


*Monroe County
Clerk of the Legislature*

Diana M. Christodaro
Clerk



David Grant
Deputy Clerk

MEMORANDUM

TO: Legislators, Directors, Staff and Media 
FROM: Diana M. Christodaro, Clerk of the Legislature
DATE: November 15, 2016
RE: Matter of Importance – File No. 16-0363 and 16-0364

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- 16-0363 – Confirmation of the Appointment of the Director of Public Safety– As A Matter of Importance – County Executive Cheryl Dinolfo**
- 16-0364 – Confirmation of the Appointment of the Conflict Defender– As A Matter of Importance – County Executive Cheryl Dinolfo**

These referrals were not made to committee at the preceding meeting of the Legislature on November 15, 2016, but has been determined by President Anthony J. Daniele to be of sufficient importance to warrant referral between Legislative meetings, pursuant to Section 545-24 (C) of the Rules of the Monroe County Legislature.

Attachment

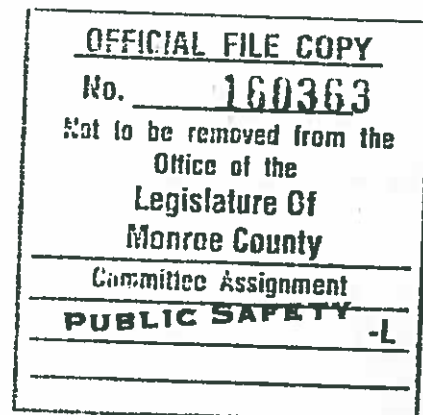


Office of the County Executive

MONROE COUNTY, NEW YORK

Cheryl Dinolfo
County Executive

November 15, 2016



To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Confirmation of the Appointment of the Director of Public Safety

Honorable Legislators:

I recommend that Your Honorable Body confirm the appointment of Robert Burns as Director of Public Safety, pursuant to Section C2-6(C)(9) of the Monroe County Charter and Section A4-3 of the Administrative Code.

Mr. Burns has vast experience in public safety matters and will be an effective administrator for the Department of Public Safety. As Chief Probation Officer for Monroe County for 25 years, he has had wide-ranging interactions with municipalities, police agencies, and the public sector that will prove him to be an asset to the community in this new position. He is a member and past President of the New York State Council of Probation Administrators, as well as a member and past Vice President of the New York State Probation Officers Association.

Prior to joining Monroe County Probation, Mr. Burns was the Deputy Probation Director in Albany County. He received his Bachelor of Arts degree from Siena College. A copy of his resume is attached.

Mr. Burns' appointment is effective immediately.

The specific legislative action required is to confirm the appointment of Robert Burns as Director of Public Safety, pursuant to Section C2-6(C)(9) of the Monroe County Charter and Section A4-3 of the Administrative Code, effective immediately.

No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,


Cheryl Dinolfo
Monroe County Executive

CD:wn

Robert J. Burns

PROFESSIONAL EXPERIENCE

Monroe County Department of Public Safety, Office of Probation – Community Corrections

Chief Probation Officer (Probation Administrator) – May 1991 – Present

Administration and management of a county probation service and county security operations with a staff of 180, four office locations, an operating budget of \$18.5 million and management of contracts exceeding \$2.m. Responsibilities include:

- Formulation & implementation of agency policies & procedures
- Staff development, including peace officer and firearms certification
- Personnel management, appointment of Officers, management promotions
- Conducting regular meetings with executive staff & evaluating related performance
- Budget preparation, financial management
- Labor/management relations
- Public speaking/relations
- Community relations (neighborhood groups, law enforcement agencies, judges, state agencies (Division of Criminal Justice Services, Department of Corrections & Community Supervision, Office of Children & Family Services etc.), treatment agencies etc.)
- Implementation/management of multiple probation records management systems
- Oversight of various staff relocations to new offices
- Direct management of various programs including: Adult & Juvenile Intake, Investigations & Supervision; Offender Electronic Monitoring; Warrant Enforcement; Restitution; Sex Offender Containment; Internships; Offender Reporting Centers; PINS Lead Agency services; Mental Health initiatives; Police – Probation partnerships; County Security services
- Contract oversight of county pretrial, reentry task force and security services.

Chair, Monroe County Reentry Task Force 2006 – present

Member, NYS Probation Commission Governor's Appointment 1994 – present

Local Conditional Release Commissioner Monroe County 1994 – 1998

Member, NYS Juvenile Justice Advisory Group Governor's Appointment 1997 – 2008

Member, Industry Board of Visitors Governor's Appointment 1998 – present

Member, Monroe County STOP-DWI Technical Advisory Board 1991- present

Member, Chief Judge's Task Force on the Future of Probation 2007

MAJOR ACCOMPLISHMENTS

- Restored probation agency to position of respect after negative critiques from county government, state regulatory agency, media and union.

