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MARICOPA COUNTY JUVENILE COURT CENTER

TRANSFER SUMMARY

PROBATION OFFICER: Shirley Twigg
J NUMBER: 110052
FILE NUMBER: 336363
DATE: 1-6-87

RECEIVED
MARICOPA COUNTY JUVENILE COURT CENTER
JAN 15 1987

CHILD: TODD CHRISTOPHER KOHLHEPP
AGE/BIRTHDATE: 15 years, 10 months, 3-7-71
CHILD'S ADDRESS/PHONE: [REDACTED]
Tempe, AZ 85282
RESIDING WITH: William Sampsell, natural father
LEGAL GUARDIAN: Carl and Regina Kohlhepp, adoptive father and natural mother.
LEGAL GUARDIAN'S ADDRESS/PHONE: [REDACTED]
SCHOOL: McClintock High School
GRADE: 10th
EMPLOYMENT: None.

PRESENT COMPLAINT:

11-26-86, Tempe Police Department, Red Ball Complaint, alleging sexual assault, aggravated assault, kidnapping, intimidating and sexual abuse, petition of 11-26-86, alleging Count I, Sexual Assault and Count II, Kidnapping, both dangerous in nature, transfer requested.

The police complaint alleges that on 11-25-86 Todd forced the 14-year-old female victim by gunpoint to accompany him to his home where he sexually assaulted her.

206'

TRANSFER SUMMARY
TODD CHRISTOPHER KOHLHEPP

Page 2

The complaint alleges that Todd tied the victim's wrists with rope and placed tape over her mouth. He then forced her to have sexual intercourse with him. The report alleges that Todd was still in possession of the weapon when police arrived. The complaint indicates that Todd, upon questioning, admitted to raping the victim and to using a gun.

[REDACTED]

OTHERS CHARGED:

None.

COMPLAINT HISTORY:

None.

OTHER TRANSFERS:

None.

OTHER PENDING COMPLAINTS:

None.

DETENTION:

Todd Kohlhepp has been detained at the Juvenile Court Center 1 time for a total of 43 days. He is presently detained.

CAUSE BEFORE THE COURT:

The Cause of Todd Kohlhepp is presently before the court for the purpose of Transfer Hearing relative to a petition, dated 11-26-86, alleging Count I, Sexual Assault and Count II, Kidnapping, both dangerous in nature.

PSYCHOLOGICAL EXAM:

Todd was examined on 12-4-86 by Dr. Roger Martig under the special conditions of Rule 11.7.

Todd achieved an IQ score of 118, placing him in the above average range of intelligence. Dr. Martig states that although Todd was cooperative during testing, he was quite defensive about answering certain types of clinical questions and uneasy as to what some of his responses would mean. Dr.

200'

Martig states that, in general, Todd came across as being extremely touchy, defensive, and attempting to gain control over the situation by being demanding. He described Todd as an individual who is extremely self-centered.

Dr. Martig states that psychological testing indicates Todd is an individual with high levels of anti-social personality functioning. He states that Todd is not psychotic, however, is an individual with severe underlying emotional issues which could result in emotional deterioration in the future or continued aggressive behavior toward others in the future. Dr. Martig states that testing indicates signs of pronounced family discord and of a person not willing to take responsibility for himself. Testing indicates that Todd is distrustful of others and generally unconcerned or lacks understanding as to how his behavior affects others.

Dr. Martig states that, socially, Todd's evaluation indicates he is an individual who feels alienated from others and distrusts others. He states that Todd uses numerous types of defense mechanisms at a social level which include projection and massive denial. Dr. Martig states that generally Todd appears to be uncomfortable in most social situations and especially has difficulty with any type authority figure. Testing indicates that Todd would have difficulty following orders as he generally feels he should be in control. However, Dr. Martig states that generally this would occur outside a detention environment.

Dr. Martig states that behaviorally, Todd's evaluation demonstrates he is an individual showing signs of psychomotor acceleration and signs of a great deal of ego inflation defense mechanisms in order to bolster his feelings of low self-esteem and inadequacies. Behaviorally, he is demanding, self-centered, and likely attempts to force others to do what he wants in order to meet his own needs.

