

PARMAK İZİ
ARAŞTIRMALARI
TEMEL YAKLAŞIMLAR

Editör
Yakup GÜLEKÇİ



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ÖNSÖZ

Parmak izleri hukuksal tanımlama veya cezai yaptırım süreçlerinde kişi kimliklendirme amacıyla uzun yıllardır kullanılan güvenilir biyometrik delillerden biridir. Yaşam boyu değişmeyen yapısı ve her bireye özgü iz modelleri sayesinde, suçun aydınlatılması ve adaletin sağlanmasında güçlü bir referans noktası olarak kabul edilmektedir. Pratik uygulama kolaylığı ve diğer biyometrik özelliklere göre daha erişilebilir olması, parmak izini kriminal incelemelerin temel unsurlarından biri haline getirmiştir. Gelişen teknolojiyle beraber günümüzde yapılan incelemeler parmak izlerinin kişi kimliklendirmesinden çok daha ötesinde işlevleri olduğunu göstermektedir. Kişinin çevresiyle bulunduğu etkileşim, temas ettiği veya tükettiği maddelerden kaynaklanan metabolit izleri hakkında da bilgi sağlayabildiği ortaya konmaktadır. Bir başka güncel işlevi ise ait olduğu kişinin genetik mirası ile ilgili bilgiler açığa çıkarmasıdır. Antik dönemden günümüze uzanan parmak izi araştırmaları disiplinler arası yaklaşımlarla her geçen gün genişlemekte ve adli bilimlere dair yeni veriler sunmaya devam etmektedir. Bu eser, parmak izlerinin delil değerini; klasik yaklaşımlardan modern analitik tekniklere kadar uzanan kapsamlı bir çerçevede ele alarak, adli bilimlerdeki çok yönlü kullanımını bütüncül bir bakışla değerlendirmeyi amaçlamaktadır.

Parmak izi araştırmaları kitabı ile hem parmak izi inceleme uzmanlarının nasıl çalıştıklarına hem de parmak izlerinin güncel analitik tekniklerle nasıl ele alındığına odaklandık. Özellikle adli bilimlere eğitime başlayanlar ile hakimler, savcılar ve adli kolluğun (polis ve jandarma) kriminal birimlerinde çalışan uzmanları hedef kitleye alan bu kitap ile açık, anlaşılır ve görsellerle desteklenen temel bir kaynak oluşturmaya özen gösterdik.

Teşekkürlerimi, mesleki serüvenim boyunca desteklerini esirgemeyen aileme ve katkı sunan bölüm yazarlarına sunarım. Emeği geçen her bir meslektaşımın birikimi, bu kitabın eğitimde açıklık ve uygulamada doğruluk ilkelerini taşımasına imkân verdi. Kitabın, parmak izi araştırmalarında yeni çalışmalar için kıvılcım oluşturmaya ve adli bilimlere ekosisteminde yetkinlik ve kalite kültürünü güçlendirmeye dileğiyle...

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BÖLÜM 1

ANTİK DÖNEMDEN DİJİTAL ÇAĞA PARMAK İZİNİN EVRİMİ

Harun ŞENER¹

Eda Nur AY²

GİRİŞ

İnsanlık tarihi boyunca suç, toplumsal yaşamın kaçınılmaz bir gerçeği olarak varlığını sürdürmüştür. Suçun ortaya çıkarılması ve faillerin süratle yakalanması, toplum güvenliğinin sağlanması açısından kritik bir öneme sahiptir. Bu nedenle tarih boyunca bireylerin kimliklendirilmesi ve suçluların teşhisine yönelik çeşitli yöntemler geliştirilmiştir.

Olay yerinde bırakılan izler, yalnızca bir temasın izi olmanın ötesinde, faili adalete ulaştırabilecek değerli ipuçları barındırır. Bu izler arasında, benzersiz morfolojik özellikleri ve yaşam boyu değişmezliği sayesinde öne çıkan parmak izleri, yüzyıllardır kimlik tespitinde en güvenilir araçlardan biri olmuştur.

