



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

November 12, 2025

The Honorable Shane Phelps  
Sheriff, Panola County  
300 James Rudd Drive  
Batesville, Mississippi 38606

Re: Private Security Services by Deputy Sheriffs

Dear Sheriff Phelps:

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

#### **Question Presented**

Does the sheriff need approval from the board of supervisors to approve deputy sheriffs to work for private security services in off-duty hours under Mississippi Code Annotated Section 17-25-11?

#### **Brief Response**

The sheriff must approve the use of the uniform, official weapon and vehicle by deputy sheriffs for private security services in off-duty hours. Section 17-25-11 does not require approval by the county board of supervisors.

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

Section 17-25-11 provides in relevant part:

(1) Certified law enforcement officers or certified part-time law enforcement officers, as defined in Section 45-6-3, who are employed by a county, municipality or the Department of Public Safety may wear the official uniform and may utilize the official firearm and the official vehicle issued by the employing jurisdiction while in the performance of private security services in off-duty hours. The governing authority of a municipality must approve of such use of the uniform, official weapon and vehicle by municipal law enforcement officers by act spread upon the minutes of such board and approved by the chief executive. *The sheriff of a county must approve such use of the uniform, official weapon and vehicle by*

*deputy sheriffs*. The Commissioner of the Department of Public Safety must approve such use of the uniform, official weapon and vehicle by officers of the department. Approval shall be on an employee-by-employee basis and not by general order. Any proceedings regarding application or approval and the minutes regarding same shall be a public record.

(emphasis added).

For counties, the sheriff must approve the use of the uniform, official weapon and vehicle for private security services by deputy sheriffs in off-duty hours. Subsection (2) of this statute provides that “[e]ach governing board and chief executive, sheriff *or* the Commissioner of the Department of Public Safety...” must determine that the proposed employment is not likely to bring disrepute to “the employing jurisdiction or its law enforcement agency, the officer at issue, or law enforcement generally” and that such use (of the uniform, official weapon and vehicle) promotes the public interest. Miss. Code Ann. § 17-25-11(2) (emphasis added). This approval mirrors the approval required in Subsection (1), with the governing authority and the chief executive approving use by municipal law enforcement, the sheriff approving use by deputy sheriffs, and the Public Safety Commissioner approving use by Department of Public Safety officers. Section 17-25-11 does not require approval *by the county board of supervisors* for deputy sheriffs to use the uniform, official weapon and vehicle for private security services in off-duty hours or a determination *by the board of supervisors* that such use promotes the public interest, and the proposed employment is not likely to bring disrepute to the jurisdiction, agency, its officers, or law enforcement in general.

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/ Beebe Garrard*

Beebe Garrard  
Special Assistant Attorney General