
Newburgh Adopts Ranked Choice Voting After NYVRA Lawsuit

FEATURED ATTORNEYS



David Imamura

Partner



Amy B. Marion

Partner

FOR IMMEDIATE RELEASE

February 27, 2026

Newburgh, NY (February 27, 2026) The Town of Newburgh has agreed to change how it elects members of its Town Council, adopting a Proportional Ranked Choice Voting System after a lawsuit alleged Black and Hispanic voters were unable to elect candidates of their choice. The settlement marks the first case resolved entirely under the New York State Voting Rights Act, a law enacted in 2022 to prevent discriminatory election practices such as vote dilution. The case was led by [David Imamura](#), with [Amy Marion](#) serving as lead trial counsel throughout the litigation.

The case, *Clarke v. Town of Newburgh*, was hard-fought and advanced through appeal, culminating in a unanimous decision from the New York Court of Appeals rejecting the Town's constitutional challenge to the law. In the wake of that ruling, the parties entered negotiations to determine an appropriate remedy,

reaching a settlement less than twenty-four hours before trial was set to begin.

Under the settlement, the Town of Newburgh will replace its prior at-large electoral system with proportional ranked-choice voting for Town Board seats. The change is designed to ensure the Town's elections more fairly reflect the voices of Black and Hispanic voters, who'd long been underrepresented.

"I am elated; justice was served today" said Plaintiff Ernest Tirado. "Now we can get representation in the Town of Newburgh."

"I have lived in the Town of Newburgh for over thirty years. I live in the same house that my husband and I built." said Plaintiff Grace Perez. "We had our kids here and now our grandkids are being raised here, and I am proud to have been part of a lawsuit that assures them equal participation and representation in the Town of Newburgh."

Abrams Fensterman, LLP, together with the **Election Law Clinic at Harvard Law School**, represented Plaintiffs in challenging the Town's at-large election system that diluted the votes of Black and Hispanic residents. This settlement clears the way for the Town of Newburgh to move forward with an electoral system designed to provide equitable representation for all its residents, including Black and Latino residents, and other historically marginalized communities.

"Politics is representation" said **David Imamura**, Partner at Abrams Fensterman, LLP and former Chair of the New York State Independent Redistricting Commission, who served as one of the lead attorneys for the Plaintiffs. "For the first time, Black and Hispanic voters in the Town of Newburgh will have the opportunity to reliably have a seat at the table. We thank the Town of Newburgh for working with us to ensure that voters of all races are able to have their voices heard."

Proportional ranked-choice voting (PRCV) allows voters to rank candidates in order of preference and allocates seats based on the level of support different groups receive. Compared with at-large elections, the system more accurately reflects community preferences. Under this approach, Black and Hispanic voters in Newburgh — even without a voting majority — have a meaningful opportunity to elect candidates of their choice.

With this agreement, Newburgh is the first municipality in New York to adopt proportional ranked-choice voting in response to litigation under the NYVRA, marking a significant step in the broader effort to strengthen equal electoral opportunity statewide.

The settlement also requires the Town of Newburgh to pay Plaintiffs' counsel \$1.6 million in attorneys' fees and costs.

For more information, please contact:

David Imamura, Esq.

Partner, Abrams Fensterman, LLP

DImamura@Abramslaw.com

914-607-7065

David Imamura, Esq. is a Partner in Abrams Fensterman's **White Plains** office and a leading voice in election law, civil litigation, and voting rights. A former Chair of New York's Independent Redistricting Commission, he brought the first case under the NYS Voting Rights Act and currently serves as a

Westchester County Legislator.

About Abrams Fensterman, LLP

Abrams Fensterman is a full-service law firm with offices across New York State, dedicated to advancing justice, protecting voting rights, and ensuring equitable representation for all New Yorkers. Our [Election Law practice](#) is proud to partner with leading institutions such as the [Election Law Clinic at Harvard Law School](#) to defend and strengthen democratic participation.