

Tort Law

Are haunted houses liable for fright injuries? Louisiana opinions say no

Posted Oct 31, 2013 9:06 AM CST

By [Debra Cassens Weiss](#)



Image from [Shutterstock](#).

Can someone who is injured in a haunted house recover damages? Not if the injury is caused by a reaction to fear, at least in Louisiana.

Insurance lawyer Randy Maniloff of White and Williams in Philadelphia did a nationwide search and found five court decisions on haunted house liability in cases of fear-induced injury, the Wall Street Journal [Law Blog](#) (sub. req.) reports. All five cases were decided by the Court of Appeal of Louisiana, Maniloff writes in his [newsletter](#) (PDF).

One case involved a 10-year-old girl who ran into a black-covered cinder-block wall after a character in a haunted house jumped out at her. In another, an 84-year-old woman fell (possibly as a result of being jostled by the crowd) after a person dressed as the devil was mechanically projected in the room. In a third case, a person was injured in a chain reaction of bumping caused by an actor wearing an alien mask and flashing a strobe light. In two other cases, the plaintiffs were startled by Jason actors with chainsaws.

In one of the chainsaw cases, the plaintiff had already exited the haunted house; the Jason character was hiding behind a fence. In another, the Jason character holding a chainsaw approached the plaintiff in a corn maze, causing the plaintiff to fall and break her leg.

Maniloff told the Law Blog that haunted houses still need to follow basic safety codes. And he thinks liability is still a possibility in cases of serious injury. "I was surprised to find that in every case the haunted house won," he told the Law Blog, "But it wouldn't surprise me to see that in the future other courts view the same facts differently."

Copyright 2013 American Bar Association. All rights reserved.