Parmak izlerinin eşsiz yapısına duyulan ilgi, antik medeniyetlerden itibaren belgelenmiş; tarihsel süreç içerisinde farklı coğrafyalarda bu izlerin kimlik doğrulamada kullanılabileceğine dair önemli kayıtlar bırakılmıştır. Modern kriminal laboratuvarlarda bilimsel yöntemlerle sistematik biçimde analiz edilen parmak izlerinin kökenleri, kadim uygarlıkların adalet arayışına kadar uzanmaktadır.

Dolayısıyla parmak izinin tarihsel evrimini incelemek, yalnızca adli bilimlerin gelişimini anlamaya katkı sağlamakla kalmaz; aynı zamanda insanlığın suçla mücadele konusundaki çabalarının kültürel, bilimsel ve teknolojik yansımalarını da ortaya koyar. Bu bağlamda, antik dönemlerden dijital çağa uzanan serüveniyle parmak izi biliminin gelişimi, hem disiplinler arası bir perspektif sunmakta hem de adaletin hizmetindeki evrensel bir bilimsel araç olarak önemini korumaktadır.

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değil, aynı zamanda hukuki ve etik perspektiflerin de belirleyici bir rol oynaması beklenmektedir.

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GİRİŞ

Parmak izleri adli incelemelerde kullanılan vazgeçilmez bir kimliklendirme aracıdır. Kişiye özgü izler olmanın ötesinde, derinin yapısından papil hatlarının düzenine kadar uzanan karmaşık bir biyolojik sistemin yansımasıdır. Bu nedenle birincil kimliklendirme aracı olarak tercih edilmesinin gerekçelerini kavramak için öncelikle parmak izinin doğasının keşfedilmesi gerekir.

Parmak izlerinin eşsizliği örüntünün oluşmasına katkı sağlayan farklı deri katmanları, katmanların oluşturduğu çıkıntılar ve terin yüzeye taşınmasını sağlayan porlardan kaynaklanır. Sahip olduğu benzersiz motifler uzmanların delili bireyselleştirme çabalarını destekler. Rastgele şekillenen izler başka bir insanda tekrarı görülmecek ölçüde özeldir. Her ne kadar benzersiz olsalar da, sınıflandırma ve kimliklendirme adımlarını kolaylaştıracak ortak desenlere sahiptirler. Papil hattı örüntüsü bazal tabaka düzeyinde belirlendiği için, çoğu darbe sonrası asıl şeklini kaybetmeden yeniden oluşurlar. Kişi öldükten sonra dahi delil değerini kaybetmez.

Bu bölümde anne karnında başlayan parmak izi oluşum sürecinden ölüm sonrası parmak izi gelişim aşamalarına kadar geniş bir perspektif sunulmaktadır.

1. PARMAK İZİ NEDİR?

Parmakların birinci boğumundan (falanksından) tırnak ucuna kadar olan alanda benzersiz motifler oluşturan papiller bulunur. Girintili çıkıntılı bir yapıya sahip olan papiller, ter bezlerinin epidermise açılan kanalları olan porları taşır. Porlar aracılığıyla ter sıvısı papil-

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Kişilerin fizyolojik özellikleri yüzeye aktaracakları parmak izi kalıntılarında değişkenlik oluşturur. Yaş, cinsiyet, kullanılan ilaçlar, mevcut sağlık durumu gibi faktörler bu varyasyonu belirginleştirir. Ayrıca, yüzey üzerindeki parmak izleri de zamanla birçok faktörden etkilenir. Bu etkileşim, parmak izinin üç boyutlu yapısında ve kimyasal bileşiminin değişkenliğe sebep olur. Sonuç olarak parmak izinin gelişimi donör, yüzey ve çevre etmenlerinin karmaşık etkileşimiyle şekillenir. Parmak izlerinin biçimsel düzenini oluşturan por ve papiller kadar yüzeye aktarılmasını sağlayan ter sıvısı da adli yorum açısından değerli bilgiler barındırır. Çeşitli ter bezi salgılarının içeriği iç ve dış faktörler sebebiyle değişikliğe uğrar. Dış faktörlere maruz kalmak salgılarda zamanla farklılık oluşturur. Bu dinamik doğa, tek bileşene dayalı okumalardan ziyade çoklu gösterge ve tamamlayıcı fiziksel ölçümlerle parmak izi yaş tayini çalışmalarını teşvik etmektedir.

