



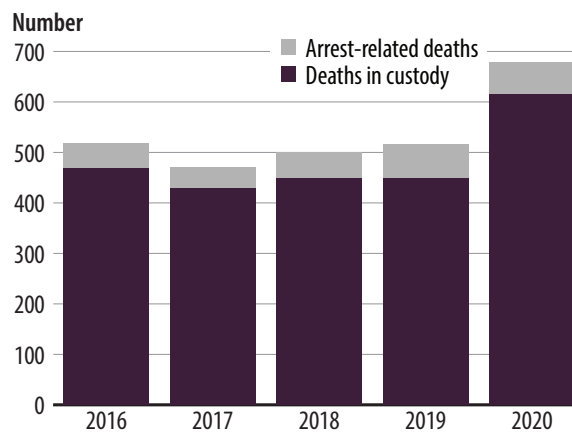
Federal Deaths in Custody and During Arrest, 2020 – Statistical Tables

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Federal law enforcement agencies reported 65 arrest-related deaths and 614 deaths in custody in fiscal year (FY) 2020 (figure 1). From FY 2016 to FY 2019, federal agencies reported an average of 53 arrest-related deaths and 449 deaths in custody each year. There were more deaths in custody in FY 2020 than in any year since FY 2016. The manner of these deaths included homicide, suicide, illness, accident, and other or unknown means.

Findings in this report are based on the Bureau of Justice Statistics' (BJS) Federal Law Enforcement Agency Deaths in Custody Reporting Program (FDCRP), which began collecting data in FY 2016 in response to the Death in Custody Reporting Act (DICRA) of 2013 (P.L. 113–242). DICRA requires federal law enforcement agencies to report information about the death of any person who dies while detained, under arrest, being arrested, or in the custody of federal law enforcement officers.

FIGURE 1
Number of arrest-related deaths and deaths in custody, FY 2016–2020



Note: See appendix table 1 for counts. Excludes seven executions. For execution data, see *Capital Punishment, 2020 – Statistical Tables* (NCJ 302729, BJS, December 2021). See *Methodology*.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal years 2016–2020.

Highlights

- Homicides accounted for 47% of the 65 arrest-related deaths in FY 2020, suicides accounted for 26%, and deaths from natural causes or accidents each accounted for 13%.
- In FY 2020, about 89% of decedents in arrest-related deaths were male, 69% were white, and 62% were ages 25 to 44.
- In 60% of arrest-related deaths in FY 2020, law enforcement was serving a warrant when they made initial contact with the decedent.
- Decedents injured or attempted to injure law enforcement officers in 59% of arrest-related deaths and discharged a firearm in 41% in FY 2020.
- Law enforcement officers discharged their firearms in 61% of arrest-related deaths in FY 2020.
- The majority (84%) of the 614 deaths in custody in FY 2020 were due to natural causes (including HIV/AIDS and other illnesses), followed by suicide (9%).
- In FY 2020, the majority of persons who died in custody were male (95%), about 67% were white, 26% were Black, and 59% were age 55 or older.
- The most commonly reported serious offenses for persons who died in custody in FY 2020 were drug violations (31%), followed by sex offenses (20%) and weapons violations (15%).

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Terms and definitions

Cause of death—A description of the specific factors leading to the termination of the biological functions that sustain life.

Decedent—A person who died.

Federal arrest-related death—A death that occurs when the event causing the death (e.g., gunshot wound, self-inflicted injury, cardiac arrest, fall from a height, or drowning) occurs while the decedent's freedom to leave is restricted by federal law enforcement personnel acting in an official capacity. Arrest-related deaths include—

- any death attributed to any use of force by federal law enforcement personnel
- any death that occurred while the decedent's freedom to leave was restricted by federal law enforcement prior to, during, or following an arrest—
 - while detained for questioning or investigation
 - during the process of apprehension (e.g., pursuit of criminal suspect or standoff with law enforcement)
 - while in the custody of, or shortly after restraint by, law enforcement (even if the decedent was not formally under arrest)
 - during transport to or from law enforcement, detention, incarceration, or medical facilities
- any death while the decedent was confined in a temporary holding facility designed to hold detained persons for no longer than 72 hours (e.g., booking center, holding area, or staging location)
- any death that occurred during an interaction with federal law enforcement personnel during response to medical or mental health assistance (e.g., response to suicidal persons).

