THE ROLE OF A LARGE URBAN POLICE DEPARTMENT IN COMBATING FAMILY VIOLENCE IN THE YEAR 2005

Article

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Introduction

Although society continues to move through a time when high-impact technology advances are manifested on a daily basis, millions of dollars are being traded in the business world at the click of a mouse, and the world seems to be getting smaller because the information highway ends at the doors to our homes, the evil of family violence still lurks just inside many of those doors. The medical profession has made great strides and continues to provide hope for cures for insidious diseases, but the reality remains that there is a long way to go to get to where we want to be. As with cancer and the common cold, family violence also lingers and continues to plague our society. As law enforcement strives to deal with the new and fast-pace challenges of this era, it recognizes that great strides have been made towards combating family violence at many levels, but here too, there is still a long way to go to get to where we should be. Thus comes the question and issue for this project: what will be the role of a large urban police department in combating family violence in the year 2005?

For this project, the term family violence is simplified to mean incidents of violent behavior against spouses, children, parents, or other current or former household members, committed by others within the same household. It also includes persons who are or were married; are related by blood or marriage; have a child in common; or have a dating relationship, whether it be heterosexual or homosexual in nature. The crimes most associated with family violence include spousal abuse commonly referred to as domestic violence, child abuse, child molest, elder abuse, and stalking.

This project explores the issue of family violence as it relates to law enforcement and provides information that can be used to develop a strategic plan, or policy, for a large urban police department.
Historical Perspective

Domestic violence generally refers to spousal abuse, while other forms of family violence are referred to by other names. Domestic violence has been the most common form of family violence in America for the last one hundred years, yet it was not until the mid-1970s that law enforcement began looking at it with concern. A succinct background of law enforcement’s role in domestic violence was presented in a 1996 concepts and issues paper titled *Domestic Violence*, published by the International Association of Chiefs of Police (IACP). There, it was related that although by the turn of the 20th century, most states had outlawed wife beating, Americans continued to view this type of violence as a family matter and not a matter for public agencies. Many victims and the police shared this view. In the past, domestic violence calls were ignored or given low priority relative to dispatching, and serious assaults with injuries did not result in arrests.²

The IACP report discussed that with a greater understanding of domestic violence in the 1970’s, pressure was placed on law enforcement to intervene. Policies changed, but they did not focus on arrests. Instead, officers were instructed to restore order, separate the parties, and allow them time to cool-off. There were some attempts to mediate problems and make referrals to social service agencies, but those were minimal. Not until the last ten years has there been widespread public insistence that violent incidents in the home be treated as criminal acts.³

Many influences have played a role relative to the way law enforcement views and handles incidents of domestic violence. Change has occurred because of the successful accomplishments of activists in the battered women’s movement, public education and awareness, court decisions determining police liability for failure to protect victims of domestic violence, changes in state law, law enforcement education, community-oriented policing and
problem-solving strategies, and the availability of state and federal funds to combat the problem. Federal legislation, such as the Violence Against Women Act enacted as Title IV of the Violent Crime Control and Law Enforcement Act of 1994, has given increased attention to violence against women and encouraged coordination among police, prosecutors, victim advocates, the judiciary, and other community institutions in responding to these incidents. As more attention and dollars are being focused on combating domestic violence through the use of grant funding, the demand for accountability from many levels—including government funding agencies and community stakeholders—has increased.

A report prepared by the State of California Office of the Attorney General on arrests made for domestic violence in California highlighted the following statistics that are relative to the historical perspective:

- The number of arrests for domestic violence rose steadily from 31,886 in 1988 to 63,636 in 1997, then declined 10.6 percent to 56,892 in 1998.

- From 1988 to 1998, the domestic violence arrest rate, per 100,000 total population, increased 49.6 percent from 113.6 in 1988 to 169.9 in 1998.

- Since 1988, more men (83.5 percent of the total in 1998) have been arrested each year for domestic violence than were women; however, the percentage of women arrested increased from 6.0 percent of the total in 1988 to 16.5 in 1998.

