



OFFICE OF THE DISTRICT ATTORNEY
TWENTIETH JUDICIAL DISTRICT

Michael T. Dougherty, District Attorney

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Press Release

The investigation and legal analysis into the death of Ethan Huiras (DOB: 06/28/2002) and the discharge of a firearm by Officer Jared Fender, of the Lafayette Police Department (“LPD”), has been completed. The District Attorney concluded that Officer Fender was legally justified in his use of physical force in response to the imminent risk of death or great bodily injury posed by Mr. Huiras.

The Critical Incident Team for the 20th Judicial District, also known as the Boulder County Investigation Team (“BCIT”), investigated this case. This multi-agency team is designated to investigate use-of-force incidents in which any law enforcement officer used deadly, or potentially deadly, physical force against a person while acting under the color of official law enforcement duties. This definition and team protocol are broader than that required by state law, which is limited to incidents involving the discharge of a firearm by a peace officer that results in injury or death. The response to, and review of, this incident is an example of the broader definition and protocol that we use here in Boulder County.

Following this incident, the Lafayette Police Department quickly notified the BCIT. The BCIT responded and conducted a very thorough investigation. Consistent with protocol, the LPD did not participate in the use-of-force investigation. The following is a summary of the investigative findings contained in the District Attorney’s public report:

On November 8, 2022, at 1:20 a.m., Lafayette PD received a Flock License Plate Reader (“LPR”) hit on a stolen car in Lafayette. LPR cameras are now being utilized by law enforcement agencies for the detection, identification, and immediate apprehension of auto thieves, as well as to solve serious crimes and arrest violent offenders. Lafayette PD Officer Jared Fender and Corporal Cesar Rivas proceeded to the area of the LPR hit and observed the stolen gray Toyota Camry at the Circle K off South Public Road. A male and female exited the Circle K and observed the two marked police vehicles nearby. That male would later be identified as Ethan Huiras and the female was identified as a juvenile, K.M.

After spotting the police vehicles, Mr. Huiras and K.M. fled from the Circle K on foot. K.M. ran westbound and was later apprehended by officers. Mr. Huiras also initially fled westbound, but then ran back toward the stolen Camry. Mr. Huiras got to the car and entered the driver’s seat

before Officer Fender caught him and attempted to pull Mr. Huiras out of the vehicle to prevent him from fleeing in the stolen car. Officer Fender saw Mr. Huiras reach toward his waistband, which caused Officer Fender to believe he was going for a weapon. Officer Fender disengaged from the struggle, sought cover behind the Camry, and drew his service weapon.

Officer Fender yelled at Mr. Huiras, “Don’t, don’t you do it! What do you got in your hands? Show me your hands!” Mr. Huiras then exited the stolen car with a handgun pointed directly at Officer Fender and fired at Officer Fender. The shot hit Officer Fender in the leg. Officer Fender fell to the ground behind the car and heard Mr. Huiras fire two more shots. The third shot by Mr. Huiras was later determined to be a self-inflicted gunshot wound to the head.

While on the ground, Officer Fender could still see Mr. Huiras’s foot on the ground outside the car and he was scared that Huiras was going to try to kill him. To protect himself and others, Officer Fender then fired his weapon nine times at the back of the Camry in the direction of where he believed Mr. Huiras to be positioned. None of these rounds struck Mr. Huiras inside the vehicle. Corporal Rivas then approached the driver’s side of the car and observed Mr. Huiras slumped over with the black handgun still in his hand.

On November 9, 2022, an autopsy of Ethan Huiras was conducted at the Coroner’s Office that documented a single gunshot wound to the right side of his head behind his right ear, with clear evidence of a close-range gunshot, namely the soot on Mr. Huiras’s clothing and apparent stippling on the skin surrounding the entry wound. Additionally, bullet fragments recovered from Mr. Huiras’s skull matched the shell casings from his handgun, which were inconsistent with bullet fragments collected from rounds fired by Officer Fender. The pathologist opined that Mr. Huiras died from a single gunshot wound to the head and the manner of death was suicide.

District Attorney Michael Dougherty stated, “Officer Fender suffered a terrible injury, and he is fortunate to be alive. He and Corporal Rivas acted with courage and professionalism throughout this entire incident, even after Officer Fender had been shot in the leg. Although my role is to determine whether criminal charges are appropriate, I would be remiss if I failed to recognize their service, bravery, and response in this scary and tragic encounter.”

The District Attorney and our team met with the family of Mr. Huiras during the investigation and before announcing this decision.

The District Attorney’s detailed report can be found at <https://bouldercounty.gov/district-attorney/officer-involved-shooting-decision-letters/>. For individuals interested in the process and findings, District Attorney Michael Dougherty will conduct a virtual Town Hall via Microsoft Teams at 11:00 a.m. on Friday, January 6, 2023. Questions can be submitted in advance via email to boulderda@bouldercounty.org. Community members are, also, able to call into the Town Hall by calling 720-400-7859, Conference ID# 888 592 015# or join the link at: www.bit.ly/LafayetteOISTownHall

DA Dougherty conducts a Community Town Hall after every BCIT investigation in our continuing effort to be transparent and accessible, as well as address any questions.