

Kevin O'Mahoney's Statement Narrative

In late 2025, Deputies voted to unionize and the results yielded that the majority said yes. I was unanimously voted to be the local chapter president. Zach Brown was unanimously voted to be a negotiator, and a third Deputy was voted as the second negotiator.

The three of us reached out to the Deputies regarding what they wished to see implemented in a collective bargaining agreement. Multiple workers wanted to see a contract that reflected "just-cause" versus "at-will" employment, as they cited concerns for employees being terminated for no legitimate reason. Amongst other topics, schedule changes and uniform/equipment allowances were discussed.

On April 1st, I met with Brown and Deffenbaugh to discuss how a negotiation meeting went. After the meeting, I sent a group chat message to the unionized Deputies to pass along the progress we were making. The following are a few lines pulled directly from my group message:

"Nobody here is 'anti-regime', we just want fair representation and ourselves as direct extensions of the sheriff to be represented fairly, and most importantly, heard."

and,

"The Union County Sheriff's Office has a lot of potential, and our citizens and neighbors deserve us at our best. We've all had a lot of shit happen to us the last couple years and my goal; as a part of the union, the president, a fellow coworker, and field training officer, is for everyone to feel wanted, supported, heard, and protected from deceptive/toxic practices and behaviors."

During this time, an election campaign was being ran by Sheriff Prouty and his opponent, Presley Helm. As a voter and citizen of Union County, I educated myself on the other candidate as the election would directly affect us at the Sheriff's Office. Being an employee and Deputy, I would be able to gain insight on how these candidates would enforce, protect, and serve. The environment at the Sheriff's Office was negative across the Deputies, Dispatchers, and Jail. Supervisors were basically the bulk of endorsing Sheriff Prouty. Officers from other agencies within the county would be called randomly while them and I were on shift and asked what "gossip" was going around about the election, and comments were being made eluding to that good things will come to those who supported Sheriff Prouty.

In April, I was asked by a supervisor while we were both on duty if I would be willing to sign some sort of petition-deal that shows support for Sheriff Prouty. I was told it would be going in the local newspaper with our signatures. I told the supervisor, "Absolutely not" and that I

wanted nothing to do with the campaigning- which was true, I did not want myself involved in the politics specifically in the workplace with everything going on.

In May, Brown contacted me and advised that a supervisor called him just earlier, who acknowledged they knew he had a Presley Helm sign in his front yard. Brown told me the supervisor told him it was a bad image to have his patrol vehicle parked with the sign in his yard and informed him he could either remove the sign to keep his take-home patrol vehicle, or he could park his patrol vehicle at the sheriff's office and keep his sign up but would have to commute to the office. I had already taken my sign down due to weather, but this information prompted me to keep the sign in my garage.

While on shift throughout campaign season, a few citizens asked how they can get a Jim Prouty yard sign or support his campaign. I would answer them by saying to reach out to the Sheriff directly or check his facebook campaign page. I never tried to sway any member of the public while on duty.

On Tuesday, June 23rd, there was a regularly scheduled Deputy meeting at 4pm, at the end of my shift. The only difference was that this meeting was passed down to Deputies only about 4-5 days prior. Typically, these get scheduled out in the previous month.

I was waiting for the meeting to start and a Sergeant asked me to come with him. I got up, and followed him into the Chief Deputies Office, where the Chief Deputy and Sheriff Prouty were sitting. The sergeant turned around and walked away. I stepped in, shut the door, and sat down next to Sheriff Prouty. He was holding papers and I believe a folder in his hand. A cell phone was on the desk in front of him. Sheriff Prouty introduced the female on the phone and paused. I looked at him, and he said she was from human resources. Sheriff Prouty then began to read from a form in his hand, telling me my employment was terminated effective immediately. I did not argue and he began to explain that he had two forms; one was a resignation form, the other was a termination form. He explained he would give me a moment to read both and decide which one I wished to sign. He placed both in front of me on the desk. I noticed the Chief Deputy looked shocked and was hiding his face, which was indicative to me that he may not have been privy to any information regarding this termination. I asked Sheriff Prouty what exactly happened, and he pointed to a paragraph on the termination form and said that was the reason. I read the paragraph, which stated the following:

"The decision is a no-fault termination and is not based on misconduct, performance deficiencies, or any violation of company policy."

The paragraph then cites South Dakota Codified Law 7-12-11, which summarized states that the sheriff can relieve any sheriff's office employee of any official responsibilities and

duties. I again asked Sheriff Prouty if he could elaborate on that, and he did not answer and asked me to choose which form I was signing. I read the resignation form, which clearly stated "I understand this will be reflected in my employment record as a voluntary resignation for the purposes of reference checks from other prospective employers and that no other information besides name, title, and dates of employment will be released".

Because I was verbally told by the Sheriff that my employment was terminated, that I was presented with a termination later, and the fact that I was not allowed to leave the office with my employment still in effect, not by my choice, I signed the resignation form, which was the decision I made at that time with the information I had. What followed was I was stripped of my sidearm, badge, magazines, and radios. I then was escorted out of the office by the Chief Deputy. A sergeant then drove me home. I would then receive a call shy of an hour later from Brown, informing me he was terminated. His termination occurred about 30 minutes after mine. We then both discovered our situations behind the closed door were identical.

My work speaks for itself as a law enforcement officer. I know former coworkers and other agency officers within the county are outraged and confused, just as I am. Brown and I are the second and third Deputies within 5 months to be let go. All three of us specifically were actively involved in collective bargaining negotiations. Brown and I had yard signs up for Presley Helm in our yards (although mine was taken down only days after I put it up). No other Deputy was negotiating or directly involved (although we were supported by these other deputies). No other deputy to my knowledge had a Presley Helm sign in their front yard. In fact, some employees disclosed to me that they only had Jim Prouty signs and/or open support for him due to the fear of a retaliation situation- such as Brown and I's termination. Making the decision to end my employment for me, during a very bad time, because I chose to stick up for my fellow coworkers, is distasteful and conduct unbecoming of a true leader. Historically, the Sheriff, having been voted by the people, stands up for the citizens, not the agency/companies' interest. It was in no way the best interest of the citizens to let go of two deputies who were experienced, not safety liabilities, and during a time where staffing levels were not even where they should be to begin with. Deputies have been, but now even more so post-June 23rd, are running single coverage (one deputy for an entire county at times). One Deputy to cover about 467 square miles. This significantly impacts response time for emergencies and creates added stress on the individual deputy and their coworkers. This was an issue talked about even prior to June 23rd. This was an issue argued during collective bargaining negotiations.

While the Sheriff is allowed to terminate at-will, the Sheriff is also seen as the protector of constitutional rights for their people. While the sheriff has broad discretion, it must be exercised consistently with constitutional rights, or else liberty will fail to prosper.