

# Wirkkala

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The water shut off suddenly, leaving Wirkkala to take stock of his life. He was a convicted murderer shackled to a prison shower, covered with soap, shaking uncontrollably, experiencing the sensations of freezing and burning at the same time, unsure if anyone was coming to get him.

"I really didn't want to be alive at that moment," Wirkkala recalled recently.

Wirkkala's experience with the criminal justice system was certainly a rare one. He was tried twice for murder on essentially the same facts, but with two different outcomes: Guilty in 2014 for the death of his houseguest David Andrew Ryder, 31, and not guilty April 5 after a retrial.

Wirkkala never disputed that on Feb. 4, 2013, he shot Ryder at close range with a pump-action shotgun after a long day of drinking together. But he was adamant he'd killed Ryder in self-defense after Ryder had sexually assaulted him.

When Wirkkala's attorney argued that the original jury heard portions of a police interview after Wirkkala had invoked his right to an attorney, the Oregon Court of Appeals ordered a retrial in early 2018.

Most defendants who win an appeal opt for a plea deal or are again found guilty. But in this case, Wirkkala's resolve paid off and he's now back living on the Oregon Coast, where he grew up, eight years after his odyssey through the justice system began.

"I'm still trying to take it all in," he said over tea at the Astoria Brewing Company. "I'm very easily overwhelmed these days."

Wirkkala, now 40, has had a few beers since his acquittal, but drinking for him can't be like it was before, especially if he returns to bartending as a side gig. He had drunk throughout the day of the shooting, a Super Bowl Sunday, starting with two glasses of white wine before the game. A forensic expert determined his blood alcohol level was between 0.18 and 0.38 when he killed Ryder.

"Basically, I was an alcoholic before," Wirkkala said. "I don't want to go back to that partying lifestyle. It takes over a person's life. I know it caused me to set aside things in life I'd wanted to do."

### 'All the little things'

Freedom can be overwhelming, Wirkkala has learned. In the four weeks since his release, he's had to sweat out a driving test, find a replacement for his flip phone, and an institution that will bank with a man with several expired IDs.

"It's all the little things," he said. "A lot of people probably don't think about all the hoops you have to jump through to re-enter society."

Visiting a marijuana dispensary to purchase CBD was a bit surreal. But there's plenty that's stayed the same, like the calamari he likes to order at the Astoria Brewing Company. His cat, Boots, is still around at age 11.

Wirkkala is currently concerned with a short list of priorities, like fixing up a truck



Hailey Hoffman/For The Bulletin

**Luke Wirkkala, 40, was acquitted last month of murder in the death of David Andrew Ryder in Bend in 2013. He was incarcerated for eight years, including 4½ in the Deschutes County jail.**

given to him by a cousin and completing the formal process of getting his record expunged. He's looking for a place to live so he can move out of his parents' house, where all his possessions have sat boxed up since the case began.

Along with sobriety, he hopes to continue with another good habit he practiced in lockdown: writing.

Writing was a form of therapy for Wirkkala. The book he's writing about his experience helped keep him sane while in prison in Ontario, though he paused that project after his transfer back to the Deschutes County jail for his retrial. He feared prosecutors might try to seize his notes as evidence.

The tentative title: "And then came the Storm."

Justice is a theme in Wirkkala's writings, and came at a high cost for him. Financially, he and his supporters paid more than a quarter million dollars in legal bills and other costs. Reputationally, his name will always be linked to the killing in Bend. The experience also cost him his marriage.

But perhaps most damaging of all was his loss of freedom. He spent eight years in custody.

As brutal as prison is, with its gangs and violence, it's still preferable to life in the Deschutes County jail, he said. Paradoxically, there was a certain "freedom" to prison, he said. Prisoners are allowed to spend up to eight hours a day visiting in-person with their loved ones. They're allowed to hold a job that earns them a small amount of income each month. At "Snake," there was an outdoor track and a weight room to keep fit.

The jail, by contrast, is locked down like a supermax

prison, Wirkkala said. From 2018 to 2021, while awaiting his second trial, Wirkkala spent 18 hours each day in a cell in the Deschutes County jail. Surrounded by steel and concrete, he rarely saw the sun.

Communicating with loved ones can be costly, he said. The telecommunications vendor for the Deschutes County Sheriff's Office, Telmate, charges 25 cents to 50 cents per minute for calls. And as Wirkkala notes, it's often the inmate's family who pays, not the inmate.

Jail inmates are fed a carb-heavy diet of processed food, which might be fine for people locked up for 30 days, but not for a lengthy stay. Wirkkala said he felt his body start to deteriorate despite a commitment

to keeping fit in his cell.

In his second stint in the jail, three inmates died of suicide. Wirkkala thought about killing himself every day, and each jail suicide added to his despair.

"When you're locked in a concrete box 24/7, it's not conducive to good mental health," he said.

After his 2014 conviction, Wirkkala held out hope that if he successfully appealed, newly elected Deschutes County District Attorney John Hummel, a progressive and onetime defense attorney, would drop the charges.

"Well, unfortunately, that's not what happened," Wirkkala said. "He talks a good game, but when the rubber meets the road, I've found there's not much there."

### Getting the truth heard

In his time out of jail, Wirkkala has also spoken to a number of reporters, something he wishes he would have done earlier.

After he lawyered up in 2013, he urged his two attorneys to release an official statement, to "get the truth out there," so the media wouldn't just run with the prosecution's account, he said. His lawyers advised against it, and when he got to trial in 2014, the jury was told repeatedly by prosecu-

tors that he was a "storyteller" who had a year and a half to think up his explanation for killing Ryder.

