

COPY

IN THE CIRCUIT COURT FOR THE CITY OF RICHMOND, VIRGINIA

CorruptionFreeRVA.org,

by and through

Brian L. Prince, Founder & Investigative Lead,

Petitioner, pro se

1810 Newman Road

Richmond, VA 23231

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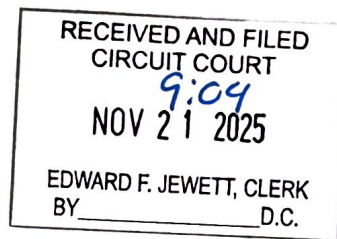
v.

City of Richmond,

Office of Inspector General, and

Clerk of the City Council,

Respondents.



PETITION FOR WRIT OF MANDAMUS AND DECLARATORY JUDGMENT

Petitioner, appearing pro se, respectfully petitions this Court for a Writ of Mandamus and Declaratory Judgment ordering the correction or withdrawal of the 2024 Richmond Office of Inspector General ("OIG") Report concerning the Office of Elections, on the grounds that the Report contains demonstrably inaccurate information and was published in violation of the Government Data Collection & Dissemination Practices Act (GDCDPA), the Virginia Freedom of Information Act (VFOIA), the Virginia Public Records Act, and Va. Code § 15.2-2511.2.

I. INTRODUCTION

The 2024 OIG Report concerning the Office of Elections contains numerous factual inaccuracies, omissions, and contradictions. Despite multiple notices to the City, the Report remains publicly posted. Its continued publication causes ongoing harm to public records integrity, to the Office of Elections, and to the individuals named in the Report. Petitioner seeks judicial intervention compelling Respondents to correct or withdraw the Report and to comply with mandatory statutory duties regarding accuracy of public records.

II. JURISDICTION AND VENUE

Jurisdiction is proper under Va. Code §§ 8.01-644, 8.01-645, and 8.01-184. Venue lies in this Court because Respondents are municipal officers or entities within the City of Richmond.

III. STANDING

CorruptionFreeRVA.org is a public-interest transparency initiative engaged in the analysis and verification of government records. Petitioner has been directly and adversely affected by Respondents' refusal to correct inaccurate public information.

IV. FACTUAL BACKGROUND

A. The OIG Report

In 2024, the Office of Inspector General published a report concerning the Office of Elections. The Report contains multiple errors, omissions, and contradictions which Petitioner identified and documented beginning in late 2024. Despite these issues, Respondents continue to publish the Report on an official City website.

B. Administrative Notice and Non-Response

On November 5, 2025, Petitioner submitted a formal administrative petition demanding correction or withdrawal pursuant to:

- Va. Code § 2.2-3700 et seq. (VFOIA)

- Va. Code § 2.2-3800 et seq. (GDCDPA)
- Va. Code § 42.1-76 et seq. (Public Records Act)
- Richmond Administrative Regulation 7.2

Respondents were afforded 10 business days to respond. No response was provided. A follow-up communication to the Clerk of City Council on November 14, 2025 also received no reply. The Report remains published as of the filing of this Petition.

V. STATUTORY AND REGULATORY AUTHORITY

This Petition is brought under the following statutory and regulatory authorities, each of which imposes mandatory duties on Respondents to maintain accurate public records and to correct inaccurate information upon discovery:

1. Virginia Freedom of Information Act (VFOIA) – Va. Code § 2.2-3700 et seq.

Requires accurate public records to be made available and prohibits dissemination of misleading or incorrect public information.

2. Government Data Collection & Dissemination Practices Act (GDCDPA) – Va. Code § 2.2-3800 et seq.

Requires government agencies to maintain only accurate information and to correct inaccuracies promptly upon request. §§ 2.2-3806(A)–(C).

3. Virginia Public Records Act (VPRA) – Va. Code § 42.1-76 et seq.

Mandates the proper creation, preservation, and accuracy of public records and prohibits retention or publication of false government information.

