

**SALT RIVER PIMA-MARICOPA
INDIAN COMMUNITY**
10005 East Osborn Road
Scottsdale, Arizona 85256

ORDINANCE NUMBER: SRO-607-2026

A TECHNICAL AMENDMENT TO CHAPTER 6, ARTICLE IV, DIVISION 2, SECTION 6-86 AND SECTION 6-91 OF THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY CODE OF ORDINANCES TO UPDATE AND CLARIFY OFFENSE ELEMENTS AND DEFINITIONS PERTAINING TO SEXUAL OFFENSES, TO ENSURE CONSISTENCY THROUGHOUT THE CODE AND TO PROTECT THE SAFETY OF COMMUNITY MEMBERS.

BE IT ENACTED THAT:

This ordinance amends Chapter 6, Article IV, Division 2, Section 6-91 of the Salt River Pima-Maricopa Indian Community Code of Ordinances, to update the definition of “sexual contact” and to Section 6-91 to clarify elements of the offense and to update and include additional definitions in the section, effective immediately:

6-86. Definitions.

Sexual contact means any touching or manipulating of any of the sexual or other intimate parts of another person including the genitals, anus, groin, inner thigh, buttocks, or female breast, or causing such person to touch the sexual or other intimate parts of the actor for the purpose of arousing or gratifying the sexual desire of either party, or for the purpose of abusing, humiliating, harassing, or degrading the other person.

6-91. Sexual exploitation of a minor.

- a) A person commits sexual exploitation of a minor by knowingly:
 - 1) Recording, filming, photographing, developing, fabricating, or duplicating any visual depiction in which a minor is engaged in exploitive exhibition, sexual intercourse, or other sexual contact.
 - 2) Distributing, transporting, exhibiting, receiving, selling, purchasing, electronically transmitting, possessing or exchanging any visual depiction in which a minor is engaged in exploitive exhibition, sexual intercourse, or other sexual contact.
- b) *Exploitive exhibition* means the actual or simulated display of the intimate parts of any minor for the purpose of sexual stimulation of the viewer.
- c) *Fabricated image* means an image that has been created, generated, or materially altered to depict a real, identifiable minor engaging in exploitive exhibition, sexual intercourse, or other sexual contact, or with intimate parts exposed, where that depiction did not actually occur.
- d) *Identifiable* means the minor is recognizable from the image itself or information displayed in connection with the image, or the exploiter knows the identity of the minor depicted.
- e) *Intimate parts* means the genitals, anus, groin, inner thigh, buttocks, or female breast.
- f) *Minor* means a person or persons who were under 18 years of age at the time a visual depiction was created, adapted, or modified.
- g) *Visual depiction* includes a photograph, video, live stream, or digital file, that shows, or falsely appears to show, either:
 - 1) the fully or partially exposed intimate parts of a minor; or

2) a minor engaged in sexual contact or sexual intercourse.

The definition includes both authentic images and fabricated images.

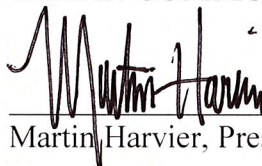
h) If any visual depiction of sexual exploitation of a minor is admitted into evidence, the court shall seal that evidence at the conclusion of any hearing or trial.

i) Sexual exploitation of a minor is a Class A offense, and shall be punished by no less than a minimum sentence of three years imprisonment and a fine of \$5,000.00. The convicted person shall not be eligible for suspension of sentence, probation, parole or any other release from custody until at least the minimum sentence of incarceration is served.

C E R T I F I C A T I O N

Pursuant to the authority contained in Article VII, Section 1(k) of the Constitution of the Salt River Pima-Maricopa Indian Community ratified by the Tribe, February 28, 1990, and approved by the Secretary of the Interior, March 19, 1990, and most recently amended by the Tribe, May 5, 2024, the foregoing ordinance was adopted this 24th day of June, 2026, in a duly called meeting of the Community Council at Salt River, Arizona, at which a quorum of 8 members was present, by a vote of 8 for; 0 opposed; 0 abstained; and 1 excused.

SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY COUNCIL



Martin Harvier, President

ATTEST:



Erica Harvier, Council Secretary