

EXHIBIT 1

**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: THIRD DEPARTMENT**

In the Matter of the Application of the PEOPLE OF THE
STATE OF NEW YORK, by LETITIA JAMES, Attorney
General of the State of New York,

Petitioner-Respondent,

and

TROY BRANCH OF THE NATIONAL ASSOCIATION FOR
THE ADVANCEMENT OF COLORED PEOPLE, CLIFTON
PEREZ, SHARON FERGUSON, and DANIELLE COLIN
CHARLESTON,

Proposed Intervenor
Petitioner-Respondents

-against-

JASON SCHOFIELD, individually and in his capacity of
Commissioner of the Rensselaer County Board of Elections,
EDWARD McDONOUGH, individually and in his capacity of
Commissioner of the Rensselaer County Board of Elections,
and RENSSELAER COUNTY BOARD OF ELECTIONS,

Respondents-Appellants.

Appellate Division—
Third Department Case
No. 533467

AFFIDAVIT OF CLIFTON PEREZ

I, CLIFTON PEREZ, being duly sworn, say:

1. I am 66 years old.
2. I am an Afro-Latino man.
3. I am a registered voter in Rensselaer County.
4. I reside at 33 Rankin Avenue in Troy, New York.
5. I am employed as the Systems Advocate at the Independent Living Center of the

Hudson Valley. I have been working in the field of advocacy to enhance and defend the rights of

people with disabilities for over 35 years, including voting rights. My office is located in at 17 Third Street in Downtown Troy.

6. I am visually impaired. I do not have a driver's license or own a personal vehicle. I rely on public transportation.

7. Like many other people with a visual impairment, I cannot vote privately and independently by absentee ballot because absentee ballots are not accessible to the visually impaired without someone else to assist in filling out the ballot. I must cast a ballot in person at polling site with a ballot marking device in order to exercise my right to vote. Absentee ballots are also not accessible to people with dexterity disabilities who may not be able to handle the paper, or people certain learning disabilities or brain injuries who may have difficult reading.

8. None of the three early voting sites designated by the Rensselaer County Board of Elections for the 2021 election cycle are reasonably accessible to me. The early voting site at the Town of Brunswick Office building at 336 Town Road is not accessible by public transportation at all. I would have to walk nearly 2 miles each way from the bus stop closest to the Brunswick early voting site and a substantial part of that distance has no sidewalks. The early voting site at the Holy Cross Armenian Church is not reasonably accessible to me. On those days on which public transportation is available, to reach Holy Cross Armenian Church by public transportation from my residence takes at least 45 minutes each way and requires two bus transfers. Because my office is located in downtown Troy, the Holy Cross Armenian Church is not located along my commuting route, which means that it would require a special round-trip of at least 90 minutes from my home just to vote . On those days on which the Schodack Town Hall site is accessible by public transportation at all from my neighborhood, the trip requires approximately

2 hours of travel time to complete the round trip, including at least two bus transfers in each direction.

9. The flexibility that early voting provides is essential me. People with disabilities such as mine for whom absentee ballots are not accessible must vote in person. This is especially problematic during the pandemic because there is no remote voting option for me and others like me, which means I must expose myself to the public health risk of entering a potentially crowded polling place. During the pandemic, early voting is critical for me because it allows me to find an opportunity to vote when the risk to my health is the lowest. I also want to be able to vote early because I want to be able to vote together with other members of the community, particularly other people with disabilities because poll sites frequently fail to offer adequate accommodations to voters with disabilities. It is easier to coordinate voting with other people on weekends than on weekdays.

10. Other than regularly scheduled public transportation, paratransit for people with disabilities is unreliable. People with disabilities may have to book appointments well in advance to get paratransit. Paratransit may not be available on the day and time at which a person with disabilities needs it in order to get the polls on time.

11. If the Rensselaer County Board of Elections were to designate an in-person early voting site that is accessible by public transportation and a reasonable travel time from my residence, my ability to exercise my right to vote would be substantially less burdened than under the early voting site plan that included only the Brunswick, Schodack, and Holy Cross Armenian Church sites.

Clifton Perez
(Signature)

Clifton Perez
(Print Name)

Sworn to before me this

2nd day of August, 2021

[Signature]
(Notary public)

NINA NICHOLS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01NI6301886
Qualified in Rensselaer County
My Commission Expires 04-28-2022