lyn Balfour on March 30, 2007. British psychologist James Reason coined the term the "Swiss Cheese Model" in 1990 to explain through analogy why catastrophic failures can occur in organizations despite multiple layers of defense. Reason likens the layers to slices of Swiss cheese, piled upon each other, five or six deep. The holes represent small, potentially insignificant weaknesses. Things will totally collapse only rarely, he says, but when they do, it is by coincidence -- when all the holes happen to align so that there is a breach through the entire system.</p> <p>On the day Balfour forgot Bryce in the car, she had been up much of the night, first babysitting for a friend who had to take her dog to an emergency vet clinic, then caring for Bryce, who was cranky with a cold. Because the baby was also tired, he uncharacteristically dozed in the car, so he made no noise. Because Balfour was planning to bring Bryce's usual car seat to the fire station to be professionally installed, Bryce was positioned in a different car seat that day, not behind the passenger but behind the driver, and was thus not visible in the rear-view mirror. Because the family's second car was on loan to a relative, Balfour drove her husband to work that day, meaning the diaper bag was in the back, not on the passenger seat, as usual, where she could see it. Because of a phone conversation with a young relative in trouble, and another with her boss about a crisis at work, Balfour spent most of the trip on her cell, stressed, solving other people's problems. Because the babysitter had a new phone, it didn't yet contain Balfour's office phone number, only her cell number, meaning that when the sitter phoned to wonder why Balfour hadn't dropped Bryce off that morning, it rang unheard in Balfour's pocketbook.</p> <p>The holes, all of them, aligned.</p> <p>There is no consistent character profile of the parent who does this to his or her child. The 13 who were interviewed for this story include the introverted and extroverted; the sweet, the sullen, the stoic and the terribly fragile. None of those descriptions exactly fits Lyn Balfour, a 37-year-old Army reservist who has served in combat zones and who seems to remain -- at least on the subject of the death of her son -- in battle.</p> <p>"I don't feel I need to forgive myself," she says plainly, "because what I did was not intentional."</p> <p>Balfour is tall and stands taller, moving with a purposeful, swinging stride. She's got a weak chin but a strong mouth that she uses without much editing. She's funny and brassy and in your face, the sort of person you either like or don't like, right away.</p> <p>It had been Balfour's idea to go to the trial of Miles Harrison, and it was she who walked up to Harrison in the hallway during a break, pushed past a crowd and threw her arms around his neck, pulling him close. For almost a full minute, she whispered in his ear.</p>					
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<p>His eyes grew wider, and then he sobbed into her shoulder like a baby. What she had told him was who she was and that she knows he'd been a good, loving father, and he must not be ashamed.</p> <p>Balfour grew up medium-poor in Michigan. There was a man she'd been told was her father and a close family friend who, she later learned, was actually her father. Her two sets of grandparents wound up divorcing each other, then switching partners. There was alcoholism, divorce, a battle for custody. When Balfour turned 18, she was ready for the discipline of the Army.</p> <p>She served in Bosnia and twice in Iraq, where she specialized in intelligence analysis and construction management, and where she discovered a skill at juggling a dozen things at once. She won a Bronze Star for managing \$47 million in projects without mislaying a penny. She got married, had a son, divorced, met Jarrett Balfour and within a month decided this handsome, younger man would be her husband. Eighteen months later, he was. Bryce was their first child together. Braiden, conceived with Jarrett's sperm when he was in Iraq, is their second. Today, in the same way, they're trying for a third.</p> <p>Balfour has stopped at the fertility clinic for her procedure, and she's now driving to the JAG school, to demonstrate where and how her son's death happened. Down the road to the right is where she dropped Jarrett off at work, which was not customary, and which she theorizes put a subconscious check mark in her brain: Delivery made. Now she's pointing out the house of the babysitter she'd driven obliviously past as she talked to her boss about a scheduling snafu and to her nephew about helping to pay his gambling debts. And here is the parking lot of the JAG school, on the University of Virginia campus. She's pulling into the same spot she was parked in that day, the place where Bryce died.</p> <p>"It was like this, except these two spots next to us were empty," she notes blandly as she gets out of the car, gathers her keys and leans in to get the diaper bag.</p> <p>There is an almost pugnacious matter-of-factness about Lyn Balfour that can seem disconcerting, particularly if you have a preconception about how a person in her circumstances is supposed to face the world.</p> <p>You might expect, for example, that she has gotten another car. But this black Honda Pilot with the pink Tinkerbell steering wheel cover is the same car Bryce died in, just inches from where Balfour is bending over Braiden to unstrap him.</p> <p>"It didn't make financial sense to get a new car," she says.</p> <p>Balfour's eyes are impassive. Her attitude is clear:</p> <p>You got a problem with that?</p> <p>***</p> <p>Not all cases of infant hyperthermia in cars are like the ones this article is about: simple if bewildering lapses of memory by an otherwise apparently good parent. In other types of cases, there is a history of prior neglect, or evidence of substance abuse.</p>					
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Sometimes, the parent knowingly left the child in the car, despite the obvious peril. In one particularly egregious instance, a mother used her locked car as an inexpensive substitute for day care. When hyperthermia deaths are treated as crimes, these are the ones that tend to result in prison sentences.

