

**IN THE COURT OF COMMON PLEAS  
SANDUSKY COUNTY, OHIO**

<b>IN RE: REMOVAL OF</b>	:	
<b>SANDUSKY COUNTY PROSECUTOR</b>	:	
<b>TIMOTHY BRAUN</b>	:	
<b>33 Ponds Side Dr.</b>	:	<b>COMPLAINT AND</b>
<b>Fremont, Ohio 43420-2677</b>	:	
	:	<b>REQUEST FOR SUSPENSION</b>
	:	<b>PENDING HEARING</b>
	:	

**COMPLAINT FOR REMOVAL**

**I. INTRODUCTION**

The good citizens of Sandusky County elected Timothy Braun as their Prosecuting Attorney to protect and defend them and to enforce the laws of Ohio in a fair and just manner, without regard for his own personal interests. Braun took an oath to support the constitution of the United States and the constitution of this state, and to faithfully discharge the duties of the office of the Sandusky County Prosecutor. In taking that oath, Braun promised to use the authority and power bestowed on him by the citizens of Sandusky County only as authorized by law.

Timothy Braun violated his oath of office over and over again. Almost from the beginning, Braun engaged in a pattern of physical and psychological abuse, fear and intimidation of female subordinates for his own personal, prurient interests. On numerous occasions, Braun inappropriately hugged, groped and rubbed the body parts of several female employees who were Braun's subordinates without their permission. He also targeted female subordinates with inappropriate sexual comments about their bodies, mused about their private, intimate relationships with their significant others, and voiced his interest in having sexual relations with them. All the while, Braun made threatening statements implying that he would use his power

and authority to bring criminal charges, incarcerate individuals and otherwise negatively impact the lives of the women that he targeted and others that crossed him.

Finally, when Braun's female subordinates challenged his misconduct, and when one female subordinate resigned, Braun erupted in anger and further used his power and authority to open a dubious criminal investigation into missing personnel records, which he claimed were stolen, and to obtain the private cell phone records of these female subordinates.

One of these female subordinates filed a criminal report against Braun. Braun plead guilty and was convicted of Negligent Assault under R.C. 2903.14. Conditions of his probation make it utterly impossible for Braun to perform the duties of the Sandusky County Prosecuting Attorney.

As set forth in this Complaint for Removal, Braun should be removed from office for committing misconduct in office as set forth in Ohio Revised Code Section 3.07 by willfully and flagrantly using authority and power not authorized by law, by refusing or willfully neglecting to perform his official duties, by engaging in a pattern of egregious misconduct which amounts to gross neglect of duty, gross immorality, misfeasance, malfeasance, and/or nonfeasance. For all of these reasons, Braun's continued presence as the Sandusky County Prosecutor also harms the public welfare.

## **II. LEGAL AND FACTUAL ALLEGATIONS**

1. Ohio Revised Code Section 3.08 "Procedure for Removal of Public Officers" provides in relevant portion that "the procedure for removal of public officers on any of the grounds enumerated in section R.C. 3.07 of the Revised Code shall be commenced by the filing of a written or printed complaint specifically setting forth the charge...if the officer sought to be

removed...is the prosecuting attorney of a county...the governor may sign and file such written or printed complaint”.

2. Ohio Governor Mike DeWine, in his official capacity, is a signatory of this Complaint.

3. Ohio Revised Code Section 3.07 provides in relevant portion that “[a]ny person holding office in this state...county, or subdivision thereof, coming within the official classification in Section 38, Article II, Ohio Constitution, who willfully and flagrantly exercises authority or power not authorized by law, refuses or willfully neglects to enforce the law or to perform an official duty imposed upon him by law, or is guilty of gross neglect of duty, gross immorality, drunkenness, misfeasance, malfeasance, or nonfeasance is guilty of misconduct in office.”

4. R.C. 3.07 further provides that upon complaint and hearing in the manner set forth in R.C. 3.07 to 3.10 of the Revised Code, such person shall have judgment of forfeiture of said office entered against him.

5. Timothy Braun is the duly elected prosecutor for Sandusky County, Ohio, and is a “public officer” pursuant to Ohio Const. Art. II, Section 38 and is subject to removal under R.C. 3.08.

6. Jurisdiction is proper in the Sandusky County Court of Common Pleas pursuant to R.C. 3.08, which provides that a Complaint filed pursuant to that Section “shall be filed with the court of common pleas of the county where the officer against whom the complaint is filed resides”.

7. Sandusky County Prosecutor Timothy Braun resides in Sandusky County, Ohio.

8. Timothy Braun was elected the Sandusky County Prosecutor in November, 2016. His term began on January 2, 2017 and will expire on January 3, 2021. The Sandusky County Prosecutor's Office is generally responsible for prosecuting all felony offenses that occur within the County as well as many misdemeanor offenses.

