



HUBEI JINGGUAN XUEYUAN XUEBAO

湖北警官学院

JOURNAL OF HUBEI UNIVERSITY OF POLICE

学报

2013.7

国际标准刊号:ISSN1673-2391

国内统一刊号:CN42-1743/D

目 录

警察管理

- 警察与媒体新型协作机制间转换常态化研究 吴艳君(6)
警察与检察官职权关系之我见 王硕,王博(12)
公安民警武器控制使用的思考 付新河(15)

侦查研究

- 犯罪嫌疑人的需要、动机构成与讯问对策 徐加庆(19)
公安情报预警有效性分析 李越(22)
论侦查秘密性原则与新闻媒体报道自由之博弈 孙亚丽(25)

治安管理

- 对加强民爆物品安全管理工作的思考 张家忠,周宝坤(28)
广西边防陆路口岸限定区域管理之我见 尹亮(31)
消防应急救援功能现状及完善措施 李磊(34)

法理学研究

- 论法社会学的兴起 何红丽(36)
当代中国法律文化建设路径探析 冯勇(39)
浅析德国基本权利的水平效力 藏晓冰(42)

宪政研究

- 论我国《统计法》中法律责任的合理化设定 徐明(44)
地方行政收费的法律控制

——从法律控制论的视角出发 邵焕(48)

- 论我国药品安全监管体制的优化与完善 王国瑞(51)

刑事法学研究

- 权利行使与财产犯罪之界限研究 胡亚龙(54)

微博语境下诽谤罪之思考

——以个人用户的“发布”“转发”为切入点 彭云杰(59)

- “李庄案”的法理学思考 王科(64)

- 网络裸聊行为的刑法评价和规制 彭长生,李中一(67)

民商法学研究

- 浅析我国表见代理制度 王颖(69)

- 我国宅基地置换模式比较研究 杭丹维(73)

- 小产权房合法化前提探究 刘永江(77)

- 论死亡赔偿金的法律性质 成继平(80)

- 论高校承担安全保障义务的法理依据 余婷婷(84)

- 我国地理标志的法律保护 吕克强(86)

- 职务专利归属制度重构 杨博闻,邱敏(88)

论股权转让合同与股权变动的区分

——股权转让问题的新视角 刘文湘(92)

- 公司经营情况与司法解散诉讼结果实证研究 邹亭江(96)

经济法学研究

- 公私合作制下公共利益损害的司法救济与责任担当 邓敏贞(98)

小微企业政策扶持时期法律对策研究	姚继昌(103)
论经营者商业秘密权与消费者知情权的冲突与协调	刘 红(107)
我国影子银行体系监管的法律思考 ——美国影子银行监管框架对我国的启示	彭江莱(110)
后经济危机时代金融消费者的权益保护 ——以求偿权为中心的分析	肖 滨(113)
法制史研究	
清代土木营造保固制度探析	王华丽(115)
论矜老原则的历史沿革与当代传承	周 慧(119)
诉讼法学研究	
重构刑事错案无辜者发现机制之思考	邹易材(122)
英美法系专家证人资格研究	丁丽玮,戴志昌(126)
刑事再审检察建议相关问题研究	蓝 林,潘基俊(129)
指定居所监视居住废除论	卜 祯(132)
刑事附带民事诉讼中交强险应赔偿精神损害抚慰金	柳 沛(135)
重金属污染区居民饮食习惯与健康损害的因果关系调查研究	胡向阳(137)
论我国行政诉讼调解制度的困境与出路	刘玉龙(141)
司法制度研究	
“重新回归”视野下的法院调解利弊分析	周飞翔(144)
浅议我国量刑规范化原则的完善	高伟凡(147)
检察官论坛	
论中国特色未成年人犯罪前科消灭制度的构建 ——以中外未成年人犯罪前科消灭制度的比较研究为视角	孙长柱(149)
浅谈新刑事诉讼法对证据制度的完善 ——从新刑事诉讼法对公诉工作影响的视角分析	毕道群,蒋 林(153)
对我国刑事简易程序的思考 ——以新刑事诉讼法实施为视角	张 静(156)
论我国行政公诉制度的构建	刘宏成(159)
犯罪学研究	
网络群体性事件的犯罪学分析	任 韬(161)
浅析 21 世纪以来中国犯罪现象	郭林杰(164)
公安科技	
浅谈检验假火车票	裴吉满,王 峤(166)
可见光谱成像技术在手印显现中的应用	齐宇颂(169)
98 例交通事故死亡案例法医学分析	侯振宇(172)
塑料表面手印的紫外光谱特性研究	杨志超(174)
对练习摹仿签名笔迹的检验	舒 新,汪田意(176)
公安教育	
公安边防院校学员军事体能素质的现状与对策	易建取(178)
公安高等教育内涵式发展战略研究	朱珍华(182)
关于公安院校网络安全工作的几点思考	刘 君(185)
公安院校加强人文素质的重要性刍议	陈 琛(187)
ESP 理论指导下的司法警务英语课程设计	唐丽萍(189)
论警务实战技能与运动技能之间的关系	李飞龙(191)