Cases like Lyn Balfour's, when prosecuted, typically end in some sort of compromise: a plea to a reduced charge, sometimes with probation and a suspended sentence, sometimes with community service. Going all the way to trial is a relative rarity.

What happened to Balfour was even rarer. She was charged not with manslaughter, but with second-degree murder, carrying a possible prison sentence of up to 40 years. And as a condition of remaining free on bond, the court prohibited her from being alone with any minors, including her own teenage son.

So Balfour hired John Zwerling, a top-gun criminal defense lawyer from Alexandria. That meant that Jarrett Balfour, an employee of a civilian military contractor, had no choice but to take an assignment in Iraq. The extra combat pay would be needed for legal expenses. Lyn Balfour would have to face this alone.

That is when she began to move past grief and guilt and paralyzing self-doubt to a very specific, very focused anger.

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John Zwerling presents a passable version of Nero Wolfe, Rex Stout's portly, eccentric genius hero of detective fiction. Zwerling's law offices are in a handsome Old Town townhouse with dark walnut molding and dark wooden shutters. The boss is the guy with the Santa beard sitting in the chair with a hole in the leather, in jeans and a shirt with a big stain, the front buttons laboring mightily to do their job.

Zwerling's first task, he says, was to make the case that second-degree murder was a preposterous charge in a case lacking even the faintest whisper of intent. That, he did. After a preliminary hearing, the charge was reduced to involuntary manslaughter. Zwerling's second and more daunting job was to craft a defense for a case that was being prosecuted with what at times seemed like theatrical zeal.

Here is how Assistant Commonwealth's Attorney Elizabeth Killeen would sum it up before the jury: "This little boy's life did not have to end this way, on a hospital gurney. Deceased. Dead. His life squandered, and gone forever."

In the end, Zwerling had one key decision to make. In criminal cases, jurors want to hear from the defendant. Zwerling liked and respected Balfour, but should he put her on the stand?

"Have you met her?" he asks.

Yes.

"Then you've seen that mental girdle she puts on, the protective armor against the world, how she closes up and becomes a soldier.

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It helps her survive, but it can seem off-putting if you're someone who wants to see how crushed she is." Zwerling decided not to risk it.

"I wound up putting her on the stand in a different way," he says, "so people could see the real Lyn -- vulnerable, with no guile, no posturing."

What Zwerling did was play two audiotapes for the jury. One was Balfour's interrogation by police in the hospital about an hour after Bryce's death; her answers are immeasurably sad, almost unintelligible, half sob, half whisper: "I killed my baby," she says tremulously. "Oh, God, I'm so sorry."

The second tape was a call to 911 made by a passerby, in those first few seconds after Balfour discovered the body and beseeched a stranger to summon help.

Zwerling swivels to his computer, punches up an audio file.

"Want to hear it?"

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**Balfour is reenacting her movements** from that day after work. She walks from her cubicle in room 153A of the JAG school, out to the front of the building. By mid-afternoon she had finally checked her cell and discovered she'd missed an early morning call from her babysitter. She called back, but got only voice mail. It didn't worry her. She and the babysitter were friends, and they talked often about all sorts of things. Balfour left a message asking for a callback.

It came when she was standing where she is now, on a spacious stone patio in front of the JAG school, heading toward the parking lot. As it happens, there is a Civil War-era cannon that is aimed, with unsettling irony, exactly where she stands.

The babysitter asked Balfour where Bryce was. Balfour said: "What do you mean? He's with you."

It is 60 feet to the end of the patio, then a stairwell with 11 steps down, then two steps across, then a second stairwell, 12 steps down, one more off the curb and then a 30-foot sprint to the car. Balfour estimates the whole thing took half a minute or less. She knew it was too late when, through the window, she saw Bryce's limp hand, and then his face, unmarked but lifeless and shiny, Balfour says, "like a porcelain doll."

It was seconds later that the passerby called 911.

