



*Lynn Fitch*  
**ATTORNEY GENERAL**  
OPINIONS AND POLICY

October 23, 2024

Robert P. Shepard, Esq.  
Attorney, George County  
922 Manila Street  
Lucedale, Mississippi 39452

Re: Inmate Canteen Funds

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, Mississippi Code Annotated Section 19-3-81, to purchase a washing machine and clothes dryer to be used only for inmate uniforms?

#### **Brief Response**

The jail may use inmate canteen funds to purchase a washing machine and clothes dryer so long as the purchase is made “for the benefit and welfare of the inmates incarcerated in the county jail.” Miss. Code Ann. § 19-3-81(1)(b).

#### **Applicable Law and Discussion**

Section 19-3-81 provides:

(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.

Robert P. Shepard, Esq.

October 23, 2024

Page 2

(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 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.

(emphasis added).

In accordance with Section 19-3-81, so long as the washing machine and clothes dryer are purchased "for the benefit and welfare of the inmates incarcerated in the county jail," purchasing such with inmate canteen funds is lawful.

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