

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 22-cr-186 (TJK)
	:	
RALPH JOSEPH CELENTANO III,	:	
	:	
Defendant.	:	

JOINT PROPOSED VOIR DIRE¹

The parties jointly propose the following voir dire questions:

Joint: Knowledge of Participants in the Case

1. This is a criminal case. The United States has charged Defendant **RALPH CELENTANO** with violating seven separate federal criminal laws based on his conduct at the United States Capitol on January 6, 2021. Specifically, the United States alleges that Ralph Celentano unlawfully assaulted, impeded, intimidated, or interfere with law enforcement officers who were engaged in their official duties, he committed these acts during a civil disorder; he unlawfully entered and remained on the Capitol grounds; he unlawfully engaged in disorderly and disruptive conduct ; unlawfully engaged in physical violence; and he obstructed Congress’s Joint Session to certify the Electoral College votes all while on the grounds of the United States Capitol, on January 6, 2021. Mr. Celentano has pled not guilty to all charges.
2. The United States is represented in this case by Assistant United States Attorneys **JACQUELINE SCHESNOL** and **SHALIN NOHRIA**, and they are being assisted by paralegal **TEKIAH JONES**, all of whom work at the United States Attorney’s Office here in Washington, D.C. Also at counsel table is **FBI Special Agent Frank D’Amico**. **PLEASE STAND**. Do you know or have you had any contact with these individuals?
3. **RALPH CELENTANO** is represented in this case by his attorneys **MARISSA SHERMAN AND KATHRYN WOZENCROFT**, paralegal **Caroline Kissick**, and investigator **Joseph Dean**. **PLEASE STAND**. Do you know or have you had any contact with **MARISSA SHERMAN KATHRYN WOZENCROFT, CAROLINE KISSICK, or JOSEPH DEAN**? Does anyone know Ralph Celentano?

¹ Defense counsel previously filed a Motion for Attorney Conducted Voir Dire which is pending before the Court. ECF No. 34. The Government opposes the motion and has filed its opposition. ECF No. 37.

4. During the trial, you may hear testimony from or about a number of people. The attorneys will now identify for you the names of people who may testify or about whom you may hear testimony. Listen carefully and, if you recognize or know any of the people named, please mark your paper beside the number 4. I will now read you the list of names.
5. Please look around you. Do you know or recognize any other member of the prospective jury panel, the courtroom staff, or me?

Government Proposed Instructions: Presumption of Innocence, Burden of Proof, and Reasonable Doubt

1. The defendant in this case, just as every defendant in a criminal trial, is presumed innocent and, therefore, has no obligation to testify or present any evidence in the case. Would you have any difficulty accepting and applying this legal instruction?
2. The prosecution has the burden of proof. This means that the jury cannot return a guilty verdict against a defendant unless the prosecution has proven beyond a reasonable doubt that the defendant is guilty of the crime charged. Would you have any difficulty accepting and applying this legal instruction?
3. Would you draw an adverse inference if the defendant chose not to testify on his own behalf in this case?
4. If after you have heard all the evidence, you find that the government has proven beyond a reasonable doubt every element of the offense, it is your duty to find the defendant guilty. On the other hand, if you find that the government has failed to prove any element of the offense beyond a reasonable doubt, you must find the defendant not guilty. Would you be reluctant or unable to carry out this duty?

Defense Proposed Instructions: Presumption of Innocence, Burden of Proof, and Reasonable Doubt

1. Mr. Celentano, just as every defendant in a criminal trial, is presumed innocent - and you must continue to presume him innocent unless the government proves each element of each charge beyond a reasonable doubt. You cannot bring in outside opinions or views about this case or about Mr. Celentano based solely on the charges he faces. As you sit here right now, does anyone have difficulty presuming Mr. Celentano innocent?
2. Does anyone believe that because Mr. Celentano has been charged with crimes, that means he is probably guilty?
3. The government has the burden of proof. This means that the jury cannot return a guilty verdict against Mr. Celentano unless the prosecution has proven beyond a reasonable

doubt each and every element of each individual charge. Would you have any difficulty accepting and applying this legal instruction?

4. Mr. Celentano has no obligation to testify or present any evidence in this case. As I will instruct you now, and again at the end of this case, you cannot draw a negative conclusion or hold it against Mr. Celentano in any way – if he does not testify. Would you have any difficulty accepting and applying this legal instruction?
5. If after you have heard all the evidence, you find that the government has proven beyond a reasonable doubt every element of a particular charge, it is your duty to find Mr. Celentano guilty of that charge. On the other hand, if you find that the government has failed to prove any element of the offense beyond a reasonable doubt, you must find Mr. Celentano not guilty. Is there anyone who is reluctant or unable to carry out this duty?