Federal death in custody—A death that occurs while the decedent is detained or incarcerated for violating federal criminal or administrative law and housed in any facility designed to detain or incarcerate such individuals for longer than 72 hours. This includes all deaths of detained or incarcerated persons that occur in any federal corrections, pretrial, or administrative detention facility, or any other facility under federal contract to criminally hold, detain, imprison, or administratively hold or detain individuals.

Federal detention agency—An organizational unit or sub-unit of the federal government with the principal function to detain or incarcerate persons who allegedly committed or were convicted of criminal offenses.

Federal law enforcement agency—An organizational unit or sub-unit of the federal government with the principal functions of prevention, detection, and investigation of crime and the apprehension of persons who allegedly committed criminal offenses.

Homicide—The willful killing of one person by another. This includes killing in performance of an official duty or in circumstances defined by law as legally justified.

Manner of death—An explanation of how a person died, typically illustrated by a one-word description of the intentions and circumstances that led to the stated medical cause of death (e.g., accident, homicide, natural, suicide, or undetermined).

TABLE 1**Number of deaths reported, by type of death and federal agency, FY 2020**

	Arrest-related deaths	Deaths in custody
Total deaths	65	614
Department of Defense		
Air Force Office of Special Investigations	1	0
Department of Homeland Security		
Customs and Border Protection	17	2
Immigration and Customs Enforcement	0	21
Department of Justice		
Bureau of Alcohol, Tobacco, Firearms and Explosives	1	0
Drug Enforcement Administration	4	0
Federal Bureau of Investigation	6	~
Federal Bureau of Prisons	~	505
U.S. Marshals Service	33	78
Department of the Interior		
Bureau of Indian Affairs	0	8
National Park Service, Ranger Division	1	0
Department of Veterans Affairs		
Veterans Affairs Police Office of Inspector General (VA Police)	2	0

Note: Excludes seven executions. For execution data, see *Capital Punishment, 2020 – Statistical Tables* (NCJ 302729, BJS, December 2021). See *Methodology*.

~Not applicable. Agency did not report having this function.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2020.

TABLE 2**Arrest-related deaths, by manner of death and weapon causing death, FY 2020**

	Number	Percent ^a
Total arrest-related deaths	65	100%
Manner of death		
Homicide ^b	25	47.2%
Homicide by—		
Federal law enforcement officer	20	80.0
Local/task force officer	4	16.0
Unknown	1	4.0
Suicide	14	26.4
Natural	7	13.2
Accident	7	13.2
Unknown/missing ^c	12	~
Weapon causing death		
Total deaths caused by weapons	33	100%
Handgun	11	33.3
Rifle/shotgun	6	18.2
Unspecified firearm	15	45.5
Other	1	3.0
Unknown/missing ^c	19	~

~Excluded from percentage calculations.

^aPercentages were calculated using deaths with valid information.

^bHomicide is the willful killing of one person by another and includes justifiable homicide by a law enforcement officer.

^cIncludes deaths where the investigation was pending at the time of data collection.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2020.

TABLE 3
Arrest-related deaths, by decedent characteristics, FY 2020

	Number	Percent ^a
Total arrest-related deaths	65	100%
Sex		
Male	58	89.2%
Female	7	10.8
Race		
White	38	69.1%
Black	14	25.5
American Indian/Alaska Native	2	3.6
Asian	0	0.0
Native Hawaiian/Other Pacific Islander	0	0.0
Two or more races	1	1.8
Unknown/missing ^b	10	~
Ethnicity		
Hispanic	17	28.8%
Non-Hispanic	42	71.2
Unknown/missing ^b	6	~
Age		
17 or younger	0	0.0%
18–24	10	15.4
25–34	21	32.3
35–44	19	29.2
45–54	13	20.0
55–64	2	3.1
65 or older	0	0.0

~Excluded from percentage calculations.

^aPercentages were calculated using deaths with valid information.

^bIncludes deaths where the investigation was pending at the time of data collection.

