

§ 14-288.2. Riot; inciting to riot; punishments.

(a) A riot is a public disturbance involving an assemblage of three or more persons which by disorderly and violent conduct, or the imminent threat of disorderly and violent conduct, results in injury or damage to persons or property or creates a clear and present danger of injury or damage to persons or property.

(b) Any person who willfully engages in a riot is guilty of a Class 1 misdemeanor.

(c) Any person who willfully engages in a riot is guilty of a Class H felony if in the course of the riot the person brandishes any dangerous weapon or uses a dangerous substance.

(c1) Any person who willfully engages in a riot is guilty of a Class F felony if in the course of the riot the person causes property damage in excess of two thousand five hundred dollars (\$2,500) or serious bodily injury.

(c2) Any person who willfully engages in a riot is guilty of a Class E felony if in the course of the riot the person causes a death.

(d) Any person who willfully incites another to engage in a riot and that inciting results in a riot or is directly and imminently likely to produce a riot is guilty of a Class A1 misdemeanor.

(e) Any person who willfully incites another to engage in a riot, and that inciting is a contributing cause of a riot in which there is property damage in excess of two thousand five hundred dollars (\$2,500) or serious bodily injury, shall be guilty of a Class E felony.

(e1) Any person who willfully incites another to engage in a riot, and that inciting is a contributing cause of a riot in which there is a death, shall be guilty of a Class D felony.

(f) Any person whose person or property is injured by reason of a violation of this section may sue for and recover from the violator three times the actual damages sustained, as well as court costs and attorneys' fees.

(g) Mere presence alone without an overt act is not sufficient to sustain a conviction pursuant to this section. (1969, c. 869, s. 1; 1979, c. 760, s. 5; 1979, 2nd Sess., c. 1316, s. 47; 1981, c. 63, s. 1; c. 179, s. 14; 1993, c. 539, ss. 187, 188, 1225, 1226.; 1994, Ex. Sess., c. 24, s. 14(c); 2023-6, s. 1; 2023-71, s. 4(a).)