Joint: Familiarity with Prosecution/ Defense/ Police Work/ Jury Service/ Etc.

1. Have you, any member of your family or close friend ever studied law or been employed by a lawyer or a law firm, worked in a courthouse, as a paralegal or legal secretary, or performed legal investigative work?
2. Have you, any member of your family or close friend ever worked for a government agency such as a prosecutor's office or the United States Attorney's Office?
3. Have you, any member of your family or close friend ever worked for a defense law firm or public defender's office?
4. Have you, any member of your family or close friend ever been employed by any local, state, or federal law enforcement agency or a private security company? Law enforcement agencies include for example, the Metropolitan Police Department, the United States Capitol Police, the U.S. Marshals Service, the Federal Bureau of Investigation (FBI), or the United States Secret Service.
5. Have you, any member of your family or close friend had any experiences with any law enforcement agency, or the government that might cause you to favor or disfavor the government or law enforcement?
6. Have you ever filed a complaint against a police officer or anyone in law enforcement?
7. Do you have any opinions about prosecutors or defense attorneys that might affect your ability to serve fairly and impartially in this trial?
8. In this case, law enforcement officers will be witnesses. Would you tend to believe or not believe the testimony of a law enforcement officer simply because he or she is a law

enforcement officer? In other words, would you tend to give more or less weight to the testimony of a law enforcement officer than to the testimony of other witnesses?

Government: Familiarity with Prosecution/ Defense/ Police Work/ Jury Service/ Etc.

1. Have you, any member of your family, or close friend ever been the subject of a criminal investigation, been accused of criminal conduct, been arrested, or convicted of a crime, been a victim of a crime, been a witness to a crime, testified in court or before a grand jury as a witness to a crime, or been required to appear in court for any reason?
 - i. If so, what type of crime? How was the case resolved? When was it resolved?
 - ii. Were you satisfied with the way the case was handled by law enforcement, prosecutors, and/or the court?
 - iii. Would that have any effect on your ability to be fair and impartial in evaluating this case or deliberating on a verdict?
2. Have you served on a grand jury or trial jury before? If served on a trial jury:
 - i. Was it a criminal or a civil case?
 - ii. Did you reach a verdict?
 - iii. Was there anything about your experience as a juror which would make you not want to serve again?

Defense: Familiarity with Prosecution/ Defense/ Police Work/ Jury Service/ Etc.

1. Have you, any member of your family, or close friend ever been the subject of a criminal investigation, been accused of criminal conduct, been arrested, or convicted of a crime,?
 - a. If so, what type of crime? How was the case resolved? When was it resolved?
 - b. Were you satisfied with the way the case was handled by law enforcement, prosecutors, and/or the court?
 - c. Would that have any effect on your ability to be fair and impartial in evaluating this case or deliberating on a verdict?
2. Have you, any member of your family, or close friend ever been a victim of a crime?
 - a. If so, what type of crime? Did you report it to law enforcement? Was an arrest ever made? Did you have to testify in court?
 - b. Were you satisfied with the way the case was handled by law enforcement, prosecutors, and/or the court?
 - c. Would that have any effect on your ability to be fair and impartial in evaluating this case or deliberating on a verdict?
3. Have you, any member of your family, or close friend ever been a witness to a crime, testified in court or before a grand jury as a witness to a crime, or been required to appear in court for any reason?
4. Have you served on a grand jury or trial jury before? If served on a trial jury:

- a. Was it a criminal or a civil case?
- b. Did you reach a verdict?
- c. Was there anything about your experience as a juror which would make you not want to serve again?
- d. If you have served on a civil jury or a grand jury in the past, let me remind you that the burden of proof for the grand jury, and in a civil case is substantially less than the burden of proof beyond a reasonable doubt in a criminal case

Joint: Nature of the Charges

1. During the course of this trial, you will hear about the events at the United States Capitol on January 6, 2021. Do you, any member of your family or close friend live, work near, or have any special familiarity with the immediate area of the United States Capitol?
2. Were you, any member of your family, or close friend present at the U.S. Capitol on January 6, 2021?
3. Have you ever watched video of Mr. Celentano, relating to January 6, 2021, on the news, on the internet, or any other way?
4. If you were selected as a juror in this case, I will instruct you to avoid and not seek out any media coverage about this case or Mr. Celentano, including on radio, television, podcasts, social media, and the internet. I will instruct you not to Google or search for information about Mr. Celentano. Would you have difficulty following this instruction?