Source: Bureau of Justice Statistics Federal Law Enforcement Agency Death in Custody Reporting Program, fiscal year 2020.

TABLE 4
Arrest-related deaths, by reason for law enforcement contact and alleged decedent offense, FY 2020

	Number	Percent ^a
Total arrest-related deaths	65	100%
Reason for initial officer contact with decedent		
Service of warrant	37	59.7%
General law enforcement response/patrol	15	24.2
Criminal investigation	6	9.7
Detention/transportation to detention	1	1.6
Medical/mental health service call	2	3.2
Other	1	1.6
Unknown/missing ^b	3	~
Decedent's most serious alleged offense^c		
Violent ^d	17	54.8%
Property ^e	3	9.7
Drugs	3	9.7
Weapons	4	12.9
Immigration violation	3	9.7
Probation/parole violation	1	3.2
Other	0	0.0
Unknown/missing ^b	31	~

Note: No respondents reported court operations, inspections, or security and protection as a reason for initial officer contact with the decedent.

~Excluded from percentage calculations.

^aPercentages were calculated using deaths with valid information.

^bIncludes deaths where the investigation was pending at the time of data collection.

^cPercentages are based on the number of decedents who allegedly committed an offense in the events leading up to their death. Estimates exclude three deaths of persons who reportedly did not commit a crime in the events leading up to their death.

^dIncludes homicide, attempted homicide, sex offenses, robbery, aggravated assault, and kidnapping.

^eIncludes burglary, larceny, fraud, and other property offenses.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2020.

TABLE 5**Arrest-related deaths, by decedent condition and actions during the incident, FY 2020**

	Yes		No		Unknown/ missing ^a
	Number	Percent	Number	Percent	
Decedent condition					
Appeared intoxicated	5	17.9%	23	82.1%	37
Exhibited mental health issues	3	10.7	25	89.3	37
Exhibited physical disability	7	24.1	22	75.9	36
Had trouble understanding instructions	5	15.6	27	84.4	33
Made suicidal statements	10	32.3	21	67.7	34
Decedent weapon use					
Discharged firearm	25	41.0%	36	59.0%	4
Displayed firearm	13	22.0	46	78.0	6
Used other weapon ^b	1	1.7	58	98.3	6
Displayed other weapon ^b	5	8.5	54	91.5	6
Indicated possession of weapon	6	10.5	51	89.5	8
Used vehicle as weapon	2	3.4	57	96.6	6
Used bodily force as weapon	2	3.4	57	96.6	6
Decedent action					
Caused fatal injury to law enforcement officer(s)	1	1.7%	57	98.3%	7
Caused nonfatal injury to law enforcement officer(s)	5	8.6	53	91.4	7
Attempted to injure law enforcement officer(s)	28	48.3	30	51.7	7
Caused fatal injury to civilian(s)	1	1.8	56	98.2	8
Caused nonfatal injury to civilian(s)	1	1.8	56	98.2	8
Attempted to injure civilian(s)	2	3.5	55	96.5	8
Attempted to escape/flee from custody	15	23.8	48	76.2	2
Barricaded self	16	28.1	41	71.9	8
Gained/attempted to gain possession of officer's weapon	1	1.6	63	98.4	1
Resisted arrest	9	15.8	48	84.2	8
Threatened others	5	8.9	51	91.1	9

Note: Respondents were able to indicate more than one decedent condition, use of weapon, or action for each case.

^aIncludes deaths where the investigation was pending at the time of the data collection. These were excluded from the percentage calculations.

^bIncludes sharp objects, blunt instruments, toy weapons, or other objects that appeared to be a weapon.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2020.

TABLE 6**Arrest-related deaths, by law enforcement actions, FY 2020**

Law enforcement action	Yes		No		Unknown/ missing*
	Number	Percent	Number	Percent	
Arrested/attempted to arrest decedent	22	35.5%	40	64.5%	3
Engaged in motor vehicle pursuit	5	8.1	57	91.9	3
Restrained decedent with equipment	9	15.3	50	84.7	6
Engaged in foot pursuit	13	21.3	48	78.7	4
Fought/struggled with decedent	5	8.5	54	91.5	6
Placed decedent in prone position	7	11.9	52	88.1	6
Physically restrained decedent	5	8.3	55	91.7	5

Note: Respondents were able to indicate more than one law enforcement action for each case.

