



Lynn Fitch
ATTORNEY GENERAL
OPINIONS AND POLICY

July 31, 2024

Robert P. Shepard, Esq.
Attorney, George County and George County Regional Correctional Facility
922 Manila Street
Lucedale, Mississippi 39452

Re: Use of Inmate Canteen Fund for Prisoner Uniforms and Mattresses

Dear Mr. Shepard:

The Office of the Attorney General has received your request for an official opinion.

Question Presented

May the jail use money from the Inmate Canteen Fund, provided for in Mississippi Code Annotated Section 19-3-81, to purchase prisoner uniforms and mattresses for the inmates?

Brief Response

Yes. The sheriff may use money from the Inmate Canteen Fund authorized in Section 19-3-81 for the purchase of prisoner uniforms and mattresses.

Applicable Law and Discussion

Section 19-3-81 provides, in relevant part:

(1)(a) The board of supervisors of any county is hereby authorized and empowered, in its discretion, to allow the sheriff of such county to operate a facility or facilities to be known as an inmate canteen facility or facilities, the purpose of which is to make available certain goods and other items of value for purchase by inmates confined in the county jail of such county, employees of the county jail and persons visiting inmates or employees. The sheriff of such county shall promulgate rules and regulations for the operation of such a facility.

(b) If the board of supervisors of any county authorizes the sheriff of such county to operate such a facility or facilities as provided in subsection (1) of this section, any funds which may be derived from the operation of an inmate canteen facility

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or facilities shall be deposited into a special fund in the county treasury to be designated as the “Inmate Canteen Fund.” Any monies in the special fund may be expended solely by the sheriff of the county for any educational related expenses, to purchase equipment and supplies and to provide for maintenance of the equipment purchased for the benefit and welfare of the inmates incarcerated in the county jail. The term “supplies” shall not include supplies related to the personal hygiene of inmates.

In addition to education related expenses, the sheriff may use canteen funds to purchase equipment and supplies other than those related to the inmates’ personal hygiene. Miss. Code Ann. § 19-3-81(b). We have previously said that “prisoner uniforms and mattresses are not personal hygiene items and therefore may be purchased out of canteen funds.” MS AG Op., *Entrekin* at *1 (Jan. 28, 2000). This remains the opinion of this office.

If this office may be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

LYNN FITCH, ATTORNEY GENERAL

By: */s/ Abigail C. Overby*

Abigail C. Overby
Special Assistant Attorney General

OFFICIAL OPINION