



Lynn Fitch
ATTORNEY GENERAL
OPINIONS AND POLICY

October 1, 2026

Sheriff Joey East
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1403 Van Buren Avenue, Suite 103
Oxford, Mississippi 38655

Re: Sheriff's Authority to Regulate Activities of Official Bail Bondsmen

Dear Sheriff East:

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

Question Presented

1. May a sheriff adopt a policy requiring bonding company representatives to attend circuit court docket calls as a condition of eligibility to write bonds at the county detention center?
2. If yes, may the sheriff prohibit a non-compliant bonding company from writing bonds at the facility for one year?

Brief Response

1. State law provides no legal authority for a sheriff to adopt a policy requiring bonding company representatives to attend circuit court docket calls as a condition of eligibility to write bonds at the county detention center.
2. Given the response to question one, your second question is moot.

Applicable Law and Discussion

As stated by the Mississippi Supreme Court, a "sheriff is the chief law executive officer of his county," and traditionally has "broad and varied duties." *Tunica Cnty. v. Hampton Co. Nat. Sur., LLC*, 27 So. 3d 1128, 1131 (Miss. 2009) (internal quotations and citation omitted). Among a sheriff's duties and responsibilities is the responsibility to secure the presence of an accused at trial. *Id.* at *1133. Put differently, the sheriff has custodial authority over the defendant. As part of

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this responsibility, a sheriff has “limited discretion as to whether to accept or reject a bond tendered for the release of an accused.” *Id.* at *1135. However, a “sheriff’s discretion is not unfettered, and a sheriff must not act in an arbitrary or capricious manner.” *Id.*

You ask if a sheriff may adopt a policy requiring bonding company representatives to attend circuit court docket calls as a condition of eligibility to write bonds at the county detention center. He may not. While, as stated *supra*, a sheriff does have limited discretion in accepting or rejecting bonds tendered for the release of an accused, state law does not provide sheriffs with legal authority to implement docket call procedures such as the one proposed. Rather, such authority belongs to the judiciary.

Given the response to question one, your second question is moot.

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

OFFICIAL OPINION