

1008. KNOWING CONVERSION WITHOUT AUTHORITY

Knowing conversion without authority also is a very broad concept and includes conduct outside the definitions of embezzlement and stealing. When the defendant's conduct does not fall within any of the other prohibited acts of 18 U.S.C. § 666(a)(1)(A), it may still be reached under the theory that the defendant's conduct constituted a knowing conversion without authority.

To prove a knowing conversion without authority the United States must establish:

1. that the defendant knowingly converted to the use of any person other than the rightful owner, property;
2. owned by or under the care, custody, or control of an organization or state or local government agency protected by the statute;
3. without authority to do so; and
4. with knowledge that he did not have authority to do so.

[cited in [JM 9-46.100](#)]

[◀ 1007. Fraud](#)

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[1009. Intentional Misapplication ▶](#)