Dr. Martig diagnosed Todd as displaying an Undersocialized Aggressive Type Conduct Disorder, Anti-social Personality Characteristics, Narcissistic Personality Characteristics. Dr. Martig rates the potential for Todd to act out in the future as being in the moderate to moderately high range. He states that the potential for acting out is increased due to his distrust for others and his exploitive personality characteristics.

Dr. Martig believes that Todd's case is workable within the juvenile court system and he specifically recommends

Todd

placement within the State Department of Corrections Program for Aggressive Sexual Offenders. Dr. Martig feels Todd needs confrontation over and over again regarding his aggressive behavior and needs to take responsibility for his aggressive behaviors. Dr. Martig feels this particular program would be more beneficial for Todd than a program of hospitalization. Dr. Martig states that, however, the emotional difficulties cannot be treated unless Todd begins taking responsibility for his own emotional issues. Dr. Martig rates the potential for reasonable rehabilitation as being within the moderate range.

Dr. Martig states that Todd is not mentally defective nor mentally deficient, and therefore, does not need to be placed in an institution which serves the mentally ill or the mentally retarded. Dr. Martig feels that, if Todd is placed in a confined environment at the juvenile level, he will not need to be placed in the adult system for the protection of the public.

SOCIAL HISTORY:

Todd's natural parents are William Sampsell, age 41, presently residing at ██████████ Tempe. Mr. Sampsell is presently self-employed doing some consulting, restaurateur, mining, as well as building special equipment for various businesses. Mr. Sampsell has lived in the valley on and off for approximately six years, having moved here from Atlanta, Georgia. He has been in the military and indicates that he has never been hospitalized for any emotional or mental illness nor has he required counseling for any emotional type problems. Mr. Sampsell was married one time, to Todd's mother, the marriage ending after approximately four years. The parents were divorced in 1973.

The natural mother is Mrs. Regina Kohlhepp, presently residing in Spartanburg, South Carolina and employed as a freelance court reporter. Mrs. Kohlhepp married Carl Kohlhepp, age 38, when Todd was three years of age. Mr. Kohlhepp adopted Todd when the juvenile was approximately five years of age. Mrs. Kohlhepp states that the natural father did not want responsibility of a wife and son. Mr. Sampsell, however, states that he allowed Mr. Kohlhepp to adopt Todd as Todd's mother felt it would be better overall for family unity. Mr. Kohlhepp had two children from a previous marriage and it was desired that the entire family have the same last name.

202

Todd was born in Ft. Lauderdale, Florida of a natural birth. Mrs. Kohlhepp states there have been no unusual illnesses nor accidents. Todd does, however, experience problems with asthma and allergies, takes medication for those problems as needed. Todd states that his hobbies are building things and collecting items. He is involved in no clubs, however, indicates that he enjoys attending football games. Todd indicated to this officer that his favorite hobby is collecting weapons, however, he asked me not to report that information.

Todd is a 10th grader at McClintock High School where he is enrolled in regular classes. His grades are average and some below average although his intelligence testing certainly indicates that he can do better. Todd indicates that he generally likes school and gets along okay with teachers. However, he states that there are occasional problems with other kids as they call him names and try to push him around. This officer contacted the counselor, Mr. Short, at McClintock High School. Mr. Short indicates that Todd's attendance is fairly good and there have been no apparent behavioral problems. It appears that Todd's grades are poor simply because he lacks motivation in that area.

Todd states that he has been employed doing lawn work for neighbors and helped out at his father's restaurant prior to its closing. Todd was also employed at Burger King for a short period of time. Todd indicates that as a career he would like to go into service and perhaps fly an aircraft.

Mr. Sampsell states that he was contacted by Todd's mother in approximately 1981, after approximately an eight year span of no contact with the youngster. Mrs. Kohlhepp indicated that Todd was experiencing some behavioral problems which she felt were the result of his not knowing his natural father. Todd visited Mr. Sampsell for the summer and was returned to South Carolina. Mrs. Kohlhepp states that Todd has experienced emotional, behavioral problems for as long as she can remember. He did not get along with the adoptive father and apparently created problems in the marriage. It should be noted that Mr. and Mrs. Kohlhepp have divorced and remarried on at least two occasions. They recently remarried after Todd moved to the valley with his natural father.

