

84-1160

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lfp/ss 02/24/86

Rider A, p. 10 (Pembaur)

PEM10 SALLY-POW

Similarly, nothing about the way the decision was reached indicates that official policy was formed. The prosecutor, without time for thoughtful consideration or consultation, simply gave an off-the-cuff answer to a single question. There was no process at all. The Court's holding undercuts the basic rationale of Monell, and unfairly increases the risk of liability on the level of government least able to bear it. I dissent.

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