2016 NCSBN Discipline Case Management Conference - **Virginia's Sanction Reference Point System: An Empirically Based Approach to Ensure Fairness**

is a tool. Okay? All right. With criminal justice, we hear cases all the time about why was a sentencing so light or so harsh? We just had something this very week about that in the media. And back in the 1970s and '80s, our department of criminal justice services in Virginia was charged with developing something to help the justices, and this is work that goes across a lot of the states, to determine the relative influence of offender and offense factors to what are the things that should be influencing the sanction or the sentencing that comes out of that. And so, they use a multivariate model. They look for things that are statistically significant in predicting what the outcome is and they came up, they're the geniuses here, they came up with a model that allows you to extract those factors that the judges themselves deemed to be unwarranted or they call them extra legal, we would call them biasing factors, like gender, race, ethnicity, time of day, a thousand different things. But you could pull it out of the model so, what you're left with are those factors that should come into play. And so, you put your scored points based on the relative weight in the statistical model. It's pretty calculated if you want to put it that way. Your points are totaled and they're compared against thresholds of standardized tables that tell you that the different levels of sentencing severity, which ones would apply. And the system is continually monitored. There's a whole division within the Virginia supreme court offices that now monitor, on an ongoing basis, all the sentences that are handed down in our state from the criminal justice system and they do the analyses over and over again. They feed it back to the justices and you adjust those tables as you need to. So, we said, "Okay, that sounds like a really good deal. We W, wW, 70.2 (-0.2 ()0.132 (W)-0.3 (e) -0.2 (e)-0.2 (y)-0.5 ()-0.5(0.2 (y)0.2 (So)-0.2 ()0.2()0

sentences, and the ones where it was lighter, you tend to be lighter. So, that held for every board and neutrality, believe it or not, when I talked about the departures either mitigating or aggregating, the mitigating ones tended to favor males for nursing and I know we had just done a review of trying to figure out are we being unfair to males on a national council state's board, nursing was looking into that, and at least for Virginia, based on the data that we have and for evaluation review, we went back and also, we got a new sample of cases, we did find