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Date: Wed, Jul 2, 2025 at 5:02 PM
Subject: Ortega
To: Anastasia Lennon <alennon@newbedfordlight.org>

Hi Anastasia, please find this statement from Ryan Pavao, Acting First Assistant City Solicitor on your Ortega questions:

In conjunction with the submission of retirement applications by municipal employees to the New Bedford Retirement Board, the relevant municipal department is required by the Public Employee Retirement Administration (PERAC) to complete a form known as an Employer's Statement. This form is used to collect information regarding the applicant's employment, and in the case of disability retirement applications, information pertaining to the applicant's medical condition and circumstances related to the disability claim.

Statements are completed by the employee's department head and immediate supervisor. In the matter of Sgt. Ortega's disability retirement, the Statement was completed by former Chief Paul Oliveira and former Deputy Chief Adelino Sousa. Question 11 of the form reads as follows: "Has the employee been officially investigated for or charged with misappropriation of funds *from his/her employer or convicted of any crime related to his/her office or position?*" [italics added]

In response to Question 11, the box was correctly checked "no." Sgt. Ortega was not under investigation for misappropriating funds *from his employer* at the time of his application and the Police Department's submission of the Statement. [See General Laws Chapter 32, Section 15\(1\)](#). The allegation of improper conduct which has arisen pertains to \$200 in funds from a private citizen, not public funds associated with the City of New Bedford as his employer. As you know, this allegation has been forwarded to the Office of the District Attorney.

Similarly, Sgt. Ortega has not been convicted of any crime(s) relating to his office or position. [See General Laws Chapter 32, Section 15\(4\)](#). Again, a plain reading of Question 11 requires the negative response provided by Chief Oliveira and Deputy Chief Sousa. As such, at the time of the submission of Sgt. Ortega's retirement, there was no procedural rationale for the City providing the Board with additional information regarding Sgt. Ortega. Had Sgt. Ortega been removed or discharged from his position - [See General Laws Chapter 32, Section 10](#) - during the period which his application was pending, the City would have followed its standing practice of notifying the Board.

The Retirement Board recently filed a request seeking to obtain from the City the "full investigative report and all related materials" related to Sgt. Ortega. The City intends to comply with the Board's request.



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