Mrs. Kohlhepp states that after the summer visit, Todd was determined to live with Mr. Sampsell. She states that he threatened her on several occasions, threatened suicide on several occasions, and completely destroyed his newly

208

remodeled bedroom. Mrs. Kohlhepp states that Todd picked the furnishings for his room and two days later destroyed it with a hammer. According to Mr. Sampsell, Mrs. Kohlhepp shared very little of Todd's aggressive, emotional behavior incidents with him prior to him allowing Todd to live with him. Mr. Sampsell states that also, initially, Todd's living with him was to be on a temporary basis as Mrs. Kohlhepp indicated she needed time to "get herself together." The temporary arrangement has lasted over two-and-a-half years.

Mrs. Kohlhepp states, and Mr. Sampsell concurs, that initially plans were for him (Mr. Sampsell) to readopt Todd. However, that never happened and Mr. Sampsell actually has no legal rights as it pertains to Todd's guardianship. Mr. Sampsell has indicated to this officer that he is no longer willing to assume responsibility for Todd. Mrs. Kohlhepp feels this is unfair as she has cared for Todd most of his life. Apparently, the adoptive father has completely washed his hands of any responsibility regarding Todd. It is obvious at this time that Todd has no family support system.

Mrs. Kohlhepp states that Todd has been experiencing noticeable emotional, behavioral problems since approximately 15 months of age. She states that he was always quite muscular and active, walking at nine months of age. Mrs. Kohlhepp states that Todd has always been mean to other children and, whenever he was required to interact with them, did so in an aggressive manner. Mrs. Kohlhepp described incidents in nursery school whereby Todd would destroy other children's projects or hit them. She states that usually he would sit in a corner, during preschool years, rarely interacting with other children except in an angry manner. Mrs. Kohlhepp described incidents whereby Todd chloroxed a gold fish, shot a dog with a BB gun, and was dismissed from boy scouts on two occasions as he was too disruptive within the group. Mrs. Kohlhepp states that she purchased Todd new clothing prior to his coming to the valley. Two days after he left, she found the clothing cut into shreds and hidden underneath the sofa.

Mrs. Kohlhepp states that Todd would vacillate between wanting to be with his natural father and desiring to come home. She states that Todd has always had trouble with authority figures, mainly male authority figures, and apparently this is why he could not get along with the adoptive father. Todd has indicated to this officer that he is unable to get along with his natural father and has no desire to see him or live with him again. Apparently, Todd

209

had been asking his mother to allow him to return home and she was apparently making excuses to prolong his visit here. Todd also indicated to this officer that his father often left him alone. It is this officer's opinion that being left alone somewhat angered Todd although he does not admit it. Mr. Sampsell states that adjusting to rearing Todd was quite difficult as he has lived the life of a bachelor since his divorce from Mrs. Kohlhepp. However, he indicates that he devoted as much time as possible to caring for Todd and sharing activities with him. Mr. Sampsell states that his work takes him out of town quite frequently and, in fact, his work has suffered since Todd's arrival as he attempted to stay home as often as possible. Mr. Sampsell states that when this incident occurred he was in Nebraska on business. He states that he had arranged for a friend to call Todd and to look in on him on a regular basis. Also Mr. Sampsell states that he made regular phone calls to Todd to see if everything was okay. Mr. Sampsell states that he had spoken with Todd earlier the morning prior to the present incident's occurrence. Mr. Sampsell feels the incident could have been prevented had Mrs. Kohlhepp been honest in describing Todd's emotional behaviors, treatment, and institutionalization for emotional problems.

Mr. Sampsell states that in the time Todd has lived with him, he was never successful in getting the youngster to open up. Mr. Sampsell states that the only emotion Todd seems capable of showing is anger. He states that on many occasions he has had to reprimand Todd about being a bully, especially with younger kids. Mr. Sampsell states that on one occasion Todd became very angry, threatening and called him names. He states that Todd doubled up his fist and was visibly shaking while taking a swing at Mr. Sampsell. Mr. Sampsell states that he attempted to encourage Todd by using the reward system, however, this was not successful. Mr. Sampsell states that he encouraged Todd to interact with other children and to involve himself in sports activities. He states that he purchased Todd model kits and attempted to teach him to build things which he felt would help build self-esteem. He states that Todd was generally unwilling to read directions and would either throw the model pieces in the trash or begin building a model and later destroy it. He states that Todd would also wreck models he had built and also destroyed a stereo Mr. Sampsell purchased him. Mr. Sampsell states that his last project was to build an off-road car for Todd with Todd's assistance. However, when Todd brought home F's in many of his classes, the work was stopped.