"Look, I get it, lawyers are cautious by nature ... but if they had just put something out there, something basic, that whole argument could not have been made," Wirkkala said. "A top-tier attorney should not be afraid to talk to the press. They should view the press as what it is: a tool that should be used. If you're not using it, you're not providing your client with the best possible defense."

To Wirkkala, lawyering factored heavily into the outcome of both trials. He has an active bar complaint alleging misconduct against the prosecutors from his first trial, along with former Deschutes County District Attorney Patrick Flaherty. Wirkkala also has no love for Walter Todd, the lead lawyer in his first trial, whom he suspects thought he was guilty of at least manslaughter.

"He is largely responsible for me going to prison," Wirkkala said.

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## OBITUARY

# Eleanor Louise Brown Davidson

August 29, 1929 - April 11, 2021

Free to forever soar above the highest altitudes, Eleanor "Ellie" Louise Brown Davidson, 91, departed our world on Sunday, April 11, 2021 in Bend, Oregon, for her grandest adventure in the heavens of the great beyond.

Eleanor was born on August 29, 1929, to Manley A. Brown and Harriet D. Kinton Brown, in Portland, Oregon. Her family soon relocated to Seattle, Washington, where she spent the formative years of her youth yearning for adventure beyond the city lights. She was drawn to the violin and began learning the solemn sigh of its melodic chords, a talent that would last a lifetime.

In 1951, she graduated from the University of Washington with a degree in Pharmacy. While studying at the university, she began exploring her adventurous capabilities by mountain climbing, joining a Seattle-based alpine club, The Mountaineers. With nothing but a wood-handled ice axe, steel crampons, and a rope secured between her and her teammates, she bravely scaled glacier-covered summits throughout the Pacific Northwest, triumphantly ascending Mt. St. Helens, Mt. Olympus, Mt. Baker, Mt. Adams, Glacier Peak, Mt. Hood, and Mt. Rainier, a peak she conquered twice.



However, Eleanor soon discovered alpine skiing was her favorite way to tackle a mountain. Reaching speeds upwards of 40 mph and whipping down snow-covered slopes, she considered skiing to be, "more glamorous than climbing mountains."

While she may have later considered it not a match made in Heaven, Eleanor was married to D. D. Davidson for nearly 30 years. Together, they had two children, who were destined to grow up as determined as their unabashed mother. Eventually, they realized they were not meant to live the rest of their days in the thralls of each other's company and went their separate ways, managing to maintain a civilized friendship as they aged with grace.

In 1973, the Davidson family moved to Bend, Oregon, where she began competing in National Standard Race (NASTAR) and Alpine Masters ski racing events. She believed NASTAR made skiing more fun as it was, "an atmosphere where you didn't have to be quite so good," a status she undoubtedly was - good.

Music was her creative outlet of choice, fostering her natural ability to master the eloquent hum of an illustrious violin. For over 40 years, she performed as a highly regarded violinist in the Central Oregon Symphony and a founding member of the Dove String Quartet.

In 2001, she retired as a pharmacist from St. Charles Medical Center in Bend. To the surprise of absolutely no one, Eleanor was unable to stay retired. While maintaining a busy adventuring schedule and learning to play the fiddle on her violin, albeit not on a roof, as neighbors would have questioned her sanity, she volunteered at the Volunteers in Medicine clinic in Bend. For Eleanor, there was no respite so long as there was still plenty of work to be done, and she was always ready and willing to do it.

Skiing was her ultimate favorite thrill, a fierce passion she continued to evolve throughout her golden years. She skied the mountaintops of France, Chile, and Argentina, often traveling with friends. Her friends were an intricate part of her life, she never failed to remember a birthday or holiday card. A circle of mischievous kindred-spirits together, they never shied away from spontaneous ski trips to Sun Valley, Idaho, where they dared younger generations to challenge their notions about age.

Age was genuinely nothing but a number to Eleanor, and it never stopped her from exploring new scenery. At the youthful age of 85 in 2014, she went on an epic heli-hiking adventure with her daughter into the Bugaboo Mountains of Canada, trekking through glacier-strewn wilderness and towering peaks for days.

Her legacy spans far beyond those she knew and loved, inspiring all to achieve their wildest dreams, no matter how high that mountain may be. Her children and grandchildren share her affinity for skiing at Sun Valley, and will continue pushing their limits on the slopes in her honor. She was the kind of trailblazing woman who enjoyed fried ice cream before any meal, eternally reminding all who admired her, "life is short, eat dessert first."

Surviving in a legacy of love are her children, Lisa (Matt) Cutter of Bend, OR and Jeff (Viviana) Davidson of Seregno, Italy; grandchildren, Mitchell Cutter of Boise, ID, Shelby Cutter of Bend, and Isabel Davidson of Seregno, Italy; sisters, Marilyn (Marv Remillard) Schrum of Burlington, WA and Linda (Ken) White of Seattle, WA; and a host of extended family, friends, and acquaintances, all of whom were her greatest source of accomplishment, pride, and joy.

Preceding her in death are her parents.

In the wake of her absence, Eleanor would encourage us all to dare to dream, take a risk, and challenge ourselves to try something new outside of our comfort zones - whether it is fried ice cream or climbing a mountain.

In lieu of flowers, please consider contributing to the Central Oregon Symphony (cosymphony.com) or Partners In Care (partnersbend.org) in honorable memory of Eleanor.

## DEATH NOTICES

**George Thomas Crisp**  
of Bend, OR  
January 10, 1932 -  
April 26, 2021

**Arrangements:**  
Deschutes Memorial Chapel and Gardens is honored to serve the family - (541) 382-5592. Visit our online register book to send condolences and share treasured memories at [deschutesmemorial-chapel.com](http://deschutesmemorial-chapel.com)  
**Services:**  
Gathering of family and friends to be announced.  
**Contributions may be made to:**  
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