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# Travis Scott: Is He Responsible for a Disaster “Butterfly Effect”?

- BY [ELIANE AINI](#)
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*Photo by Yvette de Wit from Unsplash*

On November 5, a tragedy occurred at a Travis Scott concert in Houston. <sup>1</sup> Due to a crowd surge during Astroworld, a concert founded and held annually by Travis Scott, at least nine people died, resulting in one of the deadliest concert incidents in years.<sup>2</sup> In response, many are wondering what went wrong and who, if anyone, is responsible.

As a result of the tragedy, a significant number of lawsuits have been filed against Travis Scott.<sup>3</sup> This includes the suit, *Kristian Paredes v. Jacques Berman Webster, II*, that was filed on November 7, 2021. The allegation is that the “[d]efendants were negligent for inciting a riot” at the Astroworld festival, and the “[p]laintiff suffered severe bodily injuries.”<sup>4</sup> The case is a torts case, citing negligence, personal injury, and property damage, claiming monetary relief over \$1,000,000, as well as interest, fees, and costs.<sup>5</sup>

Because the suit includes a personal claim against Scott, the question for the court will be whether Travis Scott himself was negligent in his handling of the event or whether Scott acted reasonably as the crowd surge was an unpredictable tragedy.

One difficulty in analyzing the case is the lack of information available.<sup>6</sup> Questions include whether Scott could have stopped the show, and whether he even knew that there was a surge going on during the concert.<sup>7</sup> During the surge, fans went onto the stage yelling to stop the performance.<sup>8</sup> This led many to question why Scott didn't stop the show while it was going on.<sup>9</sup> Security should have been alerted by the people who were yelling to end the concert. However, Scott's lawyers claim that "[h]e did not see these things happening."<sup>10</sup> It is very possible that with the bright light on stage, Scott never saw what was occurring.

Even if Scott knew what was happening, there wasn't necessarily much he could do. His lawyers argue that stopping a show can be difficult because it can incite riots by fans.<sup>11</sup> Scott's team also released information that Scott was not authorized to stop the concert.<sup>12</sup> However, authorization is a thin excuse when loss of life is involved. As the facts currently stand, there is not enough evidence that there was anything Scott could have done during the concert that would have changed the outcome of the disaster. Therefore, lawyers would have a weak case holding Scott personally accountable in this respect.

The true question will be whether Scott had intentionally or negligently created an atmosphere provoking such surges in his audiences. Some things the court might consider include old tweets where it seems Scott promoted violence in his shows.<sup>13</sup> One comment even suggested that someone would be a "hero" if they "didn't survive" a New York show.<sup>14</sup> He made similar comments about other incidents that occurred during his concerts.<sup>15</sup> Another major event the court might consider is a 2017 accident at one of his shows, where a concertgoer, Kyle Green, claims he fell off a balcony and was paralyzed as a result.<sup>16</sup>

The court will have to consider whether these past events gave enough warning to Scott, that his failure to act above what the law requires for concert safety constituted a breach of duty. Negligence is a low threshold, but it is not clear that Scott's actions in this scenario meet the threshold, at least with the information released at the moment. The question of whether Scott had a duty to change the setup of the stage due to past events will be a difficult one for plaintiffs to prove without more information. After all, accidents happen, and this situation was out of the ordinary.

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1. Neil Shah, U.S. News: Officials Seek Answers After Tragic Concert — Investigation into Surge at Texas Venue that Left Eight Dead Examines Security Measures, Wall Street J. (Nov. 8, 2021), <http://plus.lexis.com/document/?pdmfid=1530671&crd=b78cd896-5937-4e66-a3e8-c4fb1dca9ec0&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3Acontentltm%3A641M-MN21-DYGY-Y46T-00000->

- 00&pdcontentcomponentid=280015&pdworkfolderlocatorid=NOT\_SAVED\_IN\_WORKFOLDER&prid=1137822a-f35e-49ab-a450-a5d425ee15ca&ecomp=hf4k&earg=sr7.
2. Kiana Alfonseca, *Lawsuits Against Travis Scott, Astroworld Organizers Pile Up*, ABC News (Nov. 9, 2021, 9:31 PM), <https://abcnews.go.com/US/lawsuits-astroworld-organizers-travis-scott-pile/story?id=81034235> [<https://perma.cc/C3MJ-2GZ8>]; The Associated Press, *Travis Scott Concert Death Toll Rises to 9*, CBC (Nov 11, 2021 3:16 PM), <https://www.cbc.ca/news/world/travis-scott-concert-death-toll-1.6245902> [<https://perma.cc/UQ6D-WGBR>].
  3. See Kenneth Niemeyer, *Concertgoers have Filed More than 40 Lawsuits Against Travis Scott Since the Deadly Crowd Surge at Astroworld*, Insider (Nov. 10, 2021, 11:42 AM), <https://www.insider.com/astroworld-travis-scott-faces-more-than-30-lawsuits-2021-11> [<https://perma.cc/HAR8-F5ZX>].
  4. *Paredes v. Berman*, No. 2021-73165, 2021 WL 5182316 (D. Tex. Nov. 7, 2021).
  5. Id.
  6. Shah, *supra* note 1.
  7. Neil Shah, *U.S. News: Rapper’s Actions at Show Questioned*, Wall Street J. (Nov. 11, 2021), [https://plus.lexis.com/document/?pdmfid=1530671&crd=b24a0fcf-2620-4a5d-bfcb-ee51dd971c68&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3Acontentitem%3A6428-J141-DYGY-Y039-00000-00&pdcontentcomponentid=280015&pdworkfolderlocatorid=NOT\\_SAVED\\_IN\\_WORKFOLDER&prid=1137822a-f35e-49ab-a450-a5d425ee15ca&ecomp=hf4k&earg=sr2](https://plus.lexis.com/document/?pdmfid=1530671&crd=b24a0fcf-2620-4a5d-bfcb-ee51dd971c68&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3Acontentitem%3A6428-J141-DYGY-Y039-00000-00&pdcontentcomponentid=280015&pdworkfolderlocatorid=NOT_SAVED_IN_WORKFOLDER&prid=1137822a-f35e-49ab-a450-a5d425ee15ca&ecomp=hf4k&earg=sr2).
  8. Alfonseca, *supra* note 2.
  9. Id.
  10. Shah, *supra* note 7.
  11. Id.
  12. Analisa Novak, *Travis Scott Didn’t Have the Authority to Stop Astroworld Concert, Spokesperson Says*, CBS News (Nov. 12, 2021, 10:44 AM), <https://www.cbsnews.com/news/travis-scott-astroworld-spokesperson-stephanie-rawlings-blake/> [<https://perma.cc/J7B3-C33N>].
  13. Lee Brown, *Travis Scott Repeatedly Bragged About Hurt, Unconscious Concertgoers*, N.Y. Post (Nov. 10, 2021, 10:31 AM), <https://nypost.com/2021/11/10/travis-scott-repeatedly-bragged-about-hurt-unconscious-concertgoers/> [<https://perma.cc/KWK7-4EUM>].
  14. Id.
  15. Id.
  16. Id.