

October 27, 1976

To the Honorable  
The City Council  
City-County Building  
Detroit, Michigan 48226

Re: Recommendation for representation  
by the Law Department of Police  
Officer Harry Larsosa

Honorable City Council:

The writer recommends that City Council approve the Law Department's representation of Officer Larsosa.

We are aware that certain inconsistencies have surfaced in this matter as the file will reflect. We are similarly aware that former Chief Tannian was unable to decide the appropriate posture of the department in this matter.

Notwithstanding, the above we feel the issue is the "good faith performance of duty" standard. At the outset Officer Larsosa was taking police action in attempting to arrest a fleeing felon. He was operating within the law and departmental rules and regulations.

Subsequent events brought into serious question the propriety of his actions. However, we feel that his inappropriate behavior does not vitiate the nature of his first act. An act clearly legal, proper and indeed required by off duty police officers.

Subsequent actions of the officer have been found to violate certain rules of the department. Accordingly the officer has been disciplined at a Chief's Hearing for these actions. He was not disciplined for attempting to make an arrest nor for bad faith performance of duty.

This is a complex case that is difficult to make rational assessments of the city's liability. If for no other reason it would appear that the city's best interest would be served by legal representation to the officer.

Respectfully submitted,

WILLIAM L. HART  
Chief of Police

Encl.  
WLH:jw