9. As the elected Prosecutor, Timothy Braun supervises the prosecution of all such felony offenses, including but not limited to, approving and making charging decisions, approving and engaging in plea negotiations, and approving and making sentence recommendations. As the elected Prosecutor, Braun also is the statutory attorney for the county in civil matters.

10. As the elected Prosecutor, Timothy Braun oversees the operation of the Sandusky County Prosecutor's Office, including the hiring, firing and supervision of office staff.

11. On May 2, 2019, Sandusky County Sheriff Christopher J. Hilton requested investigative assistance from the Ohio Attorney General's Bureau of Criminal Investigation ("BCI") in matters relating to possible criminal misconduct in the Sandusky County Prosecuting Attorney's Office.

12. During the course of that investigation, employees of the Sandusky County Prosecutor's Office disclosed to BCI Special Agents that Sandusky County Prosecutor Timothy Braun had subjected multiple female subordinate employees to unwanted physical contact and inappropriate sexual, intimidating and threatening comments on numerous occasions. The following are non-exhaustive examples of Braun's patterned misconduct towards these subordinates:



a. Prosecutor's Office staff witnessed Braun place his hand on or near the breast of a female subordinate on two occasions. Both incidents occurred in the employee's workplace. Witnesses reported that the touching was clearly inappropriate and unwanted.

b. Prosecutor's Office staff witnessed Braun giving "back rubs" and "shoulder rubs" to numerous female subordinates on numerous occasions during his tenure. Witnesses reported that these "rubs" were often unsolicited and unwelcomed.

c. On at least one occasion, during December 2018, Mr. Braun gave a female subordinate unsolicited advice on how to sexually satisfy her husband and commented that he thought she "was fun to have sex with."

d. On another occasion, Mr. Braun advised a subordinate who had recently given birth to make sure she continued to have sex with her husband.

e. Braun often engaged female subordinates in sexual topics and fixated on their personal relationships. Additionally, he made other sexual comments to and about female subordinates including but not limited to telling a subordinate that he would date her if anything happened to his wife, telling a subordinate that he preferred her breasts and telling her that she had a "nice rack!"

f. Timothy Braun also displayed an inappropriate, prurient fixation on one female subordinate in particular. He consistently inquired into the subordinate's personal and romantic life and repeatedly gossiped about and asked probing questions of other Prosecutor's Office staff members regarding the subordinate's most personal matters.

g. Braun made numerous inappropriate comments about the female subordinate including but not limited to claiming that he could "read her mind," and claiming

that he made the subordinate become sexually aroused. He also falsely accused the subordinate of engaging in a romantic relationship with another public official.

h. Braun also showed an inappropriate level of favoritism towards this female subordinate including but not limited to giving her at least two significant salary raises without legitimate business justifications, giving her an expensive gift and repeatedly inviting her to private lunches during the workday.

13. Employees of the Sandusky County Prosecutor's Office endured Braun's abusive and inappropriate conduct because they did not wish to lose their jobs. Indeed, on numerous occasions, Braun would make threatening comments to his female subordinates including but not limited to, that he would put a "dull blade to a throat" or that he would put "someone in Marysville prison" if they crossed him. Additionally, Braun consistently reminded his subordinates that he placed people on "death row."

14. Braun persisted in his abusive conduct towards these female subordinates even when they told him to stop. As an example, Braun laughed at a female subordinate when she informed him that his comments and physical touching made her uncomfortable and he joked about the subordinate being afraid of him. Additionally, after another female subordinate complained, Braun took her into a private room and confronted her about her complaint. The subordinate reported feeling threatened by Braun. Thereafter, Braun attempted on one or more occasions to contact the subordinate at home using "Facetime."

15. On April 4, 2019, upon returning from a vacation with her boyfriend, Braun engaged in a heated discussion with the female subordinate identified in Paragraph 12(f). Braun immediately placed the female subordinate on paid administrative leave and prohibited her from

returning until April 10, 2019. Instead of returning, the female subordinate resigned from her position with the Prosecutor's Office.

16. Shortly thereafter, Braun seized the timesheets of the female subordinate identified in Paragraph 12(f) and also seized the personnel files of all employees including the personnel files of the three female subordinates that were close to her.

17. Shortly after Braun gained control of these items, he alleged that the items had been stolen from his office. Braun commenced a criminal investigation into the alleged whereabouts of the timesheets and personnel files. Braun did not engage the Sandusky County Sheriff's Office or any other law enforcement agency at that time. Instead, Braun and his internal investigator performed the investigation into the missing timesheets and personnel files that disappeared from Braun's own office.

