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7 **MONTANA NINETEENTH JUDICIAL DISTRICT COURT, LINCOLN COUNTY**

8 In re the Marriage of:)
9 **TASHA RHODES,**) **Cause No.: DR-18-19**
10 **Petitioner,**)
11 **and**) **AFFIDAVIT OF TASHA RHODES**
12 **ELMER STEWART RHODES,**) **IN SUPPORT OF MOTION TO**
13 **Respondent.**) **APPOINT GUARDIAN AD LITEM**
14) **(FILED UNDER SEAL)**
15)

16 **STATE OF MONTANA**)
17 **: ss.**
18 **County of Flathead**)

19 **COMES NOW** the Petitioner, Tasha Rhodes, being first duly sworn upon oath, deposes
20 and says:

- 21 1. I am the Petitioner in the above-entitled action. My husband, Elmer Stewart Rhodes
22 (“Stewart”) is the Respondent.
23 2. Stewart and I have six children together, of whom four are still minors. They are:
24 Dakota Rhodes, our 21-year-old son;
25 Sedona Rhodes, our 19-year-old daughter;
26 S.R., our 15-year-old daughter;
27 L.R., our 11-year-old daughter;
28 R.R., our 9-year-old son; and
J.R., our 4-year-old daughter.
3. I have always been the primary parent to our children, a stay-at-home mom who has
homeschooled the children for their entire education. Due to his work as president of the
Oath Keepers, Stewart was usually traveling, or on his computer for 10-12 hours per day.
Either way, he had very little contact or communication with the children.
4. After we separated in early February, Stewart left the family home and the children
remained with me. We do not currently have a parenting plan.

- 1 5. I have encouraged the children to keep in close contact with Stewart since our separation.
2 Due to Stewart's extensive travel, only three visits have occurred. He speaks with the
3 children on the telephone somewhat regularly.
- 4 6. However, Stewart's behavior and discussions during those visits and telephone calls has
5 been extreme and inappropriate. He has told the children about his sex and pornography
6 addiction in graphic detail, talked about his current drug use, and told them far too much
7 about our dissolution. I am also just now realizing, and the children are revealing to me,
8 the extent of his abusive behavior in the past.
- 9 7. Because of his past abuse, every time Stewart has seen the kids since our separation, one
10 of our adult children, Dakota or Sedona, went too. I had hoped their presence would keep
11 Stewart from being violent or inappropriate, while making the visits still feel like a
12 family atmosphere. But that has not worked: I think that it just does not occur to Stewart
13 that his behavior is inappropriate. And Sedona and Dakota are barely more than children.
14 I do not want to burden them with having to act as supervisors.
- 15 8. For the reasons outlined below, I am asking the Court to suspend all contact between
16 Stewart and the children and appoint a guardian ad litem to help us navigate toward
17 Stewart having a safe, healthy role in the children's lives.

18 ***Post-Separation Inappropriate Behavior***

- 19 9. Since our separation, Stewart has discussed his sex and pornography addiction with the
20 children in graphic terms, and expects them to participate in his recovery:
- 21 a. During a conference call with all of our younger children, Stewart announced his
22 pornography addiction and bragged that he had managed not to look at pornography
23 for a week. Our fifteen-year-old daughter, S.R., was so disturbed that she began
24 recording the conversation (video and audio). She only told me about the recording a
25 few days ago. A true and accurate copy of what she recorded is attached to this
26 Affidavit as **Exhibit A**.
- 27 b. During the call, reflected on the recording, he asks S.R. if she will tell her 21-year-old
28 brother that Stewart wants him to be his "accountability sponsor" for his pornography
addiction (similar to an AA sponsor, but with full access to his online activities).

1 Then he tells S.R. that if Dakota would not do it, either she or her older sister, 19-
2 year-old Sedona, would have to be his porn sponsors instead. S.R. uncomfortably
3 suggests that his accountability sponsor should not be one of his children. He says
4 that he will ask his counselor about it, then begins talking about our dissolution and
5 his rights as a father. The video shows S.R. pacing anxiously until the end of the call,
6 and then cursing in shock and horror at the end of the call. It is hard to watch. I did
7 not know it had gone like that.