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**The tape is unendurable.** Mostly, you hear a woman's voice, tense but precise, explaining to a police dispatcher what she is seeing. Initially, there's nothing in the background. Then Balfour howls at the top of her lungs, "OH, MY GOD, NOOOO!"



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<p>Then, for a few seconds, nothing.</p> <p>Then a deafening shriek: "NO, NO, PLEASE, NO!!!!"</p> <p>Three more seconds, then:</p> <p>"PLEASE, GOD, NO, PLEASE!!!!"</p> <p>What is happening is that Balfour is administering CPR. At that moment, she recalls, she felt like two people occupying one body: Lyn, the crisply efficient certified combat lifesaver, and Lyn, the incompetent mother who would never again know happiness. Breathe, compress, breathe, compress. Each time that she came up for air, she lost it. Then, back to the patient.</p> <p>After hearing this tape, the jury deliberated for all of 90 minutes, including time for lunch. The not-guilty verdict was unanimous.</p> <p>***</p> <p>"I didn't feel this case should ever have been brought," says juror Colin Rosse, a retired radio executive. "It may have been negligence, but it was an honest mistake."</p> <p>Jury foreman James Schlothauer, an inspections official for the county government, doesn't fault the prosecution; Balfour's case was complex, he says, and the facts needed an airing. But the facts, he says, also made the verdict a slam dunk. It was "a big doggone accident," he says, that might have happened to anyone.</p> <p>To anyone?</p> <p>Schlothauer hesitates.</p> <p>"Well, it happened to me."</p> <p>The results were not catastrophic, Schlothauer says, but the underlying malfunction was similar: Busy and stressed, he and his wife once got their responsibilities confused, and neither stopped at day care for their daughter at the end of the day.</p> <p>"We both got home, and it was, 'Wait, where's Lily?' 'I thought you got her!' 'I thought you got her!' "</p> <p>What if that mix-up had happened at the beginning of the day?</p> <p>"To anyone," Schlothauer says.</p> <p>***</p> <p>There is no national clearinghouse for cases of infant hyperthermia, no government agency charged with data collection and oversight. The closest thing is in the basement office of a comfortable home in suburban Kansas City, Kan., where a former sales and</p>					
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marketing executive named Janette Fennell runs a nonprofit organization called Kids and Cars. Kids and Cars lobbies for increased car safety for children, and as such maintains one of the saddest databases in America.

Fennell is on a sofa, her bare feet tucked under her, leafing through files. Amber, her college intern, walks up and plops a fax of a new wire service story on the table. "Frontover," Amber says. "Parking lot, North Carolina."

There's a grisly terminology to this business. "Backovers" happen when you look in the rearview mirror and fail to see the child behind the car, or never look at all. "Frontovers" occur almost exclusively with pickups and SUVs, where the driver sits high off the ground. There are "power window strangulations" and "cars put in motion by child" and, finally, "hyperthermia."

In a collage on Fennell's wall are snapshots of dozens of infants and toddlers, some proudly holding up fingers, as if saying, "I'm 2!" Or "I'm 3!" The photos, typically, are from their final birthdays.

Fennell has met or talked with many of the parents in the hyperthermia cases, and some now work with her organization. She doesn't seek them out. They find her name, often late at night, sleeplessly searching the Web for some sign that there are others who have lived in the same hell and survived. There is a general misconception, Fennell says, about who these people are: "They tend to be the doting parents, the kind who buy baby locks and safety gates." These cases, she says, are failures of memory, not of love.

Fennell has an expression that's half smile, half wince. She uses it often.

"Some people think, 'Okay, I can see forgetting a child for two minutes, but not eight hours.' What they don't understand is that the parent in his or her mind has dropped off the baby at day care and thinks the baby is happy and well taken care of. Once that's in your brain, there is no reason to worry or check on the baby for the rest of the day."

Fennell believes that prosecuting parents in this type of case is both cruel and pointless: It's not as though the fear of a prison sentence is what will keep a parent from doing this.

The answer to the problem, Fennell believes, lies in improved car safety features and in increased public awareness that this can happen, that the results of a momentary lapse of memory can be horrifying.

What is the worst case she knows of?

"I don't really like to . . ." she says.

She looks away. She won't hold eye contact for this.

"The child pulled all her hair out before she died."