- From 1988 to 1998, the domestic violence arrest rate per 100,000 increased for all four race/ethnic groups: White, Hispanic, Black, and Other. The race/ethnic group Other increased the most, 68.9 percent, from 51.2 per 100,000 in 1988 to 86.5 per 100,000 in 1998. Blacks have the highest arrest rate at 472.6 per 100,000 in 1998, followed by Hispanics at 230.2 per 100,000 in 1998.
During 1998, over 75 percent of those arrested for domestic violence ranged in age from 18 to 39 years old.\(^4\)

Domestic violence remains a serious issue. A woman is beaten in her home every fifteen seconds.\(^5\) An academic nationwide survey conducted in 1980 revealed a sampling of 28 percent of adults had experienced at least one incident of spousal abuse during their current relationship.\(^6\)

One-fifth of all marriages are tainted by violence, and an equal number of parents may be responsible for harming their children.\(^7\) It cannot be determined as to how many incidents of spousal abuse go unreported.

Unlike domestic violence, physical child abuse and child molestation have been considered serious by law enforcement for a much longer time, and relevant laws have been in place since before the turn of the century. Yet, even with that, the problem continues today, and there is still a need for child advocacy groups. An academic survey conducted in 1980 collected and analyzed data from schools, hospitals, social service agencies, the police, and court systems in a randomly selected sample of twenty-six counties in the United States regarding known cases of violence against children. This research indicated that at least one child out of one hundred children is maltreated each year through physical, sexual, or emotional abuse or through neglect of their physical, educational, or emotional well-being. One third of these children suffer from physical abuse.\(^8\) A different survey conducted in 1987, using the same type of verification from social service agencies, indicated that official maltreatment rates may reach as high as three per one hundred children. While not all cases in this survey were attributed to others in the same family, only 12 percent of the physical injury cases involved people not related to the child.\(^9\)

As with domestic violence, efforts to combat child abuse have benefited from collaborative approaches using a multi-jurisdictional or multi-disciplined response. Through
case studies sponsored by the U.S. Department of Justice, a coordinated multi-agency response among child protective services has been recommended if significant impacts are to be made. These agencies include law enforcement, the medical community, and the prosecutor.¹⁰

Elder abuse has only recently become an emerging crime issue for law enforcement. Because the elderly tend to be more isolated and have fewer social contacts than younger people, their victimization is more likely to go unnoticed. They are likely to be hesitant to report abuse because of their fear for alternative living arrangements and financial concerns should they have to leave the abusive home.¹¹

Sharon Herzberger points out in her book, *Violence Within the Family*, that violence against parents by young children or by adolescents is rarer than other forms of family violence, and when it does occur, it is usually a response by the child to a consistent pattern of violent parenting.¹² Herzberger further described that when the parents are elderly, parent abuse is not uncommon, nor is abuse by grandchildren or other members of the family.¹³ Estimates of the number of elders abused each year ranges from one-half million to two million, with at least 70 percent of the perpetrators being family members. Approximately two out of each one hundred people 65 or older experience physical violence. Elderly abused people are most likely to reside with the abuser and, more often than the non-abused elderly, suffer from a mental or physical disability.¹⁴

While elder abuse has not been examined as extensively as domestic violence or child abuse, research over the past decade has shed light on the growing concern and has provided a sense of urgency for law enforcement to begin dealing with the issue.¹⁵ In a Command College Class 21 futures paper titled *Preparing to Meet the Challenges of a Growing Elderly Population*, by Roy Froom, several important points regarding law enforcement and needs involving the
elderly were made. These included improved methods for reporting elder abuse; more attention
given by law enforcement to elder fraud, scams, and fiduciary abuse; and prevention for a
growing elder population. Froom also raised three important elder-related challenges facing law
enforcement in the future: an increase in caregivers to the elderly, increased financial instability
of an older population, and an increase in mandatory laws to protect the elderly.\textsuperscript{16}

There are five other issues and concerns that have a collateral impact on law
enforcement’s efforts to combat family violence. They are the crime of stalking, adult missing
persons, juvenile runaways, sibling violence, and the challenges of working with immigrant
populations.

Stalking, in its simplest definition, is the willful, malicious, and repeated following and
harassing of another person. Although stalking victims are sometimes coworkers, strangers,
neighbors, celebrities, and political activists, most stalking victims are spouses, former spouses,
and former lovers.\textsuperscript{17} Stalking is commonly associated with domestic violence. Legislatures
have passed specific crime statutes relative to stalking, and many law enforcement and district
attorneys’ offices now have anti-stalking units as part of their domestic violence enforcement
and prosecution teams.