8 c. Later, while Stewart was driving Sedona from he job in Whitefish back to Eureka,
9 Stewart told her all about how he used to get paid (during our marriage) to have sex
10 with other men's wives while they watched. He described what they paid him to do,
11 how he found partners using Craigslist, and that it was all basically a charitable act
12 because some of these men were disabled. It does not seem to occur to him that these
13 are not things he should say to his 19-year-old daughter, especially when she has no
14 choice but to be alone in a car with him for several hours.

15 d. More generally, Stewart has told all of the children on a conference call that he has
16 had various sexual partners, and how that has hurt me. None of the children knew
17 anything about his cheating or sex addiction until he decided to tell them everything
18 about it.

19 10. Just in the last month, Stewart has also spoken to the children about drug use, encouraged
20 them to use drugs, and emailed me videos of himself on psychedelic mushrooms. I am
21 confident that he has been on drugs during visits or telephone calls with the children. For
22 example:

23 a. While visiting all the children (except 19-year-old Sedona) at a pizza place for the 4-
24 year-old's birthday, Stewart took S.R. and Dakota aside and told them all about his
25 experience the week before with psychedelic mushrooms. He told them that he had
26 "micro-dosed" for a week before doing a "big trip" and talked about how beneficial
27 the experience had been: he said watching Dr. Strange while high on mushrooms
28 allowed him to let go of the negativity that was responsible for all his abusive
behavior toward the children and me.

1 b. He then told Dakota that he highly recommended “doing mushrooms,” and added that
2 he could not recommend it to S.R. “because she is underage.” The children told me
3 afterward that while he said this, he winked and made a nudging gesture to S.R.

4 c. The children reported that he was acting bizarrely during this visit. They said he
5 purposely poured a pitcher of soda onto the floor and laughed about it, then did it
6 again, filling one glass and pouring the rest onto the table and floor. They said he
7 seemed strangely hyperactive and bit “out of it.” I suspect he was using mushrooms at
8 the time.

9 d. Stewart has admitted his mushroom use to me directly. On March 13, he sent me an
10 email asking if I would watch a video he made about his mushroom experience. A
11 true and correct copy of that video is attached to this Affidavit as **Exhibit B**.

12 11. Besides talking to the children about sex and drugs, Stewart has been horrifyingly open
13 with them about our marital issues – or, as he characterizes them, my issues. He
14 constantly talks to them about the divorce, how wrong I am for wanting to leave, and how
15 much I am hurting him by doing so. The children never knew about our marital problems
16 until Stewart started telling them.

17 12. Finally, Stewart has continued to engage in potentially threatening, violent behavior that
18 frightens both the kids and me. For example:

19 a. Stewart told 19-year-old Sedona that he intended to return to the marital home and
20 take over the house “by force if necessary.” He said that he would do it after five
21 o’clock so that I would not be able to call anyone for help, and warned Sedona that
22 she may have to “take on Dakota” to keep him back, but that she was strong enough
23 to do it. Ultimately, Stewart decided not to do this, apparently after being talked out
24 of it by his therapist.

25 b. Stewart freely admits that he grabbed fifteen-year-old S.R. by the throat when he lost
26 his temper last summer, though he justifies it by saying it is just “learned behavior”
27 from his mother. He has spoken to S.R. about the incident with mixed apology and
28 justification. In reality, that kind of violence has happened several times.

1 c. During another one of his visits, in a public restaurant, while he was telling the
2 children about his hopes that he and I would reconcile, S.R. smiled. Stewart lost his
3 temper and yelled, “Why is that fucking funny?!” in the middle of the restaurant.

4 *Pre-Separation Abuse*

5 13. I do not know if Stewart ever noticed, but I have never left him alone with our youngest
6 children. Even if I was just going to the corner store, I have always ensured that one of
7 our older children was there because I thought that would temper Stewart’s behavior.
8 This is because when our oldest children were very young, I did leave him alone with
9 them a few times. Every time, when I got back, there had been an incident. Either he hit
10 the child, or threw objects around, or threatened to beat the child with a belt.

11 14. Below, I have outlined just some of Stewart’s dangerous and abusive behavior toward the
12 children over the years. Most of these events happened when I stepped out of the room
13 for a minute, when I was distracted and looking the other way, or in some cases when I
14 would leave to go to the corner store. safe. This list is not exhaustive by any means. I am
15 still processing a lot of this, and it’s only now that Stewart is out of the house, the
16 children are coming forward and telling me things that happened.