JOURNAL OF HUBEI UNIVERSITY OF POLICE

(Monthly) No. 7 2013

CONTENTS

Research on Normalization of Coordination Mechanism Transition between Police and Media	Wu Yanjun(6)
On Authority Relationship between Police and Prosecutor	Wang Shuo, Wang Bo(12)
Thinking on Restricted Use of Weapons by Police	Fu Xinhe(15)
Needs, Motivation Components and Interrogation Strategies of Suspect.....	Xu Jiaqing(19)
Analysis on Effectiveness of Early Warning of Public Security Information	Li Yue(22)
Discussion on Game between Investigation Secrecy Principle and Media Report Freedom.....	Sun Yali(25)
Thinking on Strengthening Safety Management Work of Industrial Blasting Materials	Zhang Jiazhong, Zhou Baokun(28)
On Restricted Area Management of Gaungxi Land Border Ports	Yin Liang(31)
Current Situation and Improvement Measures of Fire Control Emergency Rescue Function	Li Lei(34)
Discussion on Rise of Sociology of Law	He Hongli(36)
Path Analysis on Legal Culture Construction in Contemporary China	Feng Yong(39)
Analysis on Horizontal Effect of German Fundamental Rights	Zang Xiaobing(42)
Discussion on Rationalized Setting of Legal Liability in Statistics Law of China	Xu Ming(44)
Legal Control of Local Administrative Charges	Shao Huan(48)
Discussion on Optimization and Perfection of Drug Safety Supervision System in China	Wang Guorui(51)
Research on Limit between Right Execution and Property Crime	Hu Yalong(54)
Thinking on Criminal Libel in Context of Microblogs	Peng Yunjie(59)
Jurisprudence Thinking on Li Zhuang Case	Wang Ke(64)
Criminal Evaluation and Regulation on Network Naked Chatting	Peng Zhangsheng, Li Zhongyi(67)
Analysis on Apparent Agency System in China	Wang Ying(69)
Comparative Study on House Site Replacement Mode in China	Hang Danwei(73)
On Premise of Legalization of Limited Property House	Liu Yongjiang(77)
Discussion on Legal Nature of Death Compensation	Cheng Jiping(80)
Discussion on Legal Basis of University's Security Obligation	Yu Tingting(84)
Legal Protection of Geographical Indication in China	Lu Keqiang(86)
Reconstruction of Ownership System of Service Patent	Yang Bowen, Qiu Min(88)
Discussion on Discrimination between Contract of Shares Transfer and Stock Transfer	Liu Wenxiang(92)
Empirical Study on Companies Business Condition and Judicial Dissolution Litigation Outcome	Zou Tingjiang(96)
Judicial Relief and Responsibility Undertaking of Public Interests Damage under Public Private Partnerships	Deng Minzhen(98)
Research on Legal Countermeasures of Small and Micro Businesses in Policies Support Period	Yao Jichang(103)

Discussion on Conflict and Coordination between Trade Secret Right of Operators and Consumer's Right to Know	Liu Hong(107)
Legal Consideration on Shadow Banking System Supervision in China.....	Peng Jianglai(110)
Financial Consumer Rights Protection in Post-crisis Era.....	Xiao Bin(113)
Analysis on Architecture Works Warranty System in Qing Dynasty	Wang Huali(115)
Discussion on Historical Development and Modern Inheritance of Principle of Sympathizing with Aged	Zhou Hui(119)
Thinking on Reconstruction of Discovery Mechanism of Innocent Persons in Misjudged Criminal Cases	Zou Yicai(122)
Research on Expert Witness Qualification in Common Law System	Ding Liwei, Dai Zhichang(126)
Research on Problems of Criminal Retrial Suggestion from Prosecutorial Organizations	Lan Lin, Pan Jijun(129)
Discussion on Abolishment of Residential Surveillance in Designated Residence	Bu Zhen(132)
Compulsory Traffic Accident Liability Insurance for Motor Vehicles Should Includ Compensation for Mental Injury in Civil Lawsuit System Attached to Criminal Lawsuit	Liu Pei(135)
Survey on Causation between Dietary Habit and Healthy Damage of Residents in Area Polluted by Heavy Metal	Hu Xiangyang(137)
Discussion on Difficulties and Outlet of Mediation System of Administrative Litigation in China	Liu Yulong(141)
Analysis on Advantages and Disadvantages of Court Mediation within Scope of Return	Zhou Feixiang (144)
On Improvement of Sentencing Standardization Principle in China	Gao Weifan(147)
Discussion on Construction of Abolition of Juvenile Crime Records System with Chinese Characteristics.....	Sun Changzhu(149)
On Perfection of Evidence System in New Criminal Procedure Law	Bi Daoqun, Jiang Lin(153)
Thinking on Summary Criminal Procedure in China	Zhang Jing(156)
Discussion on Construction of Administrative Public Prosecution System in China.....	Liu Hongcheng(159)
Criminology Analysis on Network Mass Incidents	Ren Ren(161)
Analysis on Chinese Criminal Phenomena since the 21st Century	Guo Linjie(164)
On Fake Train Ticket Checking	Pei Jiman, Wang Qiao(166)
Application of Visible Spectral Imaging Technique on Fingerprint Appearance.....	Qi Yusong(169)
Medicolegal Analysis on 98 Deaths in Traffic Accidents	Hou Zhenyu(172)
Research on Characteristics of Ultraviolet Spectrum of Fingerprints on Surface of Plastic	Yang Zhichao(174)
Examination on Practicing Imitated Signatures	Shu Xin, Wang Tianyi(176)
Present Situation and Countermeasures of Military Physical Quality of Students in Public Security Border Defense Colleges	Yi Jianqu(178)
Study on Intensive Development Strategy of Police Education of Higher Learning	Zhu Zhenhua(182)
Thinking on Network Information Safety Work in Public Security Colleges	Liu Jun(185)
On Importance of Strengthening Humanistic Quality in Public Security Colleges	Chen Chen(187)
Curriculum Design of Judicial Policing English Guided by ESP Theory	Tang Liping(189)
Discussion on Relationship between Policing Practical Skills and Sports Skills.....	Li Feilong(191)

本期英文译校: 王 欢