- Enhanced career advancement opportunities with Probation; established equitable 'job posting' practices
- Established Peace Officer Policy, including comprehensive training and certification programs to enhance Officer-Safety (firearms, OC, baton, defensive tactics, Taser)
- Established state-of-the-art 2-way radio assignments and procedures for all staff, including 911 Dispatch monitoring for Officer-Safety
- Enhanced electronic monitoring program to include GPS, alcohol monitoring, domestic violence response protocol to victim's home/business and opportunities for juvenile referral
- Expanded community services opportunities to juveniles
- Secured USDOJ funding for Operation Nightwatch, a police/probation partnership that monitors high risk offenders and still thrives after 20+ years
- Established strong collaboration with child welfare and mental health partners:
 - Family Access & Connection Team (Probation Officers, DSS Caseworkers, private mental health facilitators)
 - Youth & Family Partnership (youth with serious mental health diagnoses)
 - Juvenile Reporting Center
 - Alternative to Detention Team (timely and safe supervision of juveniles released by the Family Court to avoid costly detention; evening/weekend home visits)
 - Teletask (recorded phone reminders to youth regarding Probation or Court appointments)
 - JD Aftercare (when such services were non-existent and youth were reoffending at an alarming rate)
- Secured State VAWA funding to preserve Family Offense Intake team (Order of Protection petitions & safety planning for domestic violence victims)
- Secured Federal Grants to Encourage Arrests funding to provide fiscal support to Probation, police, DA and domestic violence victim advocates
- Developed effective Operation IMPACT and GIVE partnerships with District Attorney & Police, securing funding for a Probation Field Intelligence Officer, warrant enforcement, search Details and a Swift, Certain & Fair initiative.
- Secured Probation membership on the Monroe Crime Analysis Center Board of Directors.
- Creation of the Probation Bike Patrol
- Creation of the Probation K9 Program (enhanced narcotics searches)
- Creation of the Probation Critical Incident Response Team & Probation Chaplain programs to support officer safety and wellness.
- Recipient, Sara Tullar Fasoldt Leadership & Humanitarian Award, NYS DCJS
- Recipient, Carl S. Hallauer Memorial Award, Rochester Police Rosewood Club

Albany County Probation Department 1974 – 1991

Deputy Probation Director

Assisted Director in overall management of county probation service with a staff of 120, three office locations and a budget of \$3.2 m. Responsibilities included:

- Direct supervision of Principal Probation Officer, Probation Supervisors, Office Manager & various other staff
- PINS Adjustment Services Plan preparation & oversight
- National Institute of Corrections Management Project Team Leader

- Implementation of first Probation Management Information System
- Staff Development Officer
- NYS Civil Service pretest review (entry & advanced probation positions)
- Member, Albany County ATI Board

Probation Supervisor

Supervise staff of Probation Officers and assistants, implement and manage new Intensive Supervision Program, direct Interstate & Intrastate Transfer operations

Senior Probation Officer

Supervise adult offenders, special projects team leader, act in place of supervisor

Probation Officer

Adult investigations and supervision of felons and misdemeanants

EDUCATION

Siena College, Loudonville, NY – Bachelor of Arts, Political Science 1974

Numerous continuing education courses, seminars and workshops regarding management, counseling and other probation-related issues

PROFESSIONAL ASSOCIATION EXPERIENCE

- Member & Former President, NYS Council of Probation Administrators (1998-2001)
- Member & Past Regional Vice President, NYS Probation Officers Association
- Member, American Probation & Parole Association
- Former President, American Society for Public Administration, Greater Rochester Chapter & Treasurer, Capital District Chapter
- Member, National Association of Probation Executives
- Former Member, American Correctional Association

COMMUNITY INVOLVEMENT

Current:

- Member, Monroe County Law Enforcement Council
- Vice-Chair, Monroe County Criminal Justice Council
- Chair, Monroe County Juvenile Justice Council
- Member, Project Exile Advisory Board, Rochester, NY
- Member, Criminal Justice Advisory Board, Monroe Community College
- Volunteer/1st Lieutenant, Civil Air Patrol, Rochester Composite Squadron

Previous:

- Member, Advisory Board, Families & Friends of Murdered Children & Victims of Violence
- Member, Criminal Justice Advisory Board, SUNY Brockport
- Member, Community Prosecution Advisory Committee (Clinton Section)
- Co-chairman, Capital Leadership Program & Graduate, 1989
- Member, Program Committee, Leadership Rochester
- President, Board of Directors, TASC of the Capital District

