**O88.2**

**Causing Interstate Travel in Execution**

**of a Scheme to Defraud**

**18 U.S.C. § 2314**

**(Second Paragraph)**

It’s a Federal crime for anyone to transport someone or induce someone to travel in interstate commerce for the purpose of carrying out a scheme to defraud that person of money or property.

The Defendant can be found guilty of this crime only if all the following facts are proved beyond a reasonable doubt:

 the Defendant transported or caused to be transported, or induced travel by [victim’s name] in interstate commerce;

 the purpose of the travel was to carry out or conceal a scheme to defraud [him] [her];

 the Defendant knew the scheme was fraudulent and acted with intent to defraud [victim’s name]; and

 the purpose of the scheme to defraud was to get money or property worth at least $5,000 from the victim.

The “value” of something is the greater of either its face, par or market value, or its cost or price, either wholesale or retail.

“Interstate commerce” includes any movement or transportation of goods, wares, merchandise, securities or money from one state into another state, the District of Columbia, and any commonwealth, territory, or possession of the United States.

A “scheme” includes any plan or course of action intended to deceive or cheat someone.

A statement or representation is “false” or “fraudulent” if it relates to a material fact and the speaker knows it is untrue or makes it with reckless indifference to its truth and, it is made with the intent to defraud. A statement or representation may also be “false” or “fraudulent” when it is a half-truth, or effectively conceals a material fact, and is made with intent to defraud.

A “material fact” is an important fact, not some unimportant or trivial detail, that a reasonable person would use to decide whether or not to do a particular thing.

To act with “intent to defraud” means to do something with the specific intent to deceive or cheat someone, usually for personal financial gain or to cause financial loss to someone else.