4. Richmond Administrative Regulation 7.2 (Public Records Management)

Imposes mandatory duties on all City departments to maintain accurate public records consistent with VPRA and to correct inaccurate public information.

These statutes and regulations collectively impose nondiscretionary duties that Respondents have failed to perform.

VI. LEGAL BASIS FOR RELIEF

A. Violation of GDCDPA (Va. Code § 2.2-3806)

GDCDPA requires government agencies to maintain accurate information and correct inaccuracies upon request. Respondents have declined to correct or withdraw inaccurate information in the Report, violating Va. Code § 2.2-3806(A)–(C).

B. Violation of the Public Records Act (Va. Code § 42.1-79)

The Public Records Act obligates Respondents to maintain accurate public records. Continued publication of known inaccuracies violates this statutory duty.

C. Violation of Fraud Reporting Requirements (Va. Code § 15.2-2511.2)

The OIG Report repeatedly asserts that the General Registrar and Deputy General Registrar “committed fraud.” Under Va. Code § 15.2-2511.2, any audit report containing information indicating fraud must be referred to:

1. the Commonwealth’s Attorney,
2. law enforcement, and
3. all supporting documents preserved.

Petitioner has found no record that Respondents complied with these mandatory procedures. FOIA responses contain no referrals, no documentation of review, and no prosecutorial determinations.

The Commonwealth’s Attorney did not file charges.

Accordingly, the fraud findings are:

- procedurally defective,
- unsupported by statutory review,
- and unlawfully published.

VII. RELIEF REQUESTED

Petitioner respectfully requests:

1. A Writ of Mandamus compelling Respondents to withdraw or correct the 2024 OIG Report and remove it from public availability until corrected.
2. A Declaratory Judgment stating that the Report contains inaccuracies and unlawfully published fraud findings.
3. An order requiring Respondents to comply with GDCDPA, the Public Records Act, and Va. Code § 15.2-2511.2.
4. An award of court costs, including filing fees and Sheriff's service fees, pursuant to Va. Code § 17.1-601.
5. Public Corrective Statement / Retraction:

Petitioner requests that the Court order Respondents to publish a corrective statement in all locations where the Report was originally published, acknowledging inaccuracies and procedural defects.

6. Any further relief the Court deems appropriate.

VIII. EXHAUSTION OF REMEDIES AND FUTILITY

Petitioner undertook extensive efforts to identify and correct inaccuracies surrounding the OIG's developing findings long before any formal administrative or judicial action. Beginning in late 2024 and continuing into early 2025, Petitioner raised concerns internally to supervisory personnel, members of the Electoral Board, and other officials with responsibility for oversight of the Office of Elections. During this period, Petitioner also identified a significant inconsistency: Respondents publicly released the OIG Report in November 2024 as a completed and factual document, while simultaneously issuing FOIA denials asserting that the investigation was 'ongoing' and therefore exempt from disclosure. Internal records indicate that the investigation had already been closed prior to publication. This contradiction prevented Petitioner from obtaining corrective records and contributed to the introduction of inaccurate information into the public domain without opportunity for internal review or correction.

Despite these notifications, no corrective steps were taken by Respondents or other City officials. In March 2025, Petitioner's employment with the Office of Elections ended. During this same timeframe, other individuals who were involved in raising concerns, reviewing internal

evidence, or attempting to verify or correct inaccuracies related to the Report were also removed from their positions by City officials. As a result, the personnel most familiar with the underlying records and best positioned to assist with correction efforts were no longer present within the office.

Following these separations, no internal mechanism remained through which Petitioner or similarly situated individuals could seek correction of the information contained in the OIG Report. Internal channels for review had effectively ceased to exist.

On November 5, 2025, after more than a year of documented efforts to seek internal correction, Petitioner submitted a formal administrative petition requesting withdrawal or correction of the Report under GDCDPA, VFOIA, the Public Records Act, and Richmond Administrative Regulation 7.2. Respondents were afforded ten (10) business days to respond. No response of any kind was provided. A follow-up communication to the Clerk of City Council on November 14, 2025 likewise received no reply. As of the date of this filing, the Report remains publicly posted.

