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May 8, 2023

For Immediate Release

CHARGES FILED IN AUGUST, 2022 DEATH OF ERICOLIS KELLEY, JR.

Today, the Island County Prosecutor filed charges of Manslaughter in the First Degree, Assault in the Second Degree, Intimidating a Witness, and Tampering with Physical Evidence against Eric K. Keo, of Oak Harbor. We sought and were granted an arrest warrant for Keo, with bail set at \$500,000. We anticipate that a bail hearing will be held on May 9, 2023 at 1:15 p.m.

On August 22, 2022, Kevin Deese, a 22-year-old Oak Harbor man, was driving erratically through Oak Harbor in a black Ford Mustang with the passenger side door bent open. Deese flagged down an ambulance that he encountered near Swantown Ave. The ambulance crew discovered that 15-year-old Ericolis Kelley, Jr. of Freeland was in the car, and that he had been shot in the abdomen. Kelley's injuries were so grave that he could not even be stabilized for airlift to Harborview. He was pronounced dead at Whidbey Health medical center.

Kelley, who previously lived in Oak Harbor, attended Oak Harbor High School, where he played football.

Police conducted an investigation that narrowed the list of suspects to three people who were present at the home where the shooting took place on August 22, 2022. Investigators gathered and analyzed large quantities of surveillance video from residences and businesses in the area, and interviewed many friends of the three suspects and of the victim. However, the only eyewitnesses to the shooting refused to cooperate. Police referred their investigation to the Prosecutor's Office in February, 2023. We continued to use the tools available to us, in concert with the police, to keep the investigation moving forward.

Mr. Deese, Eric Keo, and the minor who lived at 1030 NW Crosby Ave., identified in court documents by initials as JAH, were suspected of being present when Kelley was shot. Island County Prosecutor Greg Banks, whose office was prosecuting Mr. Deese and Mr. Keo on unrelated charges, obtained Mr. Deese's cooperation as part of a plea agreement. Deese said that he needed to disclose what he knew, and that he has been replaying the incident in his mind.

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Court filings state that Deese explained to prosecutors that the four young men were at JAH's home, when Keo produced a .45 semi-automatic handgun, and began playing with it, inserting and ejecting the magazine, and racking the slide. Keo aimed the gun at Deese, who told him to "f*** off." Keo then aimed the gun at Ericolis Kelley and asked him if he believed in God. Kelley answered "sometimes" when he was cut off by the discharge of the gun. Deese said that Keo then started shouting "no, no, no, no!" and repeatedly racked the slide, ejecting the shells in the magazine. Deese attempted to get Kelley to the hospital, while Keo and JAH allegedly removed the gun, and Kelley's phone from the house. Keo allegedly left the county for several days, with Kelley's phone. JAH allegedly denied any knowledge of what happened, or that he was present when his friend was shot to death. According to court filings, Deese said that Keo threatened to kill him if he spoke to the police.

The Prosecutor's Office has charged Mr. Keo with manslaughter in the first degree, for recklessly causing Ericolis' death. In addition, we have charged him with assaulting Deese with a deadly weapon. Both charges include special allegations of using a firearm, which together can add eight years to Keo's sentence if he's convicted.

Keo was already in jail facing charges of possession of a stolen firearm, from March of this year. Keo was contacted by police at a house where a verbal disturbance was taking place, and police patted him down for their security and allegedly found a 9 mm pistol in his waistband. That is not the gun that was used to kill Ericolis Kelley.

The illegal and reckless handling of a handgun has led to the tragic loss of a promising young man's life. We are appreciative of the continuing dedication of the OHPD after referring the case to us, to help us get the case in court where we can seek justice for Ericolis and his family.