

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

DAVID SIBINICH
W38839

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **August 6, 2025**

DATE OF DECISION: **January 21, 2026**

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Sarah B. Coughlin, Angelo Gomez, Jr., James Kelcourse, Rafael Ortiz¹

VOTE: Parole is granted to a Long-Term Residential Program (preferably Solider On) after District Attorney Clearance.

PROCEDURAL HISTORY: On March 17, 1982, following a jury trial in Berkshire Superior Court, Davis Sibinich was convicted of armed robbery, armed assault in a dwelling with a dangerous weapon, assault with intent to murder, and assault and battery with a dangerous weapon. He was sentenced to life in prison with the possibility of parole. He was sentenced to concurrent life sentences for armed robbery and armed assault in a dwelling with a dangerous weapon and 8–10-year concurrent sentences for assault with intent to murder and assault and battery with a dangerous weapon. One assault and battery conviction was placed on file. Parole was denied following an initial hearing in 1996 and review hearings in 1999, 2002, 2004, 2005, and 2013. Mr. Sibinich was released on parole in 2007 and was returned to custody in 2012. He was paroled again in 2020 and returned in 2024 both for parole violation.

On August 6, 2025, David Sibinich appeared before the Board for a review hearing. He was represented by attorney Kim Jones. The Board's decision fully incorporates by reference the entire video recording of Davis Sibinich's August 6, 2025, hearing.

¹ Board member Gomez was not present for the hearing but he reviewed the video recording of the hearing and the entirety of the file prior to vote, Chair Coleman was present at hearing but did not participate in vote.

STATEMENT OF THE CASE: On December 15, 1980, Pittsfield police officers were dispatched to 168 Linden Street in response to a telephone call. When they arrived, police found 22-year-old David Sibinich in the house. They also found the owner of the house, 80-year-old Esther Berenholc, tightly tied with wire, lying on the floor in her bedroom. She had been beaten and badly bruised about the face. Her fingers were also cut in several places, and she suffered multiple cut wounds on her head. She told the officers that "he" (meaning Mr. Sibinich) had tried to smother her with a pillow and choke her, before tying her up. The officers observed pillow stuffing scattered around the room and also saw stuffing and blood on Mr. Sibinich's clothing and body.

Several other police officers arrived. Mr. Sibinich was arrested and searched. Police found a diamond ring, later identified as belonging to Ms. Berenholc, in one of Mr. Sibinich's pockets. They also confiscated a bloodstained knife from him, along with a six inch piece of wire, which was identical to that used to bind Ms. Berenholc. Mr. Sibinich stated to the officers that Ms. Berenholc had given him the ring that night.


Ms. Berenholc died on February 7, 1987, nearly two months later. An autopsy showed her death to have been from natural causes.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board. (if applicable).

DECISION OF THE BOARD: Mr. Sibinich has been re-incarcerated for approximately a year after a parole violation. Mr. Sibinich has had no violence since the underlying offense. Mr. Sibinich has struggled with substance use issues. The Board finds that Mr. Sibinich needs to invest in his sobriety which he acknowledges as an area where he needs support and treatment. The Board reviewed Mr. Sibinich's re-entry plan and notes it addresses appropriate needs areas. He maintains support in the community. The Board heard testimony in opposition to parole from Berkshire County Assistant District Attorney Joseph Pieropan. The Board concludes by unanimous decision that David Sibinich has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: Soldier On or other LTRP; Waive work for 2 weeks/or program; Curfew – Must be home between 10PM and 6AM or at Parole Officer's discretion; Electronic monitoring for 6 months; Supervise for drugs; testing in accordance with Agency policy; Supervise for liquor abstinence; testing in accordance with Agency policy; Report to assigned MA Parole Office on day of release; No contact with victim(s) family; Must have mental health counselling for mood disorder; mandatory needs District Attorney clearance.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above-referenced hearing. Pursuant to G.L. c. 127, § 130, I further certify that all voting Board Members have reviewed the applicant's entire criminal record. This signature does not indicate authorship of the decision.


Angelo Gomez, Jr., Chair

January 21, 2026
Date