

Plea deal proposed for Ghost Ship defendant for a second time

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OAKLAND, Calif. - The master tenant of the Ghost Ship warehouse, and the remaining of two defendants charged following the fire and partygoers' deaths, is considering taking a plea deal and is likely to avoid any more jail time, according to civil rights attorneys familiar with the case.

Families of the 36 people who died on Dec. 2, 2016, were told of the proposed plea deal by the Alameda County District Attorney the [East Bay Times](#) reported. The plea deal is expected to take place on Jan. 22. with sentencing about a month to six weeks later. KTVU confirmed this account with two attorneys familiar with the case.

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Mary Alexander, who represented many of the families in the civil case said, "the families are outraged that Almena is not being held accountable for killing 36 young people." She also said it was her understanding if Almena accepts the deal it would allow him to wear an ankle bracelet at home for another year and then undergo supervised probation for three additional years.

According to the family members, as there is a gag order on the criminal attorneys in the case, Derek Almena will plead guilty to 36 counts of involuntary manslaughter in exchange for nine years behind bars. However, he won't actually go to prison because of credit for time served and good behavior, the East Bay Times reported.

This is the second time a plea deal has been offered to Almena and his co-defendant, Max Harris.

But an Alameda County Superior Court Judge James Cramer threw that deal out in 2018 after facing pressure from family members that it was too lenient and that Almena hadn't shown enough remorse.

Under that deal, Almena was also supposed to have served nine years and Harris would have served six, if the arrangement hasn't been tossed by the judge.

So the case went to trial.

And in September 2019, a jury deadlocked 10-2 in favor of Almena's guilt, but could not reach a unanimous decision. Harris was found not guilty.

In May, during the midst of the coronavirus pandemic, Almena was released from custody after posting a \$150,000 bail bond from Santa Rita Jail where he had been held since June 2017.

Almena remains on house arrest with an ankle monitor in Lake County, where his wife and children live.

KTVU's Brooks Jarosz contributed to this report.