Parmak izleri dışında avuç izleri de olay yerlerinde sık karşılaşılan ve kimliklendirme sağlayan yapılardır. Papillerin oluşturduğu tasniflemeye yarar desenler avuç izlerinde de bulunur. Oluşumu ve analiz yöntemleri parmak izlerine büyük ölçüde benzerdir.

Parmak izleri yalnızca yüzeydeki bir iz kümesi değildir. Oluşumu ve bireyselleşmesinde görev alan biyolojik ve çevresel etmenlerin bütüncül etkisi, parmak izlerini güvenilir ve tekrarlanabilir bir kimlik tespit aracı haline getirir.

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BÖLÜM 3

PSİKOAKTİF MADDELERİN PARMAK İZİNDEN TAYİNİ

İnci SAĞLAM¹

Nebile DAĞLIOĞLU²

GİRİŞ

Parmak izi, adli bilimlerin en köklü kimliklendirme araçlarından biri olarak uzun yıllardır kullanılmaktadır. Ancak güncel adli toksikoloji perspektifi, parmak izini yalnızca bir biyometrik desen olmaktan çıkarıp, kişinin fizyolojik özelliklerine, temas ettiği maddelere ve yasadışı veya terapötik bileşenlere maruz kalım geçmişine dair kimyasal bilgi taşıyan bir biyolojik numune olarak yeniden konumlandırmaktadır. Bu dönüşüm, gelişmiş analitik cihazların kazandırdığı yüksek duyarlılık sayesinde mümkün olmuş; böylece parmak izi hem kimlik hem de kimyasal profil bilgisi içeren çok boyutlu bir delil türüne evrilmiştir (1).

Parmak izi kalıntısı; ter, sebum, organik bileşikler, inorganik iyonlar ve epidermal hücre parçalarının karmaşık bir birleşimidir. Bu biyolojik karışım, kişinin metabolizmasının ürünü olan endojen maddelerin yanı sıra, çevreden veya dokunulan yüzeylerden taşınan çok çeşitli kimyasalları da içerebilir. Kozmetik ürünler, gıdalar, ilaç bileşenleri ve yasadışı maddeler bu kimyasal çeşitliliğin başlıca örnekleridir (2). Yasadışı bir maddenin vücuda alınmasıyla oluşan metabolitler terle atılabildiğinden, parmak izi kalıntısında hem ana madde hem de metabolit düzeyinde sistemik maruz kalımın izleri bulunabilir. Bu yönüyle parmak izi, kullanım ile yüzey temasından kaynaklanan bulaşın ayırt edilebilmesi açısından önemli bir potansiyele sahiptir (3).

Parmak izleri adli süreçlerde iki temel bağlamda değerlendirilir: suç mahallinde bırakılan latent izler ve kontrollü koşullarda donörden alınan izler. Kontrollü alınan örneklerde temas süresi, yüzey türü ve basınç gibi değişkenlerin standardize edilebilmesi analitik