- President, Board of Directors, Albany County Opportunity Inc.
- Member, Advisory Board, Albany County Community Service Sentencing
- Member, Delmar Kiwanis Club
- Member, Rochester Rotary
- Member, Board of Directors, Foundation for Youth in Irondequoit
- Volunteer/Coach, Bethlehem Tomboys Softball & Irondequoit Athletic Association
- President, CHARLEE Group Homes, Schenectady, NY
- Volunteer, Big-Brothers/Sisters of Albany

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ALBANY COUNTY OFFICE

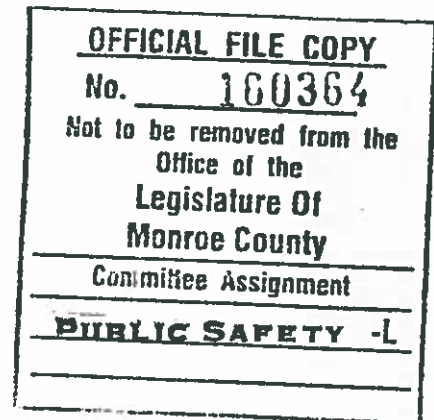


Office of the County Executive

MONROE COUNTY, NEW YORK

Cheryl Dinolfo
County Executive

November 15, 2016



To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Confirmation of the Appointment of the Conflict Defender

Honorable Legislators:

I recommend that Your Honorable Body confirm the appointment of Mr. Mark Funk as Conflict Defender, pursuant to Article V, Section A, Subdivision 2 of the Monroe County Bar Association Sponsored Plan for Conflict Assignments ("Plan").

Pursuant to the Plan, the Monroe County Bar Association (MCBA) formed a search committee for the purpose of recommending to me a list of three names from which to appoint the Conflict Defender. After an interview process, the search committee recommended three highly qualified individuals for consideration. Mr. Funk's extensive experience in the field of family, criminal and appellate courts commends him as the best choice to serve as Conflict Defender.

Mr. Funk is an attorney with over 20 years of experience in criminal, family and appellate courts. As a member of the MCBA's Assigned Counsel Committee he already has an understanding of the responsibilities of the Conflict Defender's Office.

Mr. Funk's appointment is effective immediately.

The specific legislative action required is to confirm the appointment of Mr. Mark Funk as Conflict Defender, pursuant to Article V, Section A, Subdivision 2 of the Monroe County Bar Association Sponsored Plan for Conflict Assignments, effective immediately.

No additional net County support is required in the current Monroe County budget

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,


Cheryl Dinolfo
Monroe County Executive

CD/wn

Mark D. Funk

BAR ADMISSIONS:

New York State
U.S. District Court - Western District of New York
U.S. Bankruptcy Court - Western District of New York
United States Court of Appeals for the Second Circuit
United States Supreme Court

EMPLOYMENT

LAW OFFICE OF MARK D. FUNK

- *Solo practitioner; February 1996 - April 1999; January 2001 - current.
- *State and Federal Criminal Defense (Felony, Misdemeanor and Appellate cases).
- *Family Court (Child Abuse/Neglect, Custody/Visitation, JD/PINS) Practice.

LAW OFFICES OF ANTHONY F. LEONARDO, JR.

- *Associate; April 1999 - December 2000.
- *Research and writing of criminal defense motions, memorandum and briefs.

HON. WALTER A. PORTER, OHIO COMMON PLEAS COURT; Dayton, Ohio.

- *Law Clerk; June 1994 - June 1995.
- *Research and writing of decisions and opinions.

EDUCATION

UNIVERSITY OF DAYTON SCHOOL OF LAW

- *Class of 1995 Rank: Top 18% (24 of 133).
- *Grade of "Exceptional" received: Civil Trial Practice, Fall 1994.
- *Jessup International Law Moot Court Competition, Spring 1995.
- *Two Academic Excellence Awards.
- *Scholarship recipient.

STATE UNIVERSITY OF NEW YORK COLLEGE AT OSWEGO

- *Magna Cum Laude graduate, 1992.
- *Major: Secondary Education/Social Studies; Minor: History.

CONTINUING LEGAL EDUCATION

BASIC TRIAL SKILLS SCHOOL; New York State Defenders Association, 1998.

VOLUNTEER / COMMUNITY SERVICE: Coach; NYSBA Mock Trial Competition.

REFERENCES AND WRITING SAMPLES AVAILABLE UPON REQUEST