Petitioner has therefore fully exhausted all available internal and administrative remedies. Respondents' failure or refusal to act over the course of more than a year demonstrates that further administrative attempts would be futile. Judicial intervention is the only remaining avenue for relief.

NOTICE OF SERVICE METHOD

Petitioner will serve Respondents through the Richmond City Sheriff's Office – Civil Process Division pursuant to Va. Code §§ 8.01-293, 8.01-296, and 8.01-300.

SIGNATURE

Date: 11/20/25

Brian L. Prince

Founder & Investigative Lead, CorruptionFreeRVA.org

Petitioner, pro se

1810 Newman Road

Richmond, VA 23231

EXHIBIT A — FOIA DENIALS

EXHIBIT B — ADMINISTRATIVE PETITION (Nov. 5 Filing)

ADMINISTRATIVE PETITION AND NOTICE OF CORRECTION AND WITHDRAWAL

CorruptionFreeRVA By and through its Founder & Director, **Brian L. Prince**
princebl@alumni.vcu.edu | 760-905-5577 | www.CorruptionFreeRVA.org

TO BE DELIVERED TO

City of Richmond – Office of the Inspector General
Office of the City Attorney
Office of Mayor **Dr. Danny Avula**
Office of the Commonwealth’s Attorney **Colette McEachin**
City Clerk of Council

RECEIVED
NOV - 5 2025
OFFICE OF THE
RICHMOND CITY CLERK

I. Jurisdiction and Authority

This Petition and Notice are issued pursuant to:

1. **Virginia Freedom of Information Act** (Va. Code § 2.2-3700 et seq.) – ensuring open access to public records and providing judicial enforcement at § 2.2-3713.
2. **Government Data Collection & Dissemination Practices Act** (Va. Code § 2.2-3800 et seq.) – requiring that government information be accurate, relevant, and current, and granting a statutory right to correction (§ 2.2-3806 A (5)).
3. **Virginia Public Records Act** (Va. Code § 42.1-76 et seq.) – mandating that every agency preserve, maintain, and ensure accuracy and accessibility of public records (§ 42.1-85 A).
4. **Richmond Administrative Regulation 7.2 – Records Management and City Code §§ 2-385 – 386**, which locally implement these state mandates by requiring every department to maintain *accurate, complete, and current* records.

II. Background

1. In November 2024 through March 2025, CorruptionFreeRVA submitted evidence contradicting claims made in the *2024 Inspector General Report on the Office of Elections* (“2024 IG Report”).
2. Multiple FOIA requests were filed to inspect the records underlying the Report’s conclusions. Each was denied under blanket exemptions claiming “active investigation” after the Report had already been released. A true copy of the blanket denial is attached as **Exhibit A**.

Delivery Log – Administrative Petition and Notice of Correction and Withdrawal

(Filed under Va. Code §§ 2.2-3700 et seq., 2.2-3800 et seq., 42.1-76 et seq., Richmond Administrative Regulation 7.2)

Petitioner: Brian L. Prince

Initiative: CorruptionFreeRVA

Date Filed with Clerk: 11.5.25

Purpose of Log

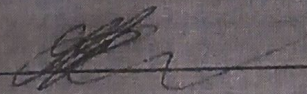
To document delivery or mailing of the Petition and supporting exhibits to required City offices as part of the administrative correction process.