*Includes deaths where the investigation was pending at the time of data collection. These were excluded from the percentage calculations.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2020.

TABLE 7
Arrest-related deaths, by law enforcement weapon use, FY 2020

Law enforcement officers used—	Yes		No		Unknown/ missing ^a
	Number	Percent	Number	Percent	
Any weapon ^b	38	61.3%	24	38.7%	3
Firearm	38	61.3	24	38.7	3
Baton	0	0.0	59	100	6
Bodily force	3	5.1	56	94.9	6
Conducted energy device	4	6.9	54	93.1	7
Explosive	3	5.1	56	94.9	6
Pepper/OC spray	0	0.0	59	100	6
Law enforcement officers displayed but did not use firearm ^c	10	25.0%	30	75.0%	25

^aIncludes deaths where the investigation was pending at the time of data collection. These were excluded from the percentage calculations.

^bPercentages are calculated based on number of agencies that reported officers used a weapon. Details may not sum to totals because respondents could report more than one type of weapon.

^cIn 10 cases, respondents reported that officers displayed but did not use a firearm. These may have been in the same incidents where other officers did discharge a firearm.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2020.

TABLE 8
Deaths in custody, by manner and location of death, FY 2020

	Number	Percent ^a
Total deaths in custody	614	100%
Manner of death		
Illness/natural ^b	491	84.1%
Suicide	53	9.1
Accident ^c	22	3.8
Homicide ^d	16	2.7
Other	2	0.3
Unknown/missing ^e	30	~
Location of death		
Medical center outside of facility	341	55.5%
Special medical unit/infirmarary within facility	108	17.6
General housing unit	74	12.1
Segregation/special housing unit	11	1.8
Home confinement	7	1.1
During transit	6	1.0
Special mental health services unit within facility	3	0.5
Elsewhere ^f	64	10.4

Note: Excludes seven executions. For execution data, see *Capital Punishment, 2020 – Statistical Tables* (NCJ 302729, BJS, December 2021). See *Methodology*.

~Excluded from percentage calculations.

^aPercentages were calculated using deaths with valid information. Percentages may not sum to 100% due to rounding.

^bIncludes deaths due to HIV/AIDS.

^cIncludes accidental alcohol or drug overdoses, injuries to self, and other accidental causes of death.

^dHomicide is the willful killing of one person by another and includes justifiable homicide by a law enforcement or corrections officer.

^eIncludes deaths where the investigation was pending at the time of data collection.

^fIncludes deaths where the location was not specified.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2020.

TABLE 9
Deaths in custody, by decedent characteristics, FY 2020

	Number	Percent ^a
Total deaths in custody	614	100%
Sex^b		
Male	583	95.3%
Female	29	4.7
Unknown/missing	2	~
Race		
White	403	67.3%
Black	153	25.5
American Indian/Alaska Native	31	5.2
Asian/Native Hawaiian/Other Pacific Islander ^c	12	2.0
Unknown/missing ^d	15	~
Hispanic origin		
Hispanic	131	22.3%
Non-Hispanic	456	77.7
Unknown/missing ^d	27	~
Age		
17 or younger	0	0.0%
18–24	9	1.5
25–34	40	6.5
35–44	94	15.4
45–54	110	18.0
55–64	167	27.3
65 or older	192	31.4
Unknown/missing ^d	2	~

Note: Excludes seven executions. For execution data, see *Capital Punishment, 2020 – Statistical Tables* (NCJ 302729, BJS, December 2021). See *Methodology*.

~Excluded from percentage calculations.

^aPercentages were calculated using deaths with valid information. Percentages may not sum to 100% due to rounding.

^bPercentages exclude two deaths for which decedent sex was not reported.

^cRace data on deaths in custody reported by the Federal Bureau of Prisons and U.S. Marshals Service are based on National Crime Information Center classifications. (See <https://www.fbi.gov/services/cjis/ncic>.) This system includes four races: American Indian/Alaska Native, Asian/Pacific Islander, Black, and white. Because the majority of deaths in custody are reported by these two agencies, BJS is unable to report Native Hawaiian and Other Pacific Islander separately from Asian.