It is common knowledge amongst law enforcement practitioners and social workers that
adult missing persons and juvenile runaways are more often than not associated with domestic
violence, child abuse, molestation, or some type of violent or unhealthy family environment.
Law enforcement agencies expend considerable resources in dealing with these situations,
particularly when trying to determine if abductions have occurred or whether persons had left on
their own volition. These situations, if not handled properly, have the potential for, and have
actually caused, serious ramifications to law enforcement agencies and have negative political consequences.

Little attention has been paid to sibling violence by law enforcement and it is likely that most officers, unless serious injuries have occurred, have viewed it as a normal part of growing up. This is somewhat similar to the paradigm law enforcement had about domestic violence over thirty years ago. Herzberger raised this issue in her book, and it appears appropriate to raise the level of consciousness as part of the historical perspective of this paper.

Herzberger related that sibling violence is the most common form of violence in families. In a 1980 survey, 82 percent of the parents reported aggression among their offspring. Two-thirds of the parents reported that their teenage children hit their brother or sister nineteen times a year. Families with boys reported more violence than families of boys and girls or just girls. In a 1987 study, information was gathered from seventh graders. It was found that 88 percent of the boys and 94 percent of the girls reported being victims of sibling violence during the last year. Additionally, 85 percent of the boys and 96 percent of the girls reported being perpetrators. This study also indicated that although more similarities than differences emerged in the types of violence experienced, both boys and girls suffered from and perpetrated more serious forms of violence.\footnote{18}

The immigrant population and underserved communities cause special concerns for law enforcement and their efforts to combat family violence. For example, cultural differences with the Southeast Asian and Russian/Armenian populations cause unique challenges for law enforcement and social service agencies when dealing with family violence situations. These challenges include language barriers, their views toward domestic partnerships, and the way they
perceive the police. Intervention and prevention is in its infancy with this portion of our communities, and many police agencies are still in a reactive rather than proactive mode.

The Family Violence Connection

Research has shown that a pattern of violence often exists within a family. If one form of abuse is present, it is likely that another form is present as well. Many women who have experienced spousal abuse have also experienced spousal rape. A 1985 study found that there is an increased likelihood of child abuse in families where one parent assaults the other. If both spouses are violent towards each other, there is an increased likelihood that the child will become a victim of assault.19 One way this occurs is when children are subjected to physical and emotional abuse by an abuser as a way of hurting the mother. Children may also become inadvertently injured in direct attacks against the mother by the abuser.20

It is estimated that anywhere from 3.3 million to 10 million children in the United States witness domestic violence and research suggests that 90 percent of children are aware that domestic violence is occurring even when it is trying to be hidden by the abuse victim or abuser.21 Children who witness domestic violence often suffer psychological as well as behavioral problems, and children from violent homes experience significantly more behavioral problems than those from homes that are nonviolent.22 These behavior problems can also extend outside of the home. A 1990 study revealed that male college students who admitted being violent towards a brother or a sister were more likely to be violent towards people outside the family. Another study showed that husbands who had assaulted their wives are four times as likely to have hit a nonfamily member than husbands who do not have assaultive behavior.23

It is evident that there is a connection between the various forms of family violence discussed thus far. The causation factors for these types of behaviors are much more
complicated than simply showing a connection. Psychologists, sociologists, and other professional stakeholders have worked to find the reasons for family violence. There is some disagreement as to specific causes and the way we think about cyclical patterns. Definitions and the way certain terms are used are being rethought relative to accuracy of syndromes and inappropriate associated labeling. These issues may have important repercussions for law enforcement when dealing with victims and attempting to stay current with the latest findings on the subject. For example, today the term cycle of violence may not be an appropriate way of describing causation because a high percentage of victims never become aggressors. There may be distinct patterns with contributing associated factors but not necessarily continuous cycles. It is becoming increasingly recognized that incidents of violent behavior are caused by a considerable number of contributing factors. These factors include things previously discussed, as well as others that have not yet been documented.

