

AFFIDAVIT OF FBI SPECIAL AGENT ZACHARY BRUNE

I, ZACHARY BRUNE, being duly sworn under oath, depose, and state as follows:

1) I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been for the last three years. I am assigned to the Violent Crimes Task Force, FBI Boston Division.

2) The FBI has been requested to assist the Suffolk County District Attorney’s Office and the Massachusetts State Police in the location and apprehension of KEVIN KANGETHE. This affidavit is submitted in support of an application for a criminal complaint charging KANGETHE with Unlawful Flight to Avoid Prosecution (“UFAP”) for flight to avoid prosecution for a felony under the laws of the Commonwealth of Massachusetts, in violation of 18 U.S.C. § 1073. Specifically, KANGETHE fled the United States to avoid prosecution after allegedly murdering his girlfriend.

3) The information contained in this affidavit is the result of my own investigation or has been provided to me by other law enforcement authorities whom I believe to be reliable. Since this affidavit is being submitted for the limited purpose of securing a UFAP complaint, I have not included each and every fact known to me concerning this case. I have set forth only the facts that I believe necessary to establish probable cause for the issuance of this complaint.

4) On October 30, 2023, Margaret Mbitu’s father, H.K., and a friend, M.W., reported to the Whitman Police Department that Mbitu was missing. M.W. told investigators that Mbitu’s boyfriend was KANGETHE. M.W. believed Mbitu was driving KANGETHE’s Toyota Venza bearing Massachusetts registration 2JGN91.

5) Investigators compared location information from Mbitu’s cell phone with the location of KANGETHE’s vehicle on October 31, 2023, and found that the cell phone’s location

was consistent with the vehicle's location.

6) A query through the statewide License Plate Reader ("LPR") databases revealed that the Toyota Venza bearing Massachusetts registration 2JGN91 was last observed on a LPR at approximately 6:36 p.m. on October 31, 2023 in the area of Boston Logan International Airport ("Logan Airport"). Further examination of LPR data indicated that the vehicle was located in the Central Parking Garage at Logan Airport. Massachusetts State Police Troopers found the vehicle within the Central Parking Garage. Mbitu's body was in the front passenger seat, covered by a number of jackets. An examination of Mbitu's body revealed large slash wounds in her face and neck area (under her chin) and a puncture wound to her side. A large amount of blood was also found in the vehicle.

7) Investigators learned that, on the morning of October 31, 2023, KANGETHE purchased a one-way airline ticket to Nairobi, Kenya. Surveillance footage from the Central Parking Garage showed KANGETHE's vehicle enter the garage and, moments later, KANGETHE leave the garage. KANGETHE was then seen on surveillance footage entering the Logan Airport terminal.

8) United States Customs and Border Patrol confirmed that KANGETHE left the United States on October 31, 2023. Kenyan law enforcement confirmed that KANGETHE entered Kenya on November 1, 2023.

9) The Massachusetts State Police obtained a criminal complaint against KANGETHE charging him with violating Mass. Gen. Laws ch. 265, § 1 (murder). Murder is a felony under the laws of the Commonwealth of Massachusetts. On November 2, 2023, the Chelsea District Court issued a warrant for KANGETHE's arrest. A copy of that warrant is attached as Exhibit 1. The Suffolk County's District Attorney's Office has stated that it will

pursue extradition from any location once KANGETHE is apprehended and will bear all expenses arising therefrom.

10) Based on the foregoing, I believe there is probable cause to conclude that KANGETHE has moved or traveled in interstate commerce with intent to avoid prosecution under the laws of the Commonwealth of Massachusetts, the place from which he fled, for a crime that is a felony under the laws of said Commonwealth, in violation of 18 U.S.C. § 1073.

Zachary Brune /by Paul G. Levenson
ZACHARY BRUNE
Special Agent, FBI

Subscribed and sworn telephonically in accordance with Fed. R. Crim. P. 4.1 on this 3rd day of November, 2023.




HON. PAUL G. LEVENSON
United States Magistrate Judge