

## Who is Liable for the Astroworld Tragedy?

Rapper Travis Scott's Astroworld Festival left eight fans dead and dozens severely injured after the crowd surged toward the stage during Scott's performance. While Astroworld undoubtedly ended in tragedy, it was not an entirely surprising result given Scott's history of inciting crowds. This fact, among others, might inform the ultimate civil and possibly criminal liability that Scott, Live Nation, and the festival venue and event coordinators might face when courts ultimately finish handling the scores of lawsuits that Astroworld victims have filed.

One civil lawsuit detailed the duties breached by Travis Scott, Live Nation, and the venue during the Astroworld event. Namely, they failed to provide adequate security, emergency medical services and adequately monitor the number of people entering the venue to ensure it did not become overcrowded. In analyzing the liability for these breaches, Scott's history of inciting crowds will be important. The plaintiffs will have to prove that Scott's prior actions put Live Nation and the venue on notice about the need for proper security and oversight. Thus, the event planners were negligent in not having the appropriate precautions in place.

Travis Scott's personal liability will depend on whether he engaged in overt acts that incited the crowd to charge the stage during his performance. While evidence of his prior actions does not necessarily mean that he engaged in such behavior at this year's Astroworld festival, there have been numerous past instances where Travis Scott has encouraged fans to rush the stage, leap barricades, and engage in unruly behavior.

The bar is much higher in finding someone liable from a criminal perspective. Scott could face criminal charges, potentially manslaughter, if the prosecution team feels that Scott's actions amounted to wanton, willful, or gross criminal negligence. In other words, Scott needed to have acted so that he created a high risk of severe bodily injury or death and then recklessly ignored that risk. There may be evidence for this because Scott's performance continued for 37 minutes after the Houston Fire Department declared a mass casualty event, and Scott played his entire 25-song set after briefly recognizing some injured fans.

Ultimately, liability, in this case, is quite complicated and does not rest on any singular actor. Nevertheless, the Astroworld tragedy has raised concerns about such events and the need to reassess the measures artists, venues, and event planners take to ensure the crowd's safety. Of course, no one wants to cease having music festivals and big concerts, but tragedies like Astroworld should not continue happening.

Article Summary: In the wake of Travis Scott's Astroworld music festival that left eight dead and dozens injured, many people have been left wondering, who is responsible? In short, Live Nation, the concert venue, and Travis Scott himself will likely face substantial civil and potentially criminal penalties for the Astroworld mismanagement.

Personal Summary: Dean DiBello is a 2L from Dallas, TX. He hopes to explore his interest in commercial litigation and antitrust issues next summer, where he will be working in Dallas.

### Sources Consulted:

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JET Law Blog Post – Dean DiBello

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