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BÖLÜM 4

LATENT PARMAC İZLERİNDEN ADLİ DNA PROFİLLEME: MOLEKÜLER İZLER ÜZERİNE ENTEGRE YAKLAŞIMLAR

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GİRİŞ

1997 yılında van Oorschot ve Jones, bir kişinin yüzeye temasıyla aktardığı hücresel materyalin kimliklendirme açısından kullanılabileceğini ortaya koymuştur. Bu materyal “dokunma DNA’sı” (touch/trace DNA) olarak adlandırılır. Dokunma DNA’sı, bireyler ve koşullar arasında önemli farklılıklar göstermektedir. Temas sırasındaki fizyolojik etmenler (cilt kuruluğu/terleme, basınç, süre) ve temas sonrası çevresel koşullar (sıcaklık, nem, UV maruziyeti) bırakılan DNA miktarını etkiler. Ayrıca, dokunma sırasında sadece DNA değil aynı zamanda latent parmak izi de yüzeye aktarılmaktadır. Dolayısıyla, analistler parmak izi tespit edilen bir delilin biyolojik incelemeye de elverişli olabileceğini unutmamalıdır. Bu noktada kritik olan, parmak izi geliştirme yöntemlerinin DNA bütünlüğüne mümkün olduğunca az zarar verecek biçimde seçilmesi ve uygulanmasıdır.

Deliller arası çapraz bulaş da analizlerin doğru yorumlanmasını güçleştirir. Tozlama yönteminde kullanılan fırça ve tozlar ya da parmak izini yüzeyden kaldırmada kullanılan transfer bantları DNA aktarımına neden olabilir. Dokunma ile elde edilen bu biyolojik materyal genellikle düşük miktarda DNA içerir. Çeşitli dış etmenler ve delil işleme basamaklarındaki kayıplar nedeniyle eser düzeyde kalabilmektedir. Bu nedenle, örnekleme ve işlem sırasını optimize eden stratejilerin geliştirilmesi, DNA verimini artırarak dokunma DNA’sının adli bağlamda daha güvenilir kullanılmasını sağlayacaktır.

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çok faktörden etkilenmektedir. Aynı yüzeyde parmak izi ve DNA'nın birlikte değerlendirilmesi delil değerini artırsa da, seçilecek yöntemlerin kontaminasyona yol açma veya DNA'ya zarar verme riski dikkatle yönetilmelidir. Bu nedenle, tek kullanımlık DNA-free malzeme kullanımı, uygun ıslatma/toplama stratejileri, yüzeye uygun izolasyon kimyası ve miniSTR/PCR gibi kanıta duyarlı protokollerle profil kalitesi ve bütünlüğünün artırılması hedeflenmelidir. Kısacası, birkaç saniyelik bir temastan bile kimliğe ulaşılabilmesi mümkünken, standardizasyon güçlükleri ve transfer/ kontaminasyon riskleri, alanın hâlen çözüm gerektiren eşzamanlı fırsat ve sınırlılıklarını ortaya koymaktadır.

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BÖLÜM 5

PARMAK İZİ ANALİZLERİNDE KEMOMETRİK YAKLAŞIMLAR

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GİRİŞ

Adli bilimler, karmaşık delillerin incelendiği ve bu incelemelerin kritik uygulama alanına sahip olduğu bir disiplindir. Adli soruşturmalardaki temel amaç, bir suçu çevreleyen olayları yeniden yapılandırmak için insanlar, mekânlar veya nesneler arasındaki bağlantıları kurmaktır. Bu, fiziksel ve biyolojik delillerin toplanması, analiz edilmesi ve yorumlanması yoluyla gerçekleştirilmektedir. Örneklerin doğru bir şekilde tanımlanması ve ardından sınıf özelliklerine göre sınıflandırılması büyük önem taşır; bu sayede her bir delilin doğru şekilde tanımlanması ve sınıflandırılması, adli yargılama süreçlerinin tarafsız kararlara ulaşılmasını sağlar. Parmak izi analizleri, suçun aydınlatılmasında adli bilimler açısından önemli araştırma konularından biridir. Bu izler, parmak uçlarında bulunan ve her bireyde benzersiz bir desen oluşturan papil hatlarının (friction ridges) teması sonucu bıraktığı fiziksel kalıntılardır. Suç mahallinden elde edilen latent (gizli) veya görünür parmak izleri, olay yeri ile burada bulunmuş bir şüphelinin ilişkilendirilmesinde kilit bir delil teşkil etmektedir (1). Ayrıca parmak izi materyali olarak elde edilen ter ve sebum gibi biyolojik örnekler de analiz için önemli materyallerdir.