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Mr. Sampsell states that Todd does not have a lot of friends and the ones he has are either too old, too young, or undesirable. He feels Todd has good ability, however, has low self-esteem and fears failure. Mr. Sampsell states that in the last few weeks prior to this incident, Todd began expressing dissatisfaction and a desire to return to his mother. He feels Todd simply did not like the pressure he was putting on him to do better. He states that Todd does not like being confronted and is especially angry when caught in his lies. Mr. Sampsell states that he was unable to motivate Todd. He feels he was manipulated for whatever Todd wanted. It should be noted Todd had made regular phone contacts with his mother prior to this incident, attempting to force his return home.

Mrs. Kohlhepp states that it has always been very hard to rear Todd. She states that she has completely exhausted her finances providing counseling and any service she felt would help. She states that Mr. Kohlhepp was a good father to Todd. She states that he simply desired to correct Todd and would not let him get away with things. She states that Todd has always hated authority and did everything possible to break them up. She states that Mr. Kohlhepp would call and leave messages on the message machine. She later learned that Todd would listen to the messages and erase them. She states that Todd simply "pushed" every day. She states that he did not want Carl (the adoptive father) around at all. She states that Todd wanted her to himself, but was still no better after Mr. Kohlhepp left. Mrs. Kohlhepp states that she is not surprised about the violence of Todd's act, the threatening and having a gun; however, she is surprised regarding the sexual act as Todd has always seemed unsure of himself that way. She states that she has done everything possible to help Todd and feels there is absolutely nothing else she can do.

TREATMENT/REHABILITATIVE HISTORY:

Todd has received no formal treatment from any juvenile court system, however, he has formerly been involved in counseling for many years in South Carolina and Georgia.

Mrs. Kohlhepp states that Todd has been involved in formal counseling since approximately eight or nine years of age. This officer will refer the hearing officer to the reports received from the Behavior Evaluation Center, Spartanburg,

201

South Carolina, Spartanburg County School District No. 3, and the Georgia Mental Health Institute.

Todd was referred to the Behavior Evaluation Center as he was not able to get along with other children at school and was frequently in trouble. The report states that, initially, Todd was angry and resistant to therapy and later referred to himself stating, "I am a jerk." Todd apparently picked on other children and used critical humor with them. The therapy was designed to teach Todd to change his social interaction and to withhold his oppositional behavior.

The psychoeducational evaluation from Spartanburg School District is dated 10-5-82. The evaluation states that Todd talked out in class, destroyed material, was uninterested in class work, easily frustrated, overly dependant, easily excited, temper outburst, isolated by the group, demanding of teacher attention, defiant, and sensitive to criticism. The summary indicated that Todd's intellectual potential appeared to be in the gifted range although his performance on the evaluation resulted in lower scores due to his refusal to cooperate with the testing. No learning disabilities were found. The testing concluded that Todd clearly had pronounced emotional difficulties, poor impulse control, a very negative self-image, and poor relationships with others. The recommendation was to involve Todd in counseling with a well-trained clinical therapist. Todd was thus referred to the Behavior Evaluation Center.

Todd was admitted to the Georgia Mental Health Institute on 10-14-80 because of his mother's inability to enforce limits and structure as well as his hostile and aggressive oppositional behavior in school. Todd had threatened suicide on occasion and had experienced at least one hallucinatory episode. Todd was referred to the Georgia Mental Health Institute by the Athens Mental Health Center. Todd was seen in therapy twice weekly on an individual basis. The report states that he was very open about his hostility toward his stepfather and indicated that his stepfather was abusive. Todd indicated delight when the stepfather left the home, vowing never to return. The report states that Todd was also preoccupied with sexual content during the early part of his stay on the unit. The report states that he became enraged with the therapist during the mid-way point in therapy, but worked this feeling with some insight as to its linkage with the rage he felt toward his father. The report states that he later developed a good relationship with the therapist and the sexual content of his thoughts decreased during his stay.

202

The report states that Todd expressed grandiosity and increased anxiety regarding leaving the unit.

