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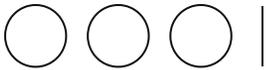
**LOCAL**

# Ghost Ship defendant Derick Almena to serve the remainder of his sentence from home



**Sarah Ravani**

Updated: March 8, 2021 9:28 p.m.



A courtroom sketch of the Derick Almena, top left, as he answers questions from his Defense Attorney Tony Serra, top center, as Judge Trina Thompson, top right, listens on at the Rene C. Davidson Courthouse in Oakland, Calif., on Monday, July 8, 2019. Almena faces involuntary manslaughter charges stemming from the 2016 Ghost Ship blaze that killed 36 people during a music show. Seated in the foreground from left is Alameda County Deputy District Attorney Autrey James, Alameda County assistant district attorney Casey Bates, Attorney Curts Briggs, and Defendant Max Harris. Almena will serve the remainder of his sentence from home, Judge Thompson ruled on Monday, March 8, 2021.

Vicki Behringer / Special to The Chronicle

Derick Almena, the master tenant of an Oakland warehouse-turned-music venue that erupted in fire and killed 36 people in 2016, was sentenced Monday on 36 counts of involuntary manslaughter — but he will not see the inside of a state prison despite receiving a 12-year “split prison sentence.”

In a plea deal blasted by families of victims who died in the Ghost Ship inferno, Almena will serve 1½ years in home detention with an ankle monitor and 3 years of post-custody supervised release. He was given nearly 7 years of credit for time served and good behavior.

“This plea deal is not justice for a crime of this magnitude and deserves a harsher punishment and not a slap on the wrist,” said David Gregory, father of 20-year-old Michela Gregory, who died in the fire. Gregory and other victim family members pleaded for Alameda County Superior Court Judge Trina Thompson to reject the plea deal.

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Thompson said she accepted the plea deal for numerous reasons, including a limited jury pool, the difficulty witnesses could face traveling to the trial due to the pandemic and because Almena admitted his guilt.

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“This case has probably been one of the most overwhelming experiences that I as a jurist have ever had,” Thompson said. “This one haunts me on a regular basis.”

The sentencing ended a case that plagued Oakland, a city whose leaders had encouraged and celebrated its community of artist collectives, some of which, like Ghost Ship, were warehouses converted into unsanctioned dwellings and party spots.

Prosecutors said Almena allowed dozens of people to live illegally in a space zoned only for storage and failed to install sprinklers, illuminated exit signs and smoke alarms. The warehouse was a maze of antiques and artwork and a motor home with a makeshift staircase leading to a second floor. Officials described the warehouse as a death trap.

On Dec. 2, 2016, the night of the fire, dozens of partygoers entered the warehouse to

On Dec. 2, 2010, the night of the fire, dozens of partygoers entered the warehouse to attend an electronic music concert on the second floor. Many of those killed were trapped and died from smoke inhalation when they were unable to escape.

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Almena addressed the victims' families in a statement read by his attorney, Tony Serra.

"I am sorry," Serra read. "I am very afraid to say more. I am sick with shame. I am so sorry. My shame cannot stand as any defense against what I am responsible for."

In impact statements before the court, families mourned the loss of their children and siblings, and tearfully shared tributes to their loved ones, remembering them as passionate artists, students and musicians.

Colleen Dolan, whose daughter, Chelsea Faith Dolan, died in the blaze, choked back tears before speaking. Thompson told her to take her time. Dolan remembered her brilliant and loving daughter, and then directed her statements to Almena.

"I curse you with all the power the universe gives a bereaved mother," she said. "I do

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not forgive you and I never will. May you burn in the neisn nightmares you created.”

The mother of Nicole Siegrist, who died, also spoke. Siegrist was a student at Laney College, a musician, keyboard player, singer and songwriter. Her mother said she would never be able to see her daughter graduate, have a family or become a grandmother.

“I am a changed person,” she said. “I will never get to talk to my daughter again.”

Gary Plotkin, father of Vanessa Plotkin, said the absence of his daughter is felt “everywhere.”

“Her absence is felt at every family gathering, every birthday, every holiday,” he said. “Her absence is felt every day and every minute of our lives.”

At one point, Almena’s sentencing took a strange turn when the judge asked whether he was on drugs.

Thompson said she was “concerned” with the “nodding of his head” and the “jerkiness” of his motions after victim family members raised concerns.

“I’m going to ask counsel very direct, has the defendant been using prescription drugs, narcotics or anything else?” she asked.

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Serra, Almena's attorney, said Almena was overcome because listening to the family statements was "overwhelming."

"It's not an issue of drugs your honor," Serra said. "It's an issue of pain."

After a 15-minute break, Thompson said her deputy searched Almena for drugs, but didn't find any. She said the moving of Almena's leg during the sentencing indicated that he was present.

Almena posted \$150,000 bail in May and was released to his home in Lake County after being jailed since June 2017.

He and co-defendant Max Harris were each charged with one count of involuntary manslaughter for every person who died in the blaze.

In August 2018, the judge in the case rejected a plea deal of Almena saying he did not show true remorse for the deadly fire. The judge's ruling threw out an agreement made between the district attorney's office, Harris and Almena, clearing the way for

a trial.

At the trial, defense attorneys for Almena and Harris argued that police, [fire personnel](#) and [other city officials](#) had been to the warehouse multiple times, but never flagged it as being hazardous.

In September 2019, a jury found [Harris not guilty](#). The jury deadlocked on the charges against Almena. Ten of the 12 jurors agreed he was guilty of negligence in turning the warehouse into a [deadly firetrap](#). Another trial was expected to begin Feb. 4.

Almena was also ordered to pay about \$181,000 in restitution for funeral expenses and counseling, and he will be on post-custody supervision for three years. A restitution hearing will be held April 30. Thompson said Almena is not allowed to have any contact with Harris.

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