18. As part of the investigation, Braun secured, through criminal legal process, the private cell phone records of the three female subordinates whose personnel files were allegedly missing.

19. Approximately one month later, after he had obtained the private cell phone records of his female subordinates, the missing items were located in Braun's office. Braun did not provide a legitimate justification for the re-appearance of the items in his office.

20. One of Braun's victims would not be deterred. She filed a criminal report and, on December 6, 2019, Timothy Braun pleaded guilty and was convicted of one count of Negligent Assault in violation of Ohio Revised Code Section 2903.14, a misdemeanor of the third degree, arising out of his improper physical contact in the workplace as described above.

21. The terms of Timothy Braun's probation prohibit him from being present in the Sandusky County Prosecutor's official office except for once every ninety days.

22. Timothy Braun is likewise prohibited from being present in the Sandusky County courthouse.

23. Timothy Braun's conviction and the conditions of his probation has rendered him unable to perform his official duties imposed upon him by law, and therefore, Braun should be removed from office pursuant to Ohio Revised Code Section 3.07.

24. Timothy Braun's actions have demonstrated that he cannot and should not be trusted with the power and authority of the Sandusky County Prosecutor or to seek justice on behalf of victims of sexual violence or assault.

25. Timothy Braun's use of his power and authority to abuse, threaten and intimidate his female subordinates has caused irreparable damage to his ability to meaningfully and creditable advocate for women as the Sandusky County Prosecutor and removal is necessary and proper under Ohio Revised Code Section 3.07

26. Timothy Braun's continued presence as the Sandusky County Prosecutor harms the public welfare.

27. Braun's conduct as set forth in this Complaint for Removal establishes that he willfully and flagrantly used his authority and power as the Sandusky County Prosecutor in an abusive and intimidating manner and for selfish, personal reasons. Braun's pattern of misconduct towards his female subordinates, his dubious criminal investigation into the missing personnel files, his seizure of his female subordinates' private cell phone records, and his conviction of Negligent Assault on his female subordinate together demonstrate that he committed gross neglect of duty, gross immorality, misfeasance, malfeasance, and/or nonfeasance and is therefore guilty of misconduct in office and should be removed from office in accordance with Ohio Revised Code Sections 3.07 and 3.08.

### III. REQUEST FOR IMMEDIATE SUSPENSION

28. R.C. 3.08 provides that this Court may suspend Timothy Braun pending the hearing on this Complaint for Removal.

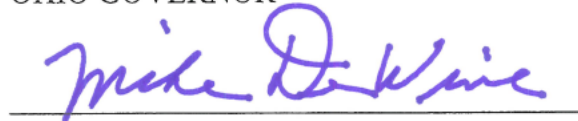
29. Timothy Braun has engaged in a pattern of egregious abuse of power upon those closest to him. Additionally, Braun plead guilty to and was convicted of Negligent Assault under R.C. 2903.14, a third-degree Misdemeanor, for acts that he committed in the scope of his official position as Sandusky County Prosecutor. Finally, conditions of Braun's probation prevent him from performing his official duties. Accordingly, suspension pending the outcome of the hearing on this Complaint for Removal is both authorized and appropriate.

### PRAYER FOR RELIEF

THE FOLLOWING RELIEF IS PRAYED FOR AGAINST TIMOTHY BRAUN:

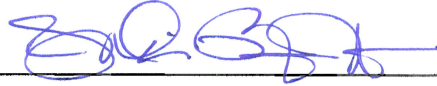
1. A declaration that Timothy Braun is guilty of misconduct in office as set forth in R.C. 3.07;
2. Judgment of forfeiture of the office of Sandusky County Prosecutor;
3. Payment of all costs associated with this action;
4. All other relief as the Court may deem appropriate.

MIKE DeWINE  
OHIO GOVERNOR





DAVE YOST  
OHIO ATTORNEY GENERAL



---

JONATHAN BLANTON (0070035)  
Deputy Attorney General for Major Litigation  
JULIE M. PFEIFFER (0069762)

Assistant Section Chief

RENATA Y. STAFF (0086922)  
Senior Assistant Attorney General  
Constitutional Offices Section  
30 East Broad Street, 16th Floor  
Columbus, Ohio 43215

Tel: 614-466-2872 | Fax: 614-728-7592

[Jonathan.Blanton@OhioAttorneyGeneral.gov](mailto:Jonathan.Blanton@OhioAttorneyGeneral.gov)

[Julie.Pfeiffer@OhioAttorneyGeneral.gov](mailto:Julie.Pfeiffer@OhioAttorneyGeneral.gov)

[Renata.Staff@OhioAttorneyGeneral.gov](mailto:Renata.Staff@OhioAttorneyGeneral.gov)

*Counsel for Ohio Governor Mike DeWine*