It was apparently felt that Todd had a chemical imbalance and he was placed on Ritalin until he complained of loss of memory, difficulty learning, and feeling out of control. He was then placed on Thorazine and responded much more positively. Mrs. Kohlhepp states that at some point Todd was taken off the medication. Mrs. Kohlhepp was being seen as an outpatient at the Athens Mental Health Center, and it was felt she had gained insight into her difficulty controlling Todd's behavior. Todd was diagnosed as displaying a mental adjustment reaction of childhood. It was felt he had recovered from the present episode, however, future episodes were diagnosed as likely without constant follow-up outpatient treatment. In summary, the report stated that Todd would need treatment indefinitely.

EVALUATION:

It is this officer's opinion that the public safety and/or interests of the community requires that Todd be transferred for adult prosecution.

Information received from the parents and various mental health agencies indicate that Todd has experienced quite serious emotional behaviors most of his life. Likewise, these emotional behaviors seem to manifest in violence, anger, and hostility toward others. This officer was contacted by Ms. [REDACTED] a neighbor and witness mentioned in the police report. Ms. [REDACTED] states that it has always been obvious to her that Todd was experiencing deep-seeded emotional problems. She states that upon moving to the neighborhood, Todd could be described as "a devil on a chain." She states that Todd appeared to be starved for affection and attention. Also Todd generally used inappropriate methods to get attention. She states that, during conversations with Todd, it is obvious he is obsessed with sex and weapons. He was also obsessed with hurting others. Mrs. [REDACTED] states that, on one occasion a little over a year ago, Todd locked her son in a dog kennel cage and rolled it over and over; She states that her son was crying and screaming and Todd was laughing. She states that, on another occasion, Todd had her son by the hair, banging his head against clay pipes. She states that she told Mr. Sampsell that in her opinion Todd needed to see a psychiatrist. She states that Mr. Sampsell agreed, however, never followed through. Ms. [REDACTED] states that, however, Mr.

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TRANSFER SUMMARY
TODD CHRISTOPHER KOHLHEPP

Page 11

Sampsell's firmness and limit setting has somewhat changed Todd's behavior.

This officer was contacted by Mr. Sampsell on 12-16-86. He states that he recently cleaned Todd's room and found over \$200.00, newly purchased clothing, shredded and stuffed inside Todd's mattress. He also found an expensive watch in many pieces. This officer was contacted by Mrs. Kohlhepp, indicating that Todd has written her several letters since being detained. She indicates that he stated he is sorry about what he did, however, she does not believe him. Mrs. Kohlhepp states that mainly she does not believe Todd as he quite adamantly requests that she get his knife and gun from Sampsell. He apparently feels he will be allowed to return to her home. Mrs. Kohlhepp states that she feels Todd has absolutely no remorse regarding the offense. She states that his only concern is about getting out and arranging to have his things shipped there.

Dr. Martig describes Todd as an individual who feels alienated from others and distrusts others. Testing also indicates that he is quite uncomfortable in social situations and especially has difficulty with any type authority figure. Dr. Martig states that if Todd is placed in any type of situation where he should follow orders, he likely has difficulty doing that, especially when he is in a situation where he feels he should be in control. Dr. Martig states that, however, this most likely will occur outside of a detention environment. It should be noted that, initially, Todd had problems adjusting to the detention setting, testing limits and agitating others in the group. However, Todd fairly quickly adapted to the detention environment and has reached the red shirt level. The detention officers state that he is, however, gamey, self-centered, and manipulative. Dr. Martig also states that Todd is quite touchy and sensitive as to how he is perceived by others. This officer notes that Todd generally weighs any question, attempting to decide which answer will place him in a favorable light. He is quite sensitive and quite concerned with how he is perceived by others.

Dr. Martig states that with Todd, we have an individual with strong anti-social personality dynamics and an individual who is demanding, distrustful of others, and attempts to get his own needs met by being domineering and controlling. He states that although Todd is extremely self-centered, he shows no signs of psychosis at present. Dr. Martig feels that Todd's case is workable within the juvenile court system

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and rates the potential for a reasonable rehabilitation as being within the moderate range. Dr. Martig feels that placement at the State Department of Corrections is appropriate, specifically within their program for aggressive sexual offenders. Dr. Martig feels this is the best placement as Todd needs confrontation over and over again regarding his aggressive behavior and needs to take responsibility for his aggressive behavior. Dr. Martig feels a program through State Department of Corrections would be more beneficial for him than a program of hospitalization.

