



State of Rhode Island

**DIVISION OF STATE POLICE**

State Police Headquarters, 311 Danielson Pike, North Scituate, Rhode Island 02857  
OFFICE OF THE SUPERINTENDENT AND DIRECTOR OF PUBLIC SAFETY

**Colonel Darnell S. Weaver**  
**Superintendent**

May 20, 2025

The Honorable Marvin L. Abney, Chair  
House Committee on Finance  
Rhode Island House of Representatives  
82 Smith Street  
Providence, RI 02903

**RE: 2025-H 6128 - An Act Relating To Behavioral Healthcare, Developmental Disabilities  
And Hospitals - Core State Behavioral Health Crisis Services Systems-988**

Dear Chairman Abney:

On behalf of the Department of Public Safety ("DPS"), please accept this letter expressing strong concerns regarding legislation currently before the House Committee on Finance entitled, "An Act Relating To Behavioral Healthcare, Developmental Disabilities and Hospitals-Core State Behavioral Health Crisis Services Systems-988," which would take an unspecified portion of the statutory surcharge established to fund Rhode Island E911 and establish a second "restricted receipt" account to fund 988.

One of the agencies that comprise DPS is the E 9-1-1 Uniform Emergency Telephone System which provides 24 hour, statewide emergency public safety communications services through the universal emergency number 9-1-1. The proposed legislation would alter Rhode Island General Laws 39-21.1-14. In 2002, the surcharge which funds the provision of 911 services to the State of Rhode Island was set at one-dollar (\$1.00) per telephone line.<sup>1</sup> In 2019, the legislature reduced the surcharge to fifty-cents (\$0.50) per line and established a "first response surcharge" of fifty-cents (\$0.50) per landline and seventy-five cents (\$0.75) per wireless device.<sup>2</sup> This statutory change was made as a direct result of the findings by the Federal Communications Commission (FCC) that Rhode Island was diverting funding "intended and necessary for public safety purposes to [the] general fund."<sup>3</sup> Due to the diversion of 911 funds to the general fund, the FCC warned that RI E911 would "jeopardize

---

<sup>1</sup> 2002 R.I. Pub. Laws 65 art. 13, § 15.

<sup>2</sup> 2019 R.I. Pub. Laws 88 art. 2, § 8.

<sup>3</sup> Letter from Mike O'Rielly, Commissioner, FCC, to Gina Raimondo, Governor of Rhode Island (June 15, 2018)(available at <https://docs.fcc.gov/public/attachments/DOC-351676A1.pdf>).



their eligibility for federal 911 grants,”<sup>4</sup> specifically those grants meant for the upgrade of the E911 system to NG911 as required by federal regulations.<sup>5</sup> As a direct result of this finding, the legislature established a separate surcharge as the sole funding for E911 pursuant to FCC regulations.

The proposed legislation would decrease the funding to E911 by splitting the surcharge between E911 and 988. This not only reduces the funding for E911, the proposal does not establish which portion of the surcharge would be for E911 and which portion would be for 988. The splitting of this surcharge is in direct contravention of Rhode Island General Laws § 39-21.2-5(e), which states that “[a]ll E-911 fees collected pursuant to this section shall be deposited in a restricted-receipt account and used solely for the operation of the E-911 uniform emergency telephone system.” In addition, the proposed legislation, as written, is in violation of the Code of Federal Regulations which requires any surcharge for the administration of 911 services must specify “the amount or percentage of such fees or charges that is dedicated to 911 services” and “[e]nsures that the 911 portion of such fees or charges is segregated and not commingled with any other funds.”<sup>6</sup> While the proposed legislation creates two separate “restricted receipt accounts,” it does not establish the amount or percentage which would be dedicated to 911 services as required by federal regulations.

Further, the proposed legislation under “§40.1-30-4. Collaboration with E-911 system” states that there will be “collaboration between 988 and E-911 services,” however, there is no explanation or elaboration on what extent there will be collaboration. There are two main issues with this section. First, pursuant to Rhode Island General Laws § 39-21.1-4 and Rhode Island General Laws § 39-21.1-17, calls made to E911 “shall remain confidential and used only for the purpose of handling emergency calls and for public safety purposes as may be needed for law enforcement, fire, medical, rescue, or other emergency services.” At the present time, E911 would not be able to transfer 911 phone calls to 988 as 988 is not considered law enforcement, fire, medical, rescue, or other emergency services pursuant to the statute and the definitions as laid out in Rhode Island General Laws § 39-21.1-3 (8). In addition, while 988 is overseen by the Director of RI BHDDH, the main functions of 988 are presently being executed by a private organization. The functions of E911 are conducted by employees of the State of Rhode Island who undergo extensive background checks due to their access to confidential and highly sensitive information along with highly sophisticated technology and computer programs. Without further clarification, there can be little to no collaboration between E911 and 988 under the proposed statutory changes.

Respectfully, the proposed legislation has several issues as written. While the intention behind the bill is understandable, we respectfully ask that you reconsider its impact on other sections of the Rhode Island General Laws and Federal Regulations as well as E911’s ability to successfully execute its public safety mission. I thank you for the opportunity to express the position of the Department of Public Safety on legislation currently before the House Committee on Finance entitled, “An Act Relating To Behavioral Healthcare, Developmental Disabilities and Hospitals-Core State Behavioral Health Crisis Services Systems-988.”

---

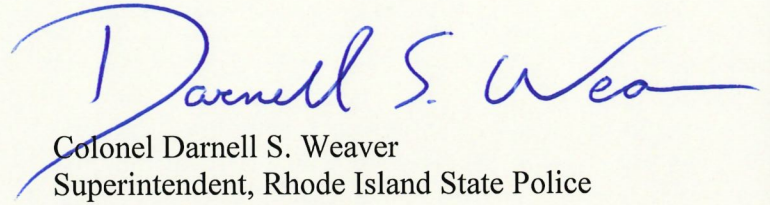
<sup>4</sup> FCC, Tenth Ann. Rep. to Cong., On State Collection and Distribution of 911 and Enhanced 911 Fees and Charges (Dec. 17, 2018) at ¶41 (available at [https://www.fcc.gov/sites/default/files/10th\\_annual\\_911\\_fee\\_report\\_to\\_congress.pdf](https://www.fcc.gov/sites/default/files/10th_annual_911_fee_report_to_congress.pdf)).

<sup>5</sup>Id.; See 47 CFR § 9.27 *et seq.*

<sup>6</sup> 47 CFR § 9.23(d)(1-2).



Respectfully,



Colonel Darnell S. Weaver  
Superintendent, Rhode Island State Police  
Director of Public Safety

cc: Honorable Members of the House Committee on Finance  
The Honorable Mary Ann Shallcross Smith  
Nicole McCarty, Esquire, Chief Legal Counsel to the Speaker of the House  
Major Ronald Longolucco  
Arthur J. Martins, Director E911  
Adam Sholes, Esq. – DPS Chief Legal Counsel  
Governor's Office