

11-10-88

The Chief Justice —

no DIG  
7. regard & he called to our attention  
at cert stage  
state & mind has to be deliberate under  
misdeed train & a city just unless  
consciously adopted  
no E + meet this plan  
this & am case, in total law  
disagree with CB

Brennan, J. — OK

if foreseeable, ok  
right is a suff  
yet intent need n b proved.  
revenue + he det apply program  
ad DIG with action

White, J. —

only job here was to keep it - etc  
but CA & the people had full discre  
but were in hand  
try failed to train  
if tx is deliberate under, 1982 = look  
remanded because after hours was in error  
CA attorney was for +12  
Remand

can outrel — if one state  
deliberate under  
O-A-K agree

5 - outrel

Marshall, J. +

whatever + city decides with  
I do n know + fear here  
city can do nothing on this  
this based on race

Blackmun, J. DIG

Stevens, J. —

is easy  
think we should re DIG  
we have to try to describe this issue  
if you go officers describe, & try to  
show, in best guess  
try can control + police  
can go in B or W  
+ + just for a NT, but = a —

O'Connor, J. —

no DIG  
can reach, U Tuggle.  
city had written just  
no found fault with  
to means discuss in tel on + spot  
hard + find a job on this was  
no E v a custom, just a  
single issue  
ed - control  
content to RR  
delib indep ston pops OK

Scalia, J. —

last SOC  
"delib indep" ston is OK  
copies re - social, city is  
a deep pocket approach  
say we do not need real training  
for this - no go to jury  
∴ - control

Kennedy, J. —

in AS  
discuss in re making rules clearly  
on DIG, issue is presumed by city  
can't fault report  
but only to go to real merits  
delib indep & good ston