



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

April 22, 2026

The Honorable Brad A. Touchstone  
Circuit Judge, Fifteenth Circuit Court District  
Post Office Drawer 269  
Purvis, Mississippi 39475

Re: Misdemeanor Offense in Violation of “Obey All Laws” Condition

Dear Judge Touchstone:

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

### Question Presented

Under Mississippi Code Annotated Sections 47-7-2, 47-7-27, 47-7-37, and 47-7-37.1, when a court finds that a supervisee committed a new misdemeanor offense in violation of an “obey all laws” condition, does that act constitute:

- (a) a “technical violation” subject to the graduated 90-/120-/180-day limits; or
- (b) a non-technical law violation permitting full revocation, as for a felony?

### Brief Response

A court’s finding that a supervisee committed a new misdemeanor offense in violation of an “obey all laws” condition establishes a “technical violation” as defined in Section 47-7-2(q).

### Applicable Law and Discussion

As set forth in your request, technical violations are subject to a graduated 90-/120-/180-day revocation schedule dependent upon a supervisee’s number of revocations. *See* Miss. Code Ann. §§ 47-7-27(6); 47-7-37(5). Pursuant to Section 47-7-2(q), a “technical violation” is “an act or omission by the probationer that violates a condition or conditions of probation placed on the probationer by the court or the probation officer.”<sup>1</sup> In MS AG Op., *Belk* at \*1, our office opined

<sup>1</sup> “Chapter 7 of Title 47 of the Code is entitled ‘Probation and Parole,’ and the definitions provided in Section 47-7-2 apply to the chapter as a whole.” MS AG Op., *Belk* at \*1 n.1 (Feb. 28, 2024) (citing *Walker v. State*, 230 So. 3d 703 (Miss. 2017) (referencing definition set forth in Section 47-7-2(q) in relation to parole revocation)).

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that “[w]hether the commission of a new misdemeanor crime fits within [the] definition [of a technical violation] is dependent upon the parolee’s [or probationer’s] conditions of parole [or probation] and is a determination of fact.” If the court makes the factual determination that a supervisee committed a new misdemeanor offense in violation of an “obey all laws” condition, then such finding establishes a technical violation as defined in Section 47-7-2(q).

Regarding full revocation, Section 47-7-27(5) provides, “[a]n offender convicted of a *felony* committed while on parole, whether in the State of Mississippi or another state, shall immediately have his parole revoked upon presentment of a certified copy of the commitment order to the board.” (emphasis added). Likewise, Section 47-7-37.1 provides, “[n]otwithstanding any other provision of law to the contrary, if a court finds by a preponderance of the evidence, that a probationer or a person under post-release supervision has committed a *felony* or absconded, the court may revoke his probation and impose any or all of the sentence.” (emphasis added). As shown, both provisions regarding full revocation solely refer to felony offenses and thus do not apply to misdemeanor offenses.<sup>2</sup>

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/ Maggie Kate Bobo

Maggie Kate Bobo  
Special Assistant Attorney General

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<sup>2</sup> This said, under the graduated 90-/120-/180-day revocation schedule applied to technical violations, beginning with the third revocation, the board and court “may impose the remainder of the suspended portion of the sentence.” See Miss. Code Ann. §§ 47-7-27(6); 47-7-37(5).