Collaborative efforts addressing child protective issues amongst law enforcement and social services agencies have been successful for many years. However, when the issue of domestic violence is added to the mix, certain barriers from the respective fields become evident. As pointed out in a report by OCJP titled, *Child Abuse and Domestic Violence Nexus: Findings from the Office of Criminal Justice Planning Public Policy Forums Report*, the movements against child abuse and domestic violence have reflected different political and social backgrounds. It is explained in the OCJP report that efforts by many juvenile courts and child welfare workers continue to focus on the protection of the child and that this mission is considered, by some, to be in conflict with concerns for the mother’s needs. Some domestic violence advocates believe the efforts of child welfare workers to investigate child abuse have not taken into account how the mother’s abuse by her partner may be the root cause of violence.
and the neglect of the child. When intervention is made on behalf of the children, the abuser may become enraged and put the mother at an increased risk of violent attack. Some advocates for abused children look at this situation from a different perspective. They feel that any harm to the child and exposure to the risk of a continued cycle of violence mandates immediate action for the child’s protection regardless of the potential consequences to the mother. These issues have come into play when law enforcement agencies respond to scenes of domestic violence where children are present. Depending on the circumstances, decisions are being made to remove the children from the home at that point or refer the matter to child protective services for follow-up at a later time. The manner in which police departments handle these issues varies, depending upon their own policies and procedures.

Because of community-oriented policing and problem-solving strategies, some progressive law enforcement agencies have recognized the importance of becoming aware of causation factors and academic research findings and have applied them as prevention strategies. What was once thought by law enforcement to be merely academia or social work, not police work, is now considered to be possible strategies to cut down on calls for service for patrol forces. At earlier times in our history, the idea of police officers working in cooperative partnership with “liberal” social workers would have been considered unachievable. The two professions that seemed to have bipolar viewpoints have found common ground and have begun working together, significantly shortening and fraying the line between the two. As James Bueerman stated in his Command College futures project, *Transforming Crime Prevention for the 21st Century: Risk and Protection Focused Prevention*:

> The prevention of crime in the 21st century will be about much more than lighting, bars on windows, and locks on doors. Instead, it will focus on those root causes in communities which place their neighborhoods and citizens
at risk. And it will necessitate fundamental, ‘outside the box,’ kinds of changes in our community prevention strategies. 

This quotation is relevant because this type of a philosophy is being utilized by some law enforcement agencies towards combating family violence at this point in history. It remains to be seen if others will follow.

Although there is a connection between the various types of family violence and violence that extends from inside to outside the home, affecting the rest of the community and society, some police departments are still taking a traditional approach. Domestic violence, child abuse, child molestation, stalking, adult missing persons, and juvenile runaways have traditionally been handled by specialized units within large urban police departments. Even though these units may be in a same division or section of the department, many operate somewhat independently from one another, with little communication about individual case relationships. A new approach by some agencies includes consideration for the causes of family violence.

An example of four large police departments that have moved away from the traditional approach and taken significant steps towards improving their efforts in combating family violence are the San Jose Police Department, San Diego Police Department, Portland Police Department, and Metropolitan Police Department in Nashville, Tennessee. In brief, these departments have used collaborative activities and worked with other organizations to develop family service centers described as one-stop-shops. These service centers are locations where victims of family violence can go to report crime, have incidents investigated, and receive assistance from prosecutors with the issuance of protective orders, victim-witness personnel, social services, and other types of advocacy groups. Each of these departments has some components that the others may not have. At this point in history, large urban police
departments are all at varying stages regarding their collaborations, philosophies, policies, and tactics towards combating family violence. Some are more progressive than others, and some still operate in a traditional format. These issues highlight the importance of future thinking. This study will provide a strategy to break from the traditional format to a futuristic approach.

The following ten trends were identified as being prevalent with regard to combating family violence:

1. Multi-disciplinary teams - Agencies are joining together in partnerships/collaborative efforts.

2. Level of social service resources offered by schools - Schools are no longer offering social service resources.

3. Prevention/Early intervention – Need for a focus on prevention/early intervention is being recognized.

4. Level of responsibility suspects take for their actions - Suspects are not taking responsibility for their actions.

5. Level of awareness of the emotional effect of domestic violence on children – There is an increased awareness of the emotional abuse of children in domestic violence situations.

6. Level of cooperation of victims in prosecution – The changing patterns of victims is becoming more difficult regarding prosecutions and their cooperation during prosecution.