^dIncludes deaths where the investigation was pending at the time of data collection.

Source: Bureau of Justice Statistics Federal Law Enforcement Death in Custody Reporting Program, fiscal year 2020.

TABLE 10
Deaths in custody, by decedent offense, legal status, and time served, FY 2020

	Number	Percent ^a
Total deaths in custody	614	100%
Most serious offense		
Homicide/aggravated assault	24	3.9%
Sex offense	121	19.7
Robbery	34	5.5
Property ^b	71	11.6
Drugs	191	31.2
Weapons	92	15.0
Immigration	41	6.7
Supervision violation	22	3.6
Other ^c	17	2.8
Unknown/missing ^d	1	~
Legal status at time of death		
Convicted, new commitment	507	82.6%
Convicted, returned probation/parole violator	20	3.3
Unconvicted pending criminal case	19	3.1
Unconvicted pending extradition	43	7.0
Other	25	4.1
Time served under current admission^e		
1 day	9	1.5%
2–5 days	6	1.0
6–10 days	3	0.5
11–30 days	13	2.1
31–180 days	76	12.5
181–365 days	65	10.7
More than 365 days	434	71.6
Unknown/missing ^d	8	~

Note: Excludes seven executions. For execution data, see *Capital Punishment, 2020 – Statistical Tables* (NCJ 302729, BJS, December 2021). See *Methodology*.

~Excluded from percentage calculations.

^aPercentages were calculated using deaths with valid information. Percentages may not sum to 100% due to rounding.

^bIncludes burglary, larceny, fraud, and other property offenses.

^cIncludes material witness and crimes classified as “miscellaneous” by the Federal Bureau of Prisons (BOP).

^dIncludes deaths where the investigation was pending at the time of data collection.

^eFor BOP deaths, time served is typically post-conviction and calculated using the date the decedent was admitted to the facility where they died or were last incarcerated. For U.S. Marshals Service, Customs and Border Protection, Immigration and Customs Enforcement, and Bureau of Indian Affairs deaths, time served is typically pre-conviction.

Source: Bureau of Justice Statistics Federal Law Enforcement Death in Custody Reporting Program, fiscal year 2020.

Methodology

Overview

The Death in Custody Reporting Act (DICRA) requires the head of each federal law enforcement agency to submit to the U.S. attorney general information about the death of any person who is—

1. detained, under arrest, or in the process of being arrested by a federal law enforcement officer (or by a state or local law enforcement officer while participating in a federal law enforcement operation, task force, or other capacity)
2. being transported to, incarcerated at, or detained at any—
 - a. facility (including immigration or juvenile facilities) pursuant to a contract with a federal law enforcement agency
 - b. state or local government facility used by a federal law enforcement agency
 - c. federal correctional or pretrial detention facility located within the United States.¹

Determining eligibility for reporting to the FDCRP

The act requires annual reporting by fiscal year (FY), which was October 1, 2019 to September 30, 2020 for the FY 2020 collection. The initial list of federal agencies to be contacted was developed from the FY 2018–2019 Federal Law Enforcement Agency Deaths in Custody Reporting Program (FDCRP) lists. To verify that the Bureau of Justice Statistics (BJS) had the most up-to-date information about arrest and firearm authority, BJS contacted 133 agencies to determine eligibility. Ninety-five reported having law enforcement or arrest authority, and 95 reported having incarceration or detention authority.

Instrument development

BJS adapted the FDCRP instruments from the previous Arrest-Related Deaths program and the Deaths in Custody Reporting Program instruments.² Each instrument was modified to align with DICRA.

The FDCRP survey consists of three instruments: a screener (CJ-13), the Arrest-Related Death Incident

Report (CJ-13A), and the Detention/Incarceration Incident Report (CJ-13B).³ On the screener, agency respondents indicated whether they had arrest or detention authority. If so, respondents indicated whether they had any deaths to report. If a responding agency did not have either type of death (occurring during arrest or occurring while in detention or custody) during the reporting period, the survey instructed respondents to note no deaths on the screener.