Delivery Record

Date	Recipient / Office	Delivery Method (In-Person, Certified Mail, etc.)	Staff Initials or Tracking #	Copy Type Delivered
<u>11.5.25</u>	City Clerk of Council	In-Person	<u>KAK</u>	Full Packet (with Exhibit A)
<u>11.5.25</u>	Office of the City Attorney	In-Person	<u>WR</u>	Short Packet (no full Exhibit A)
<u>11.5.25</u>	Office of the Inspector General	In-Person	<u>B.V.C.</u>	Short Packet (no full Exhibit A)
<u>11.5.25</u>	Office of Mayor Dr. Danny Avula	In-Person	<u>W</u>	Short Packet (no full Exhibit A)
<u>11.5.25</u>	Office of Commonwealth's Attorney Colette McEachin	In-Person	<u>cy</u>	Short Packet (no full Exhibit A)

Certification

I, **Brian L. Prince**, certify that the above deliveries or mailings were made on the dates indicated, and that true and correct copies of the *Administrative Petition and Notice of Correction and Withdrawal* were provided to each listed recipient.

Signature: 

Date: 11.5 2025

Printed Name: Brian L. Prince

EXHIBIT C — FRAUD FINDINGS

C-1: IG Report p.4 — “The General Registrar committed fraud...”

“5. The General Registrar committed fraud on or about December 10, 2021, by using the Government Purchase Card (P-Card) to pay for the food at the Voter Registrars Association of Virginia's (VRAV) Region 3 meeting, which consisted of non-city employees. The General Registrar was reimbursed for the expenses by VRAV, but did not apply the reimbursement to their government P-Card balance. The General Registrar wasted government resources by overpaying the authorized per diem rate for lunches on or about December 10, 2021. The General Registrar committed fraud on or about January 18, 2022, by submitting a Purchasing Card Meal Documentation Form to the Department of Procurement Services with an inaccurate account of the number of attendees for the lunch. These allegations violate Procurement Services Policy 15, Procurement Card Program Meals.”

C-2: IG Report p.5 — “This constitutes fraud...”

“The General Registrar falsely stated on the required government form that there were 19 attendees whose meals were charged on the government P-Card. However, the receipt shows that 25 meals were purchased. This constitutes fraud because General Registrar intentionally approved and submitted a document with false information about the number of attendees in comparison with the meal amount purchased.

Allegation No. 5: Substantiated”

C-3: IG Report p.5 — “Committed fraud on or about December 2022...”

“6. The General Registrar committed fraud on or about December of 2022, using their government P-Card to pay for the VRAV Region 3 meeting lunch and falsifying the government P-Card Meal Documentation Form. Altering information on the government P-Card documentation form violates Procurement Services Policy 15 Procurement Card Program Meals and City of Richmond Administrative Regulation 1.6.”

C-4: IG Report p.6 — “This constitutes fraud due to...”

“This constitutes fraud due to the General Registrar intentionally approving and submitting a document with false information about the number of attendees for the meeting, as well as the purpose for ordering the meal as it was VRAV meeting and not the employee training that was listed.

Allegation No. 6: Substantiated.”

C-5: IG Report p.7 — “This constitutes abuse and fraud...”

“The Deputy General Registrar failed to manage the employee's leave as their supervisor, which requires leave to be taken for the employee's absences. The employee also failed to submit requests for leave and document the leave on the timecard. This constitutes abuse and fraud because the Deputy General Registrar intentionally approved false time entries which resulted in the employee being paid when the employee was not working.

Allegation No. 8: Substantiated.”

C-6: IG Report pp.23–24 — “The falsification of leave constitutes fraud.”

“26. The General Registrar committed fraud by failing to submit vacation time and sick leave in violation of City of Richmond Administrative Regulation 4.8, Leave Policy, and City of Richmond Administrative Regulation 5.13, Time and Attendance Policy.

City of Richmond Administrative Regulation 4.8 Leave Policy, Section II., Policy states, “All requests for leave should be submitted and approved in advance of any absence from work.” City of Richmond Administrative Regulation 5.13, Time and Attendance Policy, Section II., Procedure states, “After the initial orientation and training, it is the employee's responsibility for recording time worked and time requested for various types of leave (vacation, sick, compensatory, jury duty, military leave, etc.)” The General Registrar intentionally failed to submit or record vacation and sick leave taken. The falsification of leave constitutes fraud.

Allegation No. 26: Substantiated.”