Government: Nature of the Charges

1. Regardless of what you may have heard or seen about events at the U.S. Capitol on January 6, 2021, and no matter what opinions you may have formed, can you put all of that aside and decide this case only on the evidence you receive in court, follow the law, and decide the case in a fair and impartial manner?

Defense: Nature of the Charges

1. Is there anyone who believes that just because someone was present at the Capitol on January 6, that they must be guilty of something?
2. Would you identify yourself as someone who closely followed the news regarding the events of January 6, 2021? Have you watched any of the January 6 Commission Hearings? Have you followed the news of the January 6 prosecutions? Regardless of what you may have heard or seen about events at the U.S. Capitol on January 6, 2021, and no matter what opinions you may have formed, can you put all of that aside and

decide this case only on the evidence you receive in court, follow the law, and decide the case in a fair and impartial manner? Can you separate the evidence you hear and see in this trial in regards to Ralph Celentano from things you have previously heard or seen about other individuals present at the Capitol on January 6, 2021?

3. Some people have strong feelings – both positive and negative – about the events that occurred on January 6, 2021. Do you believe that you can sit fairly and impartially in a case in which Mr. Celentano is charged with unlawfully assaulting, resisting, or impeding police officers that were on duty that day??

Joint: Medical Problem / Hardship / Catch-all

1. Do you feel so uncomfortable being in a room with other jurors and trial participants, due to the COVID-19 pandemic, that it would be difficult for you to pay attention or otherwise to serve as a juror in this case?
2. Are you currently caring for a relative or close friend, who has been infected by, or exposed to persons infected with, COVID-19, such that it would be difficult for you to pay attention or otherwise to serve as a juror in this case?
3. The lawyers have predicted that the presentation of evidence in this trial should last about four days, but it could run longer. The jury will sit Monday through Friday, generally from 9:30 a.m. to 5 p.m., although the starting and ending times may vary. The length of jury deliberations following the presentation of evidence at trial will be determined by the jury itself. Do you have an urgent or extremely important matter to attend to this week or next, such that you could be faced with a hardship if selected to serve on the jury in this case?
4. To reach a verdict on a particular charge, every juror must agree on the verdict. That is, any verdict must be unanimous. In deliberations you must consider the opinions and points of your fellow jurors, but you must also follow your own conscience and be personally satisfied with any verdict. Would you have difficulty expressing your own opinions and thoughts about this case to your fellow jurors?
5. Do you have any vision, or hearing problems, or any other physical or medical problems, that might interfere with your ability to hear or understand what the witnesses say in this case, to view exhibits and photographs, or to give your full attention to this case?
6. Do you have any difficulty understanding, reading, or speaking the English language?
7. Do you have any moral, religious, or ethical beliefs that prevent you from sitting in judgment of another person?
8. The law requires that the jurors weigh the evidence in a case and determine the guilt or innocence of the defendant solely upon the basis of the evidence, without any

consideration of the matter of punishment and without prejudice, fear, sympathy, or favoritism. Do you believe that you would have difficulty following this instruction?

9. Do you know of any reason, or has anything occurred to you during this questioning, that might in any way prevent you from following my instructions on the law and being completely fair and impartial as a juror in this case?

Defense Request for Additional Questions and the Government's Position

1. The defense respectfully request that the Court ask each juror to state the following information after the initial round of preliminary questions:
2. What is your full name? **The government asserts that this information is already provided by the potential jurors.**
3. How old are you? **The government asserts that this information is already provided by the potential jurors.**
4. What county do you live in? How long have you lived in that county? **There are no counties in Washington, DC.**
5. How far did you go in school? If you have advanced degrees, what are they in? Do you hold any special licenses or certificates? **The government does not object to this question.**
6. If currently in school, where do you attend and what are you studying? **The government does not object to this question.**
7. What type of work do you do? Who are you employed by? **The government asserts the occupation has already been provided. The government opposes the question about the specific employer.**
8. Do you currently live with anyone? If so what is their relationship to you? What do they do for a living? **The government recommends the question be worded: what is the occupation of other members of your household?**
9. What, if anything, do you like to watch on tv or streaming? **The government opposes this question.**
10. What websites, newspapers, television shows, or podcasts do you most frequently go to for information? **The government opposes this question.**
11. Do you use social media? What kinds? **The government opposes this question.**

12. What do you like to do in your spare time? **The government opposes this question.**
13. Do you belong to any groups or organizations? This includes civic, social justice, political, religious, school, fraternal, entertainment, union, or professional groups. **The government opposes this question.**
14. Do you have any life experiences, attitudes, or opinions that you have not mentioned already, which you believe would interfere with your ability to be a fair and impartial juror in this case? **This is already covered in the last question of the Catch-all section.**