7. Services are needed to help teach children to resolve relationship issues - Children are not learning how to resolve relationship issues – more services needed to help teach them to break the pattern.
8. Availability of personnel for investigative positions – There are not enough personnel resources to fill positions in investigative units due to under-staffing within entire departments.

9. Addressing Needs of Under-Served Communities - Need to find diverse/innovative ways to deal with under-served communities (e.g., Southeast Asian community).

10. Amount of training/updates among all agencies to foster cooperation within court system – There has been an increase in the amount of training/updates among all agencies involved in the trial process which has fostered better cooperation within the court system making it more effective.

A Desired State

The following optimistic scenario was developed to illustrate a future desired state for a law enforcement agency to reach by the year 2005:

Newspaper Article, April 1, 2005:

POLICE OPEN FAMILY SERVICES CENTER

After five years of planning, and with the help of state and federal grant money, the police department opened its new Family Services Center yesterday in the first floor of the city’s Essential Services Building, two blocks north of the main police headquarters. The Family Services Center will be the home of the police department’s Family Crimes Unit, which consists of detectives who investigate child abuse, domestic violence, elder abuse, missing persons, and sexual assault. Working full-time alongside the police investigators, in a collaborative approach, are personnel from the District Attorney’s Office Victim Witness Program, Women’s Center of
San Joaquin County, Child Protective Services, San Joaquin County Mental Health, local School District, Adult Protective Services, and San Joaquin County Human Services Agency.

The Police Chief explained, “The purpose of this center is to bring together under one roof the police and all of the service agencies that assist victims of family violence. By bringing all of our resources together in an organized and collaborative manner, we will be able to utilize a central information database that will be used to identify risk and focus on prevention and protection techniques. We will be able to disrupt patterns of violence and council young victims so they will not become tomorrow’s suspects. We will be better able to assist the immigrant population, as well as other at-risk persons. We will be better able to respond to individual incidents of violence with all the necessary disciplines from the start.”

The Police Chief was asked why his agency took a leadership role in establishing the center. He explained that members of the police department are usually the first responders to family violence. He went on to say that the way the situation is handled from the beginning can have a significant impact on the outcome and any repeat occurrences. The police department has been taking a lead role in the fight against domestic violence for the last five years and has been working under several grants to assist with funding. Over the years, they have learned that domestic violence is the most prevalent of all family violence, but it is not the only crime occurring within the family. They have learned there are distinct patterns that used to be called the cycle of violence. With the continued change in the makeup of families and the various dimensions, the term patterns of violence has become the way to described learned violent behavior.

“We learned a long time ago when we moved into the community-oriented policing philosophy that we could not do things by ourselves. We have decided to take a leadership role
in getting everyone on the same page at the same time in order to make a real difference. This type of collaboration and focus is the next generation of community-oriented policing and problem solving,” said the Police Chief.

Since the police department initiated the program, the number of family violence crimes has declined 15-20 percent each year. Their goal is to get the overall rate down to zero.

Findings

Through this project, it has been found that family violence is a community issue that requires not only a law enforcement response, but a multi-disciplined community response in order to make an impact. Family crime is complex and affects not only those behind closed doors, but others outside of those homes. There are many variables and opinions as to the cause or causes of domestic and other forms of family violence. Law enforcement’s role has been changing, and its serious response to the issue is relatively new. After law enforcement’s individual response to incidents, and sometimes after direct response to victims seeking services, many agencies and organizations become involved in trying to resolve the problems and render aid to the victims. It was also found that there seems to be a lot of work ahead for law enforcement in order to address certain emerging forms of family violence, such as elder abuse, sibling violence, and response to the under-served immigrant communities. It is apparent that collaboration is the key to making an impact on the issue, but collaboration needs organization, and leadership is needed for effective organization and response.

Implications on Leadership

The issue of combating family violence in the year 2005 has significant implications on leadership. The answer to the question of what that role will be depends upon what the leaders of large urban police departments do about the problem. Law enforcement’s role has been
changing rapidly with the development of community-oriented policing strategies.
Organizations that have successfully embraced this philosophy and experienced positive results
will be taking the forefront in establishing a contemporary or futuristic approach to family
violence. They have already established a leadership role in their community, and they will be
taking a lead role in combating it. Those agencies that have not taken a leadership role in
combating family violence within their communities’ face the risks portrayed in scenario two.
They need to ask themselves if they are truly committed to providing public safety and service.
They are behind the times and are letting the future dictate to them rather than creating their own
desired future. They need to take an active and aggressive role.