17 15. Before we separated, Stewart’s obsession with sex led him to incredibly inappropriate
18 behavior around the children. Just a few examples:

19 a. After we separated, the children told me that while Stewart was still at the house, if I
20 went to the corner store, he would watch pornography at the kitchen table, at full
21 volume, with the children present. The older children said they would turn up the TV
22 to drown out the noise so the little ones couldn't hear.

23 b. When he still lived with us Stewart insisted on going into the bathroom and using the
24 toilet while the girls were showering. Sedona noticed a direct correlation between his
25 insistence on using the bathroom while the girls were showering and his mood. The
26 angrier he was, the more likely he was to force the door open or to order them not to
27 use the lock I had installed on the bathroom door. Eventually, he broke the lock. He
28 would tell them to just close the curtain while he sat down. Simply no respect for
personal space or privacy.

- 1 c. Stewart made constant crude, graphic, horribly inappropriate sex jokes in front of the
2 children, sometimes about things like anal sex or prostitution. The children were
3 compelled to laugh or be yelled at for not appreciating his humor.
- 4 d. When our son was younger, Stewart continually mocked him for not being sexually
5 active sooner in life. He made constant crude remarks and humiliated Dakota, or
6 called him gay, if he didn't notice and comment on young girls, even if the girl was
7 very young (under 13).

8 16. Stewart was also physically abusive, to all of us. Just a few examples:

- 9 a. Last summer, when S.R. was 14, Stewart grabbed her by the throat and choked her.
10 He pulled back his opposite fist to punch her in the face but my son yelled from
11 across the yard and Stewart let go, so she ran into the house. I was not there at the
12 time but I saw that the incident left bruises on the front of her throat, under her ear
13 lobe, and on her collar bone. The pressure on her collar bone from his hand pushing
14 down on her caused her side and ribs to hurt for weeks.
- 15 b. Dakota has taken so much of this abuse. The worst time was probably when he was
16 13. I had left the room and Stewart punched him in the head so hard that he was dizzy
17 and sick afterwards, fell on his knees, and couldn't see in full color for two days. I
18 walked in on the scene, saw Dakota falling to his knees. I screamed at Stewart to stop
19 then I fainted while running over. The children say I was unconscious for several
20 minutes. Stewart ignored me unconscious on the floor as well as ignoring Dakota's
21 state.
- 22 c. When Dakota was 2 years old, I walked out of the room to use the restroom. By the
23 time I came back Stewart had thrown a bowl at Dakota's head, leaving a huge lump
24 and a cut. Dakota still has that scar.
- 25 d. Stewart made all the children engage in "stick fighting" on a regular basis. These
26 sessions would leave the children very bruised. Just a few days ago, the children told
27 me that during practice, Stewart would hit them with rattan stick but only gave them a
28 padded stick to fight back. Once Stewart hit S.R. in the eye and she was unable to see
out of that eye for days.

- 1 e. Another time, Stewart bruised S.R. when he hit her very hard on her back with a
2 broom.
- 3 f. Twice, Stewart grabbed S.R. by the hair and swung her around by her hair when he
4 was angry about her room being messy.
- 5 g. Stewart has punched Sedona in the back and grabbed and swung her by her hair
6 multiple times. One time when Sedona was 11, he waited several hours after being
7 angry with her then surprised her by punching her in the back when no one was
8 looking.
- 9 h. When he was mad, Stewart would often grab the children by the upper arms so hard
10 he left bruises. He did that to R.R. when he was just 3 years old.
- 11 i. Stewart has also kicked, hit, and punched the dogs in front of the children so many
12 times. One time he racked his pistols and almost shot our puppy in front of all the
13 children.

14
15 17. I am starting to realize how damaging Stewart's emotional abuse has been. When he is
16 angry at any of our daughters, Stewart regularly refers to her as a "fucking lazy little
17 bitch." He routinely calls the children retarded and stupid. He screams at the children for
18 cowering around him when they flinch at his yelling.

19 18. Stewart's world view is that we are always under attack and need to be prepared to
20 defend ourselves. He continually tells the children about rape and murder in detail far too
21 graphic for their ages, telling them about the mechanics of rape and how little children
22 are often kidnapped and tortured and chopped up. He keeps the children in constant fear
23 of rape and murder as a control tactic.