For years, Fennell has been lobbying for a law requiring back-seat sensors in new cars, sensors that would sound an alarm if a child's weight remained in the seat after the ignition is turned off. Last year, she almost succeeded. The 2008 Cameron Gulbransen Kids' Transportation Safety Act -- which requires safety improvements in power windows and in rear visibility, and protections against a



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<p>child accidentally setting a car in motion -- originally had a rear seat-sensor requirement, too. It never made the final bill; sponsors withdrew it, fearing they couldn't get it past a powerful auto manufacturers' lobby.</p> <p>There are a few aftermarket products that alert a parent if a child remains in a car that has been turned off. These products are not huge sellers. They have likely run up against the same marketing problem that confronted three NASA engineers a few years ago.</p> <p>In 2000, Chris Edwards, Terry Mack and Edward Modlin began to work on just such a product after one of their colleagues, Kevin Shelton, accidentally left his 9-month-old son to die in the parking lot of NASA Langley Research Center in Hampton, Va. The inventors patented a device with weight sensors and a keychain alarm. Based on aerospace technology, it was easy to use; it was relatively cheap, and it worked.</p> <p>Janette Fennell had high hopes for this product: The dramatic narrative behind it, she felt, and the fact that it came from NASA, created a likelihood of widespread publicity and public acceptance.</p> <p>That was five years ago. The device still isn't on the shelves. The inventors could not find a commercial partner willing to manufacture it. One big problem was liability. If you made it, you could face enormous lawsuits if it malfunctioned and a child died. But another big problem was psychological: Marketing studies suggested it wouldn't sell well.</p> <p>The problem is this simple: People think this could never happen to them.</p> <p>***</p> <p>"I was that guy, before. I'd read the stories, and I'd go, 'What were those parents thinking?' "</p> <p>Mikey Terry is a contractor from Maypearl, Tex., a big man with soft eyes. At the moment he realized what he'd done, he was in the cab of a truck and his 6-month-old daughter, Mika, was in a closed vehicle in the broiling Texas sun in a parking lot 40 miles away. So his frantic sprint to the car was conducted at 100 miles an hour in a 30-foot gooseneck trailer hauling thousands of pounds of lumber the size of telephone poles.</p> <p>On that day in June 2005, Terry had been recently laid off, and he'd taken a day job building a wall in the auditorium of a Catholic church just outside of town. He'd remembered to drop his older daughter at day care, but as he was driving the baby to a different day care location, he got a call about a new permanent job. This really caught his attention. It was a fatal distraction.</p> <p>Terry, 35, wasn't charged with a crime. His punishment has been more subtle.</p> <p>The Terrys are Southern Baptists. Before Mika's death, Mikey Terry says, church used to be every Sunday, all day Sunday, morning Bible study through evening meal. He and his wife, Michele, don't go much anymore. It's too confusing, he says.</p> <p>"I feel guilty about everyone in church talking about how blessed we all are. I don't feel blessed anymore. I feel I have been wronged by God. And that I have wronged God. And I don't know how to deal with that."</p>					
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<p>Four years have passed, but he still won't go near the Catholic church he'd been working at that day. As his daughter died outside, he was inside, building a wall on which would hang an enormous crucifix.</p> <p>***</p> <p>"This is a case of pure evil negligence of the worse kind . . . He deserves the death sentence."</p> <p>"I wonder if this was his way of telling his wife that he didn't really want a kid."</p> <p>"He was too busy chasing after real estate commissions. This shows how morally corrupt people in real estate-related professions are."</p> <p>These were readers' online comments to The Washington Post news article of July 10, 2008, reporting the circumstances of the death of Miles Harrison's son. These comments were typical of many others, and they are typical of what happens again and again, year after year in community after community, when these cases arise. A substantial proportion of the public reacts not merely with anger, but with frothing vitriol.</p> <p>Ed Hickling believes he knows why. Hickling is a clinical psychologist from Albany, N.Y., who has studied the effects of fatal auto accidents on the drivers who survive them. He says these people are often judged with disproportionate harshness by the public, even when it was clearly an accident, and even when it was indisputably not their fault.</p> <p>Humans, Hickling said, have a fundamental need to create and maintain a narrative for their lives in which the universe is not implacable and heartless, that terrible things do not happen at random, and that catastrophe can be avoided if you are vigilant and responsible.</p> <p>In hyperthermia cases, he believes, the parents are demonized for much the same reasons. "We are vulnerable, but we don't want to be reminded of that. We want to believe that the world is understandable and controllable and unthreatening, that if we follow the rules, we'll be okay. So, when this kind of thing happens to other people, we need to put them in a different category from us. We don't want to resemble them, and the fact that we might is too terrifying to deal with. So, they have to be monsters."</p> <p>After Lyn Balfour's acquittal, this comment appeared on the Charlottesville News Web site:</p> <p>"If she had too many things on her mind then she should have kept her legs closed and not had any kids. They should lock her in a car during a hot day and see what happens."</p> <p>[End of Article]</p>					
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