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# Ghost Ship defendant Derick Almena expected to admit guilt in plea deal over deadly fire

Families of 36 victims were informed Wednesday



Maria Vega is escorted by her son Alberto Vega before a press conference at the Rene C. Davidson Superior Courthouse in Oakland, Calif., on Thursday, Sept. 5, 2019. Ghost Ship fire defendant Max Harris was acquitted while the jury was hung on Derick Almena on involuntary manslaughter charges. Maria Vega is the mother of Alex Vega who died in the Ghost Ship warehouse fire in 2016. (Jose Carlos Fajardo/Bay Area News Group)

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OAKLAND — More than four years after a huge fire swept through an old East Oakland warehouse and snuffed out the lives of 36 people who had gathered for a dance party, the dramatic turns and twists of the criminal court case that followed may finally be coming to an end through a plea deal that would keep the man held responsible for the tragedy out of jail.

Derick Almena, the master tenant of the so-called Ghost Ship warehouse, is expected to plead guilty to 36 counts of involuntary manslaughter on Jan. 22, families of several fire victims told this news organization Wednesday.

Angry and distraught family members said Alameda County prosecutors advised them of the plea deal during a Zoom call Wednesday morning. They said that in exchange for his guilty plea, the deal calls for Almena to be sentenced to nine years of jail. But because of jail time already served and credit for good behavior there, Almena likely won't return to Santa Rita Jail again, though he may continue to be monitored in his Lake County home another 1 1/2 years and be subject to three years of supervised probation.

Almena, 50, was to be retried this year after a jury last September deadlocked 10-2 in favor of an involuntary manslaughter conviction following a four-month trial over the Dec. 2, 2016 fire. His co-defendant, Max Harris, was previously found not guilty.

"My heart dropped, especially when I heard it was going to be a slap on the wrist. I want my daughter back; we want to be with our family members who died. He gets to be with his family," [Colleen Dolan](#), the mother of victim Chelsea Faith Dolan, said in an interview.

She said families were not informed of the plea deal possibility before Wednesday.

"It's beyond a disappointment. It's beyond shock. I can't get my emotions up high enough. I'm disheartened and depressed," she said.

"I'm totally disappointed in how the DA's handled this case and even more in the outcome," said David Gregory, whose daughter Michela Angelina Gregory died in the fire. "I guess now we are supposed to just move on with our lives as if this is something we should just accept."

Prosecutors and Almena's attorneys cannot comment on the case because they remain under a gag order imposed by Superior Court Judge Trina Thompson.

Almena was [released from jail custody](#) in May after posting a \$150,000 bail bond. He had been in custody since June 2017 and remains on house arrest with an ankle monitor in Upper Lake, Lake County, where his wife and children live.



His formal sentencing would take place a month to six weeks after the Jan. 22 plea deal, the victims' families said they were told.

According to Sami Long Kopelman, the mother of 34-year-old victim Edmond Lapine, prosecutors cited several reasons for agreeing to a plea deal, ranging from the still raging coronavirus pandemic to concern about finding an impartial jury pool because of all the publicity to a general mistrust in government.

"I believe this is an insult to the victims, their families, and is not how the justice system should work for those who were killed," Kopelman said in a statement to this newspaper. "The defendant gets his family, whereas some of us do not. What can be hoped for at this point is that the court has a different point of view on this case. It is not fair."

Kopelman was [equally angry and outspoken](#) when Almena and then co-defendant Harris were first offered a plea deal in July 2018. Judge James Cramer rejected [that deal](#) in August 2018 after listening to two days of emotional testimony from the victims' family members and determining that Almena showed no remorse for the tragedy.

Mary Alexander, who represents some of the families in a civil case, shared their sentiment.

"I don't think it's enough time for 36 young people who were killed. I'm glad he's pleading guilty and there's accountability, there's an admission. I think some families were not looking forward to going through a trial again," she said.

Meanwhile, settlements have been reached in the civil case stemming from the fire. Oakland agreed to pay \$32.7 million, with \$23.5 million going to victims' families and \$9.2 million to Samuel Maxwell, who survived the fire but was badly injured. A settlement also was reached with PG&E for an [undisclosed amount](#).

Alexander said a settlement also was reached with the Ng family, who owned the warehouse and rented the space to Almena. But the Ng family plans to file for bankruptcy, which could delay payments going to victims' families, she said.

Almena was the master tenant who signed the lease for the warehouse in 2013 with the understanding it would be used only as an art collective. But the prosecution alleged he illegally rented out the warehouse as living space to others, allowing it to be turned into a death trap, filled to the brim with art, furniture, pianos and other items.



The warehouse also was used for dance parties, much like the one that was taking place in 2016 when the fire broke out. The fire spread so quickly that most people on the second floor were trapped. No fire sprinklers had been installed or lighted exit signs put up, and partygoers who tried to flee by descending the narrow, unstable makeshift front stairs from the second floor couldn't move fast enough to escape the flames and smoke.

Though it appeared electric in nature, the exact cause of the fire was never determined.

In the days after the blaze, city officials discovered that the warehouse had never been inspected — despite multiple complaints over the years and visits from both [Oakland firefighters and police](#) who expressed alarm about the potential fire danger. City leaders promised to step up fire investigations, but a 2018 [Bay Area News Group investigation](#) found that the number of fire inspections in the year after the tragedy dropped by 15%.

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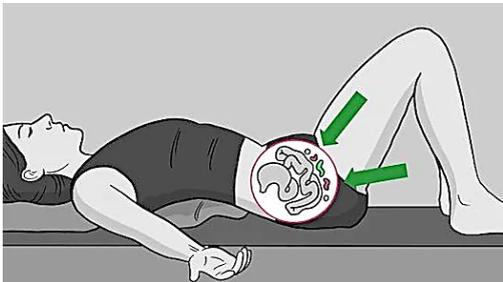


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Angela Ruggiero covers criminal justice and the Alameda County Superior Court. She previously covered the Tri-Valley cities of Pleasanton, Dublin, Livermore and Danville.

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