24 19. Stewart has used this to justify forcing the children into dangerous and traumatic
25 "training" exercises. For example:

- 26 a. He forced all the children from 6 or 7 years old to carry very sharp "self-defense"
27 style knives. He forbade the girls from wearing dresses in public so that they're able
28 to quickly access their neck knives from under a shirt or a belt knife from their belt.

1 b. When S.R. was 9, Stewart took her into the woods for a training exercise and made
2 her re-sheath her self-defense knife many times in an awkward position. She ended up
3 slicing off her finger tip. I was not there and Stewart did not take her to the hospital.
4 That finger is still shorter than it should be.

5 c. Stewart would do training scenarios with the three older girls where he would
6 “attack” them. They would have to fight him off. When they got to the point where
7 they couldn’t fight him anymore, he would yell that they had just been raped and
8 murdered.

9 d. The older girls were told (and they believed) that men would make multiple attempts
10 to rape and murder them, and if they couldn’t fight off a grown man they would most
11 likely be raped before reaching adulthood. Strangely, he also often lectured the girls
12 (most notably after the time he choked S.R.) on how they should never defend
13 themselves against a man in authority, that they should just let it happen.

14 e. Another time Stewart forced our daughter, who was 7, to twice engage a complete
15 stranger in conversation on the street while surreptitiously drawing her knife on him
16 and hiding it behind her leg. This was to prove that she could successfully pull a knife
17 on stranger.

18 20. Stewart also forces his paranoia onto the children in emotionally damaging ways. Just a
19 few examples:

20 a. For about six years, he made the children believe that a coming apocalypse would end
21 the world as we know it. Our oldest son often dealt with depression because he
22 believed he faced a world where there would be no college to look forward to, no
23 career, no normal family life. Stewart immediately ridiculed and humiliated him if he
24 “caught” him making plans for a normal life outside of a societal collapse.

25 b. Stewart also wouldn't let children play beyond a few feet from the house. When
26 Dakota was a teenager, Stewart forced him to stand outside with a rifle to stand guard
27 while his siblings played.

28 c. One night when Dakota was 16, the power went out (a tree had fallen on a line).
Stewart forced him to put on full body armor, a chest rig, and sling on a loaded rifle. I

1 later learned that Stewart thought the power outage was the first stage of a
2 government raid and he meant for Dakota to be the first line of defense against
3 federal agents. That same night, he insisted on waking up all of the children and
4 taking us all in cars to drive around searching for “feds.”

5 21. I have always wanted the children to have a healthy, positive relationship with their
6 father. I am horrified that these things have happened, but also grateful that now Stewart
7 is out of the house, the children finally feel safe telling me what they went through.

8 22. I am asking the court to appoint a guardian ad litem to act in our minor children’s best
9 interest and help us determine the right parenting arrangement for our children.

10 23. Stewart has represented to me that he makes \$100,000 annually, while I have no
11 independent income. On that basis, I am also asking the Court that Stewart be responsible
12 for any costs or fees of an appointed guardian ad litem, and for counseling for the
13 children and me.

14 24. I am asking the Court to suspend all contact between Stewart and our minor children
15 unless and until the guardian ad litem establishes a temporary parenting arrangement.

16 25. Finally, I am terrified of what Stewart will do once he learns of this Motion, especially
17 after he told Sedona about a plan to take the house by force. I am asking that this Court
18 order that I continue to have sole occupancy of the marital home for the pendency of
19 these proceedings, and order that Stewart not enter the property without permission.

20 26. Further saith your Affiant not.

21 DATED this 20th days of April, 2018.

22
23
24 _____
Tasha Rhodes, Petitioner

25
26 **SUBSCRIBED AND SWORN** to before me, a Notary Public for the State of Montana,
27 this _____ day of April, 2018.

28 _____
Notary Public for the State of Montana

1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies that on the ____ day of April, 2018, a true and correct
3 copy of the foregoing document was served upon the persons named below, at the addresses set
4 out below their names, either by mailing, hand delivery, or Federal Express, in a properly
5 addressed envelope, postage prepaid, or by telecopying, as indicated below.

6 David G. Tennant
7 Kaufman Vidal Hileman Ellingson P.C.
8 22 2nd Ave. W., Suite 4000
9 Kalispell, MT 59901

- 10 U.S. Mail (first class postage)
11 Federal Express
12 Hand Delivery
13 Telecopy (facsimile)
14 Other: _____

15 _____
16 *Of Best and Westover Law*