**MEDIA RELEASE**

|  |  |
| --- | --- |
| INCIDENT TYPE:  | DATE/TIME REPORTED:  |
| Aggravated Assault on Law Enforcement Officer x2Unlawful Mischief, Resisting Arrest, Attempted Larceny from a Motor Vehicle | January 7, 2021 at approximately 4:07 pm |
| INCIDENT NUMBER:  | LOCATION:  |
| 21BU000274 | Allen Street, Burlington, Vermont |
| INVESTIGATOR:  | INVESTIGATOR CONTACT:  |
| Corporal B. Navari | 658-2704 |
| AUTHOR:  | APPROVED BY: |
| Sergeant C. Nadeau | Deputy Chief W. Labrecque |
| SUSPECT:  | AGE: | SUSPECT ADDRESS: |
| Mbayayenge Mafuta | 19 | Vermont |
| SUSPECT DISPOSITION:  |   |
| Lodged at the Northwest Regional Correctional Center |

**NARRATIVE:**

On January 7, 2021 at approximately 4:07 pm, the Burlington Police Department was contacted by a concerned citizen regarding a male attempting to force entry into a vehicle by prying the window with a screwdriver. The witness followed the suspect later identified as Mbayayenge Mafuta to the area of Peru Street and George Street. At this point, two Burlington Police Officers attempted to speak with Mr. Mafuta but he became confrontational and attempted to walk past the officers. Mr. Mafuta was advised that he was being detained as part of the investigation. Mr. Mafuta continued his attempts to walk away from the officers at which point, the officers attempted to physically detain Mr. Mafuta. Mr. Mafuta then intentionally punched one of the officers in the side of her head causing her to feel pain. Mr. Mafuta also attempted to strangle one of the officers by placing one of his hands on the officer’s throat/neck and squeezing. The officer had to use physical force to stop Mr. Mafuta’s attempt to strangle him.

Mr. Mafuta continued to be combative but was eventually taken into custody. For precautionary reasons, the two officers and Mr. Mafuta were examined by medical personnel. Mr. Mafuta claimed no injuries and the officers both had minor injuries. Mr. Mafuta was subsequently lodged at the Northwest Regional Correctional Facility for lack of $7,500 and will be arraigned on January 8, 2021 by the Chittenden Superior Court, Criminal Division

Anyone with information about this incident is asked to contact the Burlington Police Department at (802) 658-2704.

**(Cite as: 13 V.S.A. § 1024)**

* **§ 1024. Aggravated assault**

(a) A person is guilty of aggravated assault if the person:

(1) attempts to cause serious bodily injury to another, or causes such injury purposely, knowingly, or recklessly under circumstances manifesting extreme indifference to the value of human life;

(2) attempts to cause or purposely or knowingly causes bodily injury to another with a deadly weapon;

(3) for a purpose other than lawful medical or therapeutic treatment, the person intentionally causes stupor, unconsciousness, or other physical or mental impairment or injury to another person by administering to the other person without the other person's consent a drug, substance, or preparation capable of producing the intended harm;

(4) with intent to prevent a law enforcement officer from performing a lawful duty, the person causes physical injury to any person; or

(5) is armed with a deadly weapon and threatens to use the deadly weapon on another person.

(b) A person found guilty of violating a provision of subdivision (a)(1) or (2) of this section shall be imprisoned for not more than 15 years or fined not more than $10,000.00, or both.

(c) A person found guilty of violating a provision of subdivision (a)(3), (4), or (5) of this section shall be imprisoned for not more than five years or fined not more than $5,000.00, or both.