This officer contacted Dr. Duda, on 12-9-86, regarding criteria for placement in the Aggressive Offenders' Program. Dr. Duda states that there are limitations in the program. Specifically, the program is presently servicing more than the staff is capable of supervising. Dr. Duda states that generally placement is made by reviewing juveniles that have been placed at SDOC based on the severity of the offense and their amenability to treatment in the program. Dr. Duda states that, if a child is viewed as a serious sex offender and as not amenable to treatment in that program, space may be provided to a less serious sexual offender that is amenable to that treatment.

Dr. Duda states that the program is quite intense and comprehensive. A minimum stay in the program is nine months with groups meeting at least two times per week. Dr. Duda states there is intensive group therapy provided, individual health, and sex education. Dr. Duda states that the program can only service about half the juveniles that come in on sexual offenses. He states that the first priority is usually to younger kids, 12 or 13 years of age. He continued to state that it is quite difficult to project if a particular juvenile will get into the program.

This officer, in detail, described the history of Todd's emotional behaviors as reported by the parents, counseling, and mental health agencies. Dr. Duda concluded that, in his opinion, Todd may not be identified as a sexual offender. He states that in his opinion the history, as provided by the parents, counseling, and mental health agencies, indicates that Todd may be experiencing neurological problems or more appropriately may be labeled as displaying sadistic/aggressive conduct disorders. Dr. Duda states that if that is the case, the sexual act is only another form of the violent aggressive acting out and not the actual problem. Dr. Duda has suggested that perhaps neurological testing might be completed. This officer contacted Dr. Martig with

that information, however, upon reviewing the reports from the mental health institution in Georgia, Dr. Martig concludes that those tests have been done and Todd appears normal in that area.

Commitment to the State Department of Corrections on a Class II Felony would result in a minimum of twelve months in that institution. Dr. Duda states that Todd would receive counseling through a psychologist or associate on a regular and individual basis. A treatment program would be provided based upon Todd's apparent needs. However, there is no guarantee Todd will be placed in the Sexual Offenders' Program and, if Dr. Duda's assessment is correct, Todd may not be considered for treatment in that program.

It is this officer's opinion that successful treatment within the juvenile system requires a strong family support system. It is apparent that Todd has been rejected by both natural parents and by the adoptive father at this time. Mr. Sampson states that he is no longer willing to assume responsibility for Todd. Likewise, although Mrs. Kohlhepp states that she continues to be willing to do anything possible to help her son, it is apparent she has given up and desires to place that responsibility elsewhere. It is this officer's opinion that Todd will require continued, indefinite treatment. It is highly unlikely that a problem that has existed since he was approximately 15 months of age can be cured in less than three years treatment. It is, therefore, my opinion that treatment beyond that provided by the State Department of Corrections may be necessary to protect the juvenile and the community.

Dr. Martig states that Todd is not mentally defective nor mentally deficient, and therefore, does not need to be placed in an institution which serves the mentally ill or the mentally retarded.

VICTIM/RESTITUTION:

This officer has contacted the victim by telephone on several occasions. [REDACTED]

She is still not going outside and it is obvious the incident has had a traumatic affect.

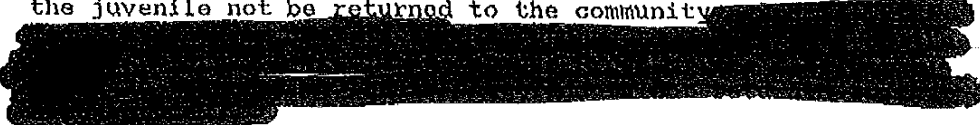
[REDACTED] states that he is a compassionate person who works with children, however, it is hard for him to understand what happened. He states that his daughter is

20 m'

TRANSFER SUMMARY
TODD CHRISTOPHER KOHLHEPP

Page 14

under counseling and will be quite some time recovering, if
she ever recovers. He states that his only concern is that
the juvenile not be returned to the community



RECOMMENDATION:

It is respectfully recommended that Todd Kohlhepp be
transferred for adult prosecution.

SHIRLEY TWIGGS, ext. 315
Juvenile Probation Officer

ERNIE SOTO, ext. 376
Supervisor

Typist: D. Nolan
1-6/1-13/7

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