



MARK A. McCANN, Prosecutor

Howard County, Indiana
62nd Judicial District
220 N. Main Street, 4th Floor
Kokomo, Indiana 46901
Tel. 765.456.2230
mark.mccann@howardcountyin.gov

***Subject: Statement of Need for Additional Positions
Howard County Prosecutor's Office***

To Whom It May Concern:

Per your request, please find the following statement in support of our PAC request for additional staffing in the Howard County Prosecutor's Office. ***Exhibit 1.***

The Howard County Prosecutor's Office (HCPO) is facing a significant and ongoing staffing crisis that directly undermines our ability to fulfill our constitutional duty to seek justice. According to a study by the Association of Indiana Prosecuting Attorneys (AIPA), based on 2019 criminal filing data, HCPO requires 23.8 full-time deputy prosecutors to manage its caseload effectively. As of 2025, we have only 11—less than half of the necessary personnel.

This shortage severely limits our ability to:

- Prosecute cases in a timely and effective manner;
- Provide meaningful support to victims; and
- Engage in proactive public safety efforts in collaboration with law enforcement.

Comparative Staffing and Compensation Disparities

In contrast, the Howard County Public Defender's Office reportedly employs at least 23 attorneys, all of whom benefit from mandated caseload caps. Prosecutors are held to no such limits, yet shoulder heavier and more diverse caseloads under tighter constraints. Further, public defenders are allowed to maintain private practices, supplementing their income while receiving full-time county benefits and qualifying for federal student loan forgiveness.

Full-time prosecutors, by contrast, are prohibited—by statute and professional ethics—from engaging in outside legal work. This creates a deeply inequitable financial disparity between two branches of public service charged with ensuring justice.

Standard G and the Myth of Comparable Roles

The Indiana Public Defender Commission's Standard G states:



“Salaries and compensation of full-time public defenders shall be the same as the salaries and compensation provided to deputy prosecutors in similar positions with similar experience in the office of the Prosecuting Attorney. The compensation of contractual public defenders shall be substantially comparable...”

This standard presupposes a similarity between the roles that does not exist. A proper comparison of workload and job function is essential to any legitimate compensation analysis. The AIPA study—based on actual caseloads—makes clear that HCPO is short at least 12 attorneys, even as public defender positions are being benchmarked for salary against prosecutor roles with no such caseload analysis.

Unlike public defenders, deputy prosecutors:

- Screen and file all criminal charges;
- Assist law enforcement with investigations;
- Serve on statutorily mandated committees;
- Manage and review vast amounts of digital evidence; and
- Carry the responsibility for initiating every step of the criminal justice process.

Public defenders’ work begins **after** a case is filed. Inadequate staffing on our end not only delays justice, it could lead to a reduction in the filing of minor offenses—something we do not support, but may be forced to consider without proper resources. Meanwhile, public defenders would benefit from reduced caseloads without a corresponding reduction in force. HCPO cannot make similar adjustments—we are already operating with a 50% personnel deficit.

A Matter of Parity, Not Preference

Howard County is required to justify public defender salaries by comparing them to prosecutor salaries. Yet, paradoxically, prosecutors lack the benefits, income flexibility, and support structures provided to public defenders. We are being asked to do more—with less—and under less favorable conditions.

This is not about politics or office preference. It is about fairness, sustainability, and the integrity of our local justice system. Investments in the Public Defender’s Office must be matched with equitable support for the Prosecutor’s Office to preserve balance in the administration of justice.

Despite the County Council’s willingness to support our office, the recent approval of just one additional deputy prosecutor for 2025 falls far short. We remain 12 attorneys below required staffing levels and are also requesting investment in support staff, including criminal caseworkers and investigators.

This request aligns with current legislative efforts to support prosecutorial offices, including:

- **House Bill 1006** – Establishing the Public Prosecution Fund



- **House Bill 1049** – Creating public service scholarships for prosecutors

In Conclusion

We are not asking for special treatment—we are asking for fairness. The Prosecutor's Office cannot carry out its essential mandate to protect the community, support victims, and ensure timely and just outcomes without the same level of investment afforded to the defense.

We respectfully request full support for our staffing request.

Please let us know if additional information or a formal memorandum format is needed.

Respectfully submitted,

Howard County, Indiana
Prosecuting Attorney

****This document is not for general distribution and is subject to further changes, corrections and modifications. The contents of the document shall not be quoted or distributed without the consent of Mark A. McCann.***