Fiziksel bir delil başarıyla ele geçirilip analiz edilse dahi, elde edilen verilerin yorumlanması önemli zorluklar barındırmaktadır. Çünkü pek çok adli bilim dalı, karmaşık görüntülerin görsel karşılaştırmalarına veya spektrumlar, kromatogramlar ya da diğer analitik çıktılardan oluşan çok değişkenli kimyasal verilere dayanmaktadır (2). Bu karşılaştırmalar, incelemeyi yapan uzmanın önemli miktarda zaman ve uzmanlık harcamasını gerektirmektedir.

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olarak, Büyük Veri ve Bulut Bilişimi (Big Data and Cloud Computing), laboratuvarlar arası karşılaştırmaları ve iş birliğini güçlendirecek paylaşımlı veri tabanları ile standardize edilmiş kemometrik protokollerin geliştirilmesinin önünü açarak, adli analizin nesnelliğini ve güvenilirliğini bir üst seviyeye taşıyabilir.

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BÖLÜM 6

PARMAK İZİ İNCELEMELERİNDE BİLİMSEL GEÇERLİLİK: METODOLOJİK STANDARTLAR, KALİTE GÜVENCESİ VE AKREDİTASYON GEREKLİLİKLERİ

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“Bir parmak izinin değeri, yalnızca onun benzersiz çizgilerinde değil; o çizgileri yorumlayan bilimin doğrulanmış güveninde yatar.”

GİRİŞ

Adli bilimler, geçmişte meydana gelen olaylardan kalan izlerin sistematik bir biçimde tespiti, toplanması, incelenmesi ve yorumlanması yoluyla suçların aydınlatılmasına ve adaletin tesisine önemli katkılar sunmaktadır (1). Olay yeri incelemelerden toksikolojiye, DNA analizinden dijital adli bilimlere kadar uzanan geniş uygulama alanı hem olay yerinde yürütülen işlemleri hem de laboratuvar temelli analizleri içeren çok yönlü bir yaklaşımı zorunlu kılmaktadır (2). Bu kapsamda bilimsel metodolojinin özenle uygulanması, elde edilen bulguların doğruluğunun yanı sıra güvenilirliğini ve tarafsızlığını da güvence altına almaktadır. Söz konusu güvence, uluslararası düzeyde kabul görmüş standartların benimsenmesiyle sağlanmaktadır. Ayrıca, adli bulguların yargı süreçlerinde kullanılabilirliği yalnızca verilerin doğruluğuna değil, bu verilerin elde edilme, değerlendirilme ve raporlanma biçimlerinin şeffaflığına da bağlıdır (3). Dolayısıyla, kalite yönetimi ve standartizasyon adli bilimler için temel yapı taşlarındandır (1,4).

Bu bağlamda ISO/IEC 17020:2012 standardı, olay yeri incelemelerinde inceleme kuruluşlarının teknik yeterliliğini; ISO/IEC 17025:2017 standardı ise laboratuvar analizlerinin doğruluğunu ve uluslararası geçerliliğini desteklemektedir. Her iki standart, adli

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nin entegre bir şekilde ele alınması gerektiğini ortaya koymaktadır. Bu eksenler, *bilimsel temel yöntemlerin* validasyonu, hata oranlarının belirlenmesi ve olasılıksal karar modellerinin geliştirilmesini; ISO/IEC 17025 ve 21043 standartlarının eksiksiz uygulanmasını ve yeterlilik testleri ile sürekli denetimler aracılığıyla *kalite güvencesinin* sağlanmasını; *etik ve dijital uyum kapsamında veri gizliliğinin* korunmasını, algoritmik şeffaflığın temin edilmesini ve insan gözetiminin sürdürülmesini kapsamaktadır. Bu bütünlük yaklaşım, adli bilimlere “deneyimsel” olmaktan çıkarak “kanıta dayalı bilimsel” bir yapıya dönüşümünü desteklemektedir.

