

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE Wm. J. BRENNAN, JR.

December 30, 1988

December 29, 1988

MEMORANDUM 86-1088 - City of Canton v. Harris

Re: 86-1088 - City of Canton v. Harris

Dear Byron,

Although I would like to see your revised draft and think about this case a little longer, I am in general agreement with your opinion. In view of your letter to Sandra today, however, I thought I should say that a remand seems to me appropriate in this case. If you were to hold that respondent's proof was insufficient as a matter of law and that reversal without remand is the proper disposition, I very much doubt that I could join. I also agree with you that a plaintiff need not always identify the relevant policymakers in section 1983 suits, and that there is no reason to lay down that requirement here.

Justice White

Sincerely,

Copies to the Conference

WJB
/ER

Justice White

Copies to the Conference