

Body camera video showed him kicking a handcuffed man in the head



By [Amir Vera](#) and [Melissa Alonso](#), CNN

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'You're done!' Officer kicks Black man in head 01:42

(CNN) — Federal prosecutors say they and the FBI are investigating an officer with the Indianapolis Metropolitan Police Department after [body camera video showed him kicking a handcuffed man in the head](#) during an arrest.

Sgt. Eric Huxley has already been criminally charged at the state level and could face termination, authorities said.

Acting US Attorney for the Southern District of Indiana John E. Childress said Wednesday that "if the investigation reveals prosecutable violations of any federal criminal statutes, the (US Justice) Department will take appropriate action."



The results of an internal investigation led Marion County District Attorney to charge



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Huxley with official misconduct and battery with moderate bodily injury in connection with the September 24 arrest of Jermaine Vaughn at the city's Monument Circle, IMPD Lt. Shane Foley said during a news conference.

Huxley has been suspended without pay, and IMPD Chief Randal Taylor has recommended Huxley be terminated for his actions. An IMPD Internal Affairs investigation is ongoing.

"To the citizen involved in this incident, my thoughts and prayers go out to you," Taylor said in a statement. "That interaction does not represent IMPD and the work our officers do each day to keep our community safe."

Huxley claimed he accidentally kicked Vaughn in the face, and meant to place his foot on Vaughn's shoulder, according to the probable cause affidavit obtained by [CNN affiliate WTHR](#).

CNN has reached out to the district attorney, Huxley and Vaughn for comment but has not yet heard back.

IMPD has also contacted the FBI and US Attorney's office about this incident, [an IMPD news release said](#).

What the body camera video shows

Huxley was one of three responding officers investigating a disorderly conduct incident on Monument Circle on September 24. Taylor said he did not expect the other two officers would face criminal charges, but they are on administrative duty pending the conclusion of the internal investigation.

Taylor played video of the arrest during the Tuesday news conference. It showed Huxley kicking Vaughn, a Black man, in the head while he is on his back and handcuffed. Taylor said the video is "difficult to watch."

The video begins with Vaughn handcuffed and being searched. Vaughn is heard telling the officer, "nobody cares what you do anymore." Vaughn and the arresting officer then get in a scuffle when the officer began pushing Vaughn back and told him to lean back.

Moments later, Vaughn is on the ground, on his back, with the arresting officer over him. Huxley is seen kicking Vaughn's head and

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saying, "you're done."

Vaughn was arrested for disorderly conduct, Foley said. Vaughn was then taken to jail, and did not receive medical treatment following the incident, Taylor said.

[An IMPD news release](#) said the incident came to light through internal use-of-force review procedures, with Taylor learning about the incident Wednesday. Taylor then ordered "an expedited internal affairs investigation and Special Investigation Unit investigation."

A probable cause affidavit was presented to the Marion County Prosecutor's Office Friday, the release said.

"Transparency is one of those things that we've been striving for," Taylor said, explaining why IMPD decided to release the body camera footage. "We've done that because we want to build the correct relationship with the community that we need to have."

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The chief said the department first learned of the incident due to an internal reporting process called BlueTeam, where officers

involved in use-of-force incidents "explain what force was used and why."

"No racial epithets" were said during the incident, Taylor said when asked whether race played a role in the incident.

"I would be disgusted," Taylor said. "I would have an issue with that, but I understand, I understand what people will think."

CNN's Ray Sanchez and Laura Studley contributed to this report.

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