Bu bölümde ele alınan konular ve önerilen politikalar, adli bilimlerde sürdürülebilir kalite güvence sisteminin ulusal düzeyde güçlendirilmesini amaçlamaktadır. Bu doğrultuda, Türkiye’deki tüm adli laboratuvarların ISO/IEC 17025 uyum düzeylerini izleyip karşılaştıran bir *Ulusal Adli Bilimler Kalite Platformu* kurulmalı; parmak izi analizinde kullanılan yöntemlerin bilimsel geçerliliğini belgeleyen bir *Ulusal Parmak İzi Validasyon Kütüphanesi* oluşturulmalıdır. Uzman yeterliliğinin sürekli ölçülmesini sağlamak amacıyla, her personelin yılda en az bir ulusal veya uluslararası yeterlilik testine katıldığı bir *Sürekli Yeterlilik Döngüsü* uygulanmalı ve sonuçlar kurumsal performans göstergeleri ile ilişkilendirilmelidir. Ayrıca, yapay zekâ tabanlı adli sistemlerde etik etki değerlendirmesinin zorunlu hale getirilmesiyle veri güvenliği ve karar şeffaflığı sağlanmalıdır. Son olarak, üniversiteler ile akredite kurumlar arasındaki iş birliği ile adli biyometri, kalite yönetimi ve yapay zekâ etiği alanlarında modüler eğitim ve sertifikasyon programlarının geliştirilmesi, söz konusu dönüşümün insan kaynağı boyutunu güçlendirecektir.

Geleceğin iz inceleme laboratuvarları, yüksek teknoloji, yapay zekâ ve insan uzmanlığını bütünlükten hibrit yapılara dönüşecektir. Bu bağlamda parmak izi analizleri, yalnızca bireysel kimlik tespitinde değil; suç analitiği, davranışsal biyometri, dijital adli bilişim ve adli yapay zekâ alanlarında da önemli bir rol oynayacaktır. Ancak teknolojik ilerleme, etik denetim ve kalite standartlarıyla desteklenmediği takdirde adalet sisteminin güvenilirliği zedelenabilir. Bu nedenle, sürdürülebilir bir gelecek için “bilimsel doğruluk, kalite bütünlüğü ve insan merkezli etik” üçlüsünün vazgeçilmez olduğu açıktır.

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BÖLÜM 7

TÜRKİYE’DE PARMAK VE AVUÇ İZLERİNİN TOPLANMASI, MUHAFAZASI VE İNCELENMESİ: CEZA MUHAKEMESİ VE KİŞİSEL VERİLERİN KORUNMASI BAĞLAMINDA BİR MEVZUAT ANALİZİ

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GİRİŞ

Kişiye özgü bir biyometrik özellik olan parmak izi, gebeliğin yaklaşık 10. haftasında oluşmaya başlayıp 16. haftada gelişimini tamamlamakta ve bireyin yaşamı boyunca esas itibarıyla değişmeden kalmaktadır (1,2). El bileğinden parmak tırnaklarına kadar uzanan el ayası bütün olarak ele alındığında; parmakların birinci boğumu ile tırnak ucu arasında kalan kısımda yer alan papiller hatların yüzeyde bıraktığı izler “parmak izi”, birinci boğumdan el bileğine kadar olan kısımda yer alan papiller hatların yüzeyde bıraktığı izler ise “avuç izi” olarak tanımlanmaktadır (3).

Benzersizlik ve değişmezlik özellikleri nedeniyle parmak izi, adli bilimlerde suçların aydınlatılmasında en güvenilir delil türlerinden biri olarak kabul edilmektedir (4,5). Parmak izinin adli soruşturmada ilk kullanımı, 1880 yılında Japonya’da meydana gelen bir şarap hırsızlığı olayı kapsamında Dr. Henry Faulds tarafından gerçekleştirilmiş; söz konusu olayda parmak izleri failin tespiti amacıyla kullanılmıştır (6,7). Bu tarihten itibaren parmak izi analizleri, modern teknolojilerle desteklenerek gelişimini sürdürmüş ve günümüzde de önemini koruyan temel bir adli inceleme yöntemi hâline gelmiştir (8).

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