For every arrest-related death, respondents completed a CJ-13A form. The CJ-13A instrument included questions about the incident, such as location, decedent characteristics (e.g., demographics and actions prior to and during the incident), and law enforcement characteristics (e.g., actions during the incident, interactions with the decedent, and weapon use).

For every death in custody, respondents completed a CJ-13B form. Similar to the CJ-13A, the CJ-13B instrument included questions about the incident, such as facility information, decedent characteristics (e.g., demographics and incarceration details), and facility staff characteristics (e.g., actions during the incident).

The two incident forms asked questions tailored to the differing functions and situations involved in arrests and custody. For example, because use of force by law enforcement often accounted for arrest-related deaths, the CJ-13A included questions about the type and extent of force applied during the incident. Additionally, because most deaths in custody were due to natural causes or illness, the CJ-13B included types of treatment provided for identified medical conditions.

Identifying and excluding duplicate records

Determining which agency has custody may be complicated by dual law enforcement and detention functions and overlapping jurisdiction with state and local law enforcement authorities. Duplicate death records may occur due to overlapping correctional populations, jurisdictions, and functions (arrest and detention) within an agency. Agencies participating in the same task force may also submit duplicate information. To identify duplicate records, BJS performed record matching based on decedent name, date of birth, date of death, and agency or correctional facility.

¹Death in Custody Reporting Act of 2013, P.L. 113–242, § 3, 128 Stat. 2861 (2014). <https://uscode.house.gov/statviewer.htm?volume=128&page=2861>

²For information on the Arrest-Related Deaths program and Deaths in Custody Reporting Program, see the BJS website.

³For survey forms, see <https://bjs.ojp.gov/data-collection/federal-law-enforcement-agency-deaths-custody-reporting-program-fdcrp#surveys-0>.

Out-of-scope records

Data on executions are excluded from this report but are accessible on the BJS website.⁴ The Bureau of Prisons reported seven executions in FY 2020. BJS also determined that two deaths reported by the U.S. Marshals Service (USMS) on the CJ13A were out of scope for this collection because the decedents were struck by the car of a subject who was evading arrest by the USMS.

Data collection and response rate

BJS emailed contacts at each agency to direct them to the FDCRP web-based online survey submission portal. Each contact received a login name, password, and instructions. The initial screener form required agencies to enter the number of arrest-related deaths and deaths in custody that occurred under their jurisdiction in FY 2020, as well as the decedents' names. Once each decedent was identified, respondents were instructed to provide incident information for each death.

Of the 133 agencies BJS contacted, 132 responded, for a response rate of 99% (**table 11**). Eight agencies reported at least one arrest-related death, and five reported at least one death in custody.

⁴See *Capital Punishment, 2020 – Statistical Tables* (NCJ 302729, BJS, December 2021).

TABLE 11
Responses to the Federal Law Enforcement Agency Deaths in Custody Reporting Program, FY 2020

	Number of agencies
Eligible agencies surveyed	133
Responded	132
Reported law enforcement (arrest) authority	95
Reported any arrest-related deaths	8
Reported incarceration/detention authority	95
Reported any deaths in custody	5
Did not respond	1

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2020.

APPENDIX TABLE 1**Counts for figure 1: Number of arrest-related deaths and deaths in custody, FY 2016–2020**

Fiscal year	Arrest-related deaths	Deaths in custody
2016	51	468
2017	41	429
2018	53	448
2019	68	449
2020	65	614

Note: Excludes seven executions. For execution data, see *Capital Punishment, 2020 – Statistical Tables* (NCJ 302729, BJS, December 2021). See *Methodology*.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal years 2016–2020.



The Bureau of Justice Statistics of the U.S. Department of Justice is the principal federal agency responsible for measuring crime, criminal victimization, criminal offenders, victims of crime, correlates of crime, and the operation of criminal and civil justice systems at the federal, state, tribal, and local levels. BJS collects, analyzes, and disseminates reliable statistics on crime and justice systems in the United States, supports improvements to state and local criminal justice information systems, and participates with national and international organizations to develop and recommend national standards for justice statistics. Doris J. James is the acting director.

This report was written by Connor Brooks and Sean E. Goodison. Elizabeth Davis verified the report.

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July 2022, NCJ 304939



NCJ 304939

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