The leader of any sized law enforcement organization has an opportunity to make a
significant impact on family violence. They are powerful community leaders who have the
attention of their respective communities. They can make change happen by their leadership
position. Although several of the collaborative agencies/stakeholders involved with the issue
have community leadership roles as well, they often have less or different political influence than
a chief of police. Together, however, they all can have a synergistic affect on the issue.

In order for the chief to establish the role, the department’s management staff has a
leadership responsibility to ensure the chief is aware of the alternatives and the complexity of the
issue, and they need to develop strategic plans to address the issue for their organizations. The
role of the organization will be dependent upon leadership’s vision and the way in which the
leadership plans for the future.

Recommendations

Police leaders must take an active role in combating family violence. They should
develop strategic plans that will significantly impact the issue by causing positive events and
trends to occur that will create a desired future. They should take aggressive action to avoid or mitigate negative trends and events that will have an adverse impact. The following are recommendations for police leaders to consider when developing a strategic plan and influencing trends and events that create the future:

• Law enforcement is the first responder to family violence, and law enforcement leaders should use their influence to publicly take the lead in establishing a collaborative approach to addressing the problem.

• Law enforcement leadership should work closely with local, state, and federal government to ensure that the political leadership understands the issue and places an emphasis relative to financial resources.

• Collaborative/multi-disciplined approaches should include components of victim-witness, women’s center advocacy groups, governmental agencies (i.e. child and adult protective services, probation, parole, mental health, etc.), alcohol and substance abuse support agencies, school districts, community churches, employer groups, health care professionals, and other community-based groups.

• Family Service Centers should be established so there is a place for victims to receive all of the services necessary to assist them. These centers should be designed to eliminate victim stigmatization and instill confidence in the victims, showing them the system can work to help them.

• Law enforcement needs to place emphasis on the children and the harm that is caused to them through domestic violence and take creative steps to deal with this issue.

• Law enforcement should pay particular attention to the under-served immigrant populations and work to establish partnerships with their community-based organizations.
• Law enforcement should encourage other organizations to take leadership roles as well. When other agencies take leadership roles to combat the problem, law enforcement should remain highly visible and give full support to the other organizations.

• The issue should be addressed as a priority community problem and should be incorporated in community-oriented policing and problem-solving strategies.

• There should be increased and continual training for officers, dispatchers, and other civilian staff who have contact with victims of family crime.

• There should be a concern with elder abuse, sibling violence, and violence against people with physical or mental disabilities. These components should be added to family crime investigative units.

• Steps should be taken to encourage area colleges and universities to take part in intern programs and research collecting partnerships in order to stay up to date in the latest academic research.

• Law enforcement should encourage and support innovative programs and services that address treatment for the abusers.

• Agencies should aggressively seek sources of funding through state and federal grants and should consider an in-house grant writer specifically for family crime.

• New technology should be employed to combat family violence. For example, the use of geographic mapping information systems to identify family problem locations where department personnel are expending time and resources, identifying any related crime patterns stemming from the family, and then responding to those repeat locations with problem-solving strategies. Other types of technology should be explored; e.g., emergency cell phone distributions through philanthropic contributions and crime
analysis software programs to determine time, day, and other patterns of family violence that can be used for prevention programs.

Conclusions

The problem of family violence is not going to go away any time soon, and law enforcement will continue to be the first responders to such incidents. While efforts to eliminate family violence appears to be overwhelmingly difficult, the human and economic costs of failure to try are even greater. Law enforcement leaders have a choice as to how they will respond to the issue. They can do nothing, not fulfill their obligation to enhance public safety, and let the future be dictated. Or, law enforcement can choose the right thing to do by creating a preferred future and making a significant impact in combating the problem.
NOTES


2. Ibid., 1.

3. Ibid., 1.


7. Ibid., xiii.

8. Ibid., 8.

9. Ibid., 8.


11. Herzberger, Violence Within the Family, 15.

12. Ibid., 13.

13. Ibid., 15.


15. United States Department of Justice, NIJ, Legal Interventions in Family Violence: Research Findings and Policy Implications, 29.


19. Ibid.,15.


21. Ibid.,11.


24. Ibid.,101.


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