

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

ORDINANCE NUMBER: SRO-608-2026

AN AMENDMENT TO CHAPTER 6, ARTICLE I, SECTION 6-0 AND CHAPTER 6, ARTICLE III, DIVISION 2, SECTION 6-67 OF THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY CODE OF ORDINANCES TO ADD AN OFFENSE TITLED SEXUAL EXTORTION, INCLUDED IN SPECIAL TRIBAL CRIMINAL JURISDICTION, TO THE CRIMINAL CODE TO PROTECT THE SAFETY OF COMMUNITY MEMBERS.

BE IT ENACTED THAT:

This ordinance amends Chapter 6, Article I, section 6-0 and Chapter 6, article III, Division 2, Section 6-67 of the Salt River Pima-Maricopa Indian Community Code of Ordinances, to add Section 6-67, Sexual Extortion, to the criminal code, and to add it to the list of crimes covered under special tribal criminal jurisdiction, effective immediately:

6-0. Authority to maintain law and order; jurisdiction.

d) The Community may exercise special tribal criminal jurisdiction over any non-Indian who commits a covered crime in violation of any section listed below:

- 1) 6-31: Resisting arrest;
- 2) 6-33: Escape;
- 3) 6-36: Assault on tribal justice personnel; aggravated assault on tribal justice personnel;
- 4) 6-40: Unlawful flight from pursuing law enforcement vehicle;
- 5) 6-41: Obstruction of justice;
- 6) 6-55: Stalking;
- 7) 6-62: Sex trafficking;
- 8) 6-64: Abusive sexual contact;
- 9) 6-65: Sexual assault; aggravated sexual assault;
- 10) 6-67: Sexual extortion; creating or distributing a private image.
- 11) 6-82: Child abuse; aggravated child abuse;
- 12) 6-85: Custodial interference;
- 13) 6-87: Sexual contact with a child;
- 14) 6-88: Sexual abuse of a child;
- 15) 6-89: Continuous sexual abuse of a child;
- 16) 6-90: Child sex trafficking;
- 17) 6-91: Sexual exploitation of a minor.

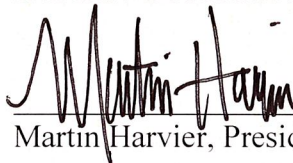
6-67. Sexual extortion; creating or distributing a private image.

- a) Any person who knowingly causes or attempts to cause another person to:
 - 1) engage in sexual intercourse, sexual contact, or any sexual act, or
 - 2) produce any photograph, digital image, video, film, or other recording of any person, whether recognizable or not, who is engaged in any act of sexual intercourse, sexual contact, or any sexual act including masturbation, breast nudity, or genital nudity,by communicating any threat to injure the body, property or reputation of any person shall be deemed guilty of sexual extortion.
- b) Any person who knowingly creates, records, or alters a private image when the depicted individual has not consented to the creation, recording, or alteration of the depicted individual and the depicted individual had a reasonable expectation of privacy against the creation, recording, or alteration of the private image shall be deemed guilty of creating a private image.
- c) Any person who knowingly posts, emails, texts, transmits, or otherwise distributes a private image when the depicted individual has not consented in writing to the transmission and the depicted individual had a reasonable expectation of privacy against transmission of the private image shall be deemed guilty of distributing a private image.
- d) *Consent* means an informed, voluntary, and revocable agreement by the depicted person to a specific disclosure. Consent to create or share with one person is not consent to further disclosure. Consent may be withdrawn at any time before disclosure.
- e) *Fabricated private image* means an intimate image that has been created, generated, or materially altered to depict a real, identifiable person engaging in sexual contact or sexual intercourse, or with intimate parts exposed, where that depiction did not actually occur.
- f) *Intimate parts* means the genitals, anus, groin, inner thigh, buttocks, or female breast.
- g) *Private image* means any visual depiction, including photograph, video, live stream, or digital file, that shows, or falsely appears to show, either:
 - 1) the fully or partially exposed intimate parts of another person; or
 - 2) a person engaged in sexual contact or sexual intercourse.The definition includes both authentic private images and fabricated private images.
- h) *Recognizable* means the person is identifiable from the image itself or information displayed in connection with the image, or the discloser knows the identity of the person depicted.
- i) *Reasonable expectation of privacy* means circumstances in which a reasonable person would expect the image to remain private.
- j) *Visual depiction* means still, animated, and moving images and thumbnails.
- k) Sexual extortion 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.
- l) Creating a private image is a Class A offense.
- m) Distributing a private image is a Class A offense.

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