

Survivors share their stories

“One of the hardest parts of this whole investigation was having people you’re close with involved, and seeing the way people picked sides.” - Lyli Chavez



Photo taken by Kevin Donovan

Junior Lyli Chavez goes public with a case she filed with Title IX last year, one she said that divided her friend group and filled her with fear to come forward until now.

1. What happened?

It was a Saturday night and I was out drinking at an open party. I went out with three friends. One of them was already really sick from the alcohol. I was pretty drunk, but I was still fine. The two other friends were helping this friend that was sick.

Then I get a text from some other friends that said they were drinking at a house – their on-campus TLA – and I wanted to hang out, so I told the other three that I was going to go to this TLA house.

I was drinking more there. I think alcohol was hitting harder at this point, now that more time had gone by, to the point where I was starting to brownout and blackout. By the end of the night, I got really sick and was throwing up.

I remember being so sick and so unwell that I had to be carried to the bathroom to throw up, so I didn’t really have much function for myself. For whatever reason, one of the guys put me in bed with another guy that lived there. The next thing I remember from that night was thinking about my mom and just crying and saying, “No. No, no, no.” I was physically saying “no.” He stopped.

But then, not too long after, he continued, and I just fell asleep.

The next morning, definitely much more sober, I don’t remember if he woke up first or if I woke up first, but there were definitely no words exchanged between us. He penetrated me again. At that point, after he was done, I just said, “I’m going to the bathroom.” I was in so much shock that I went downstairs. I was too afraid to leave the house, so I just didn’t leave and slept on the couch.

I got picked up by someone and went to my dorm. At that point, I had to tell someone.

Sunday, Oct. 16, the next morning, is when I reported it. That day, I met with someone not from Title IX. For whatever reason, the person in charge of Title IX wasn’t in the office. The next person in charge wasn’t there, so they referred me to Brittany Henson. She is the RHA for Erickson Hall. She was really nice about it.

I did not file a formal investigation against him right away. I knew I wanted to, but I could not deal with that right then and there. What she said was “We can give you a no-contact order against him,” so he received a no-contact order, meaning you are absolutely not allowed to have

any communication with Lyli.

This is where it kind of gets messy. I obviously was not feeling good, but I was confident in the steps I was taking. I knew I wanted to file eventually.

A whole week passed by and I hadn’t filed a formal investigation. Friday, mid-day, my classes had just finished. I get an email from Brittany that said, “You need to come to my office right away. We need to talk.”

She sat me down and got to it. She said, “This person is filing against you and saying that you took advantage of him. He’s saying he’s the victim.” I was being investigated.

That was one of the worst days of my life. I broke down and got really scared that Augustana would find me guilty. I don’t know what gave me that vibe, but I was really scared I was going to get kicked off campus. Then I said, “Okay, I’m filing against him.”

It was really weird – there were two investigations at the same time. It honestly felt like just one investigation... I’m not really sure what the difference was. It was long. Augustana says that your case won’t take longer than 90 days to process. When the 90 days came, they said it was going to take longer. It didn’t end officially until January 23. It was excruciating. I know I filed sometime in October.

I think my rapist knew he was in the wrong and he couldn’t face people. I think I was really lucky in the sense that maybe a couple days after it happened, he left campus. He stayed in a hotel. I don’t know if he was attending classes – I didn’t have contact with him. But he left campus really shortly after the incident and wasn’t on campus at all for the whole process.

2. Does he still go here?

He does not. But it wasn’t Augustana that kicked him out. It was his own choice.

What they do is they investigate. They get all the witnesses and compose a full report. Mine was around 80 pages. They do

a thorough job if they’re investigating. They cover their bases. It sucked getting my full report – you get to see exactly what witnesses said about you. I got my report a couple of days before Christmas, and that sucked a lot.

Throughout the process, this guy surprised me with how compliant he was. He could’ve just left Augustana and said, “You don’t get a report.” He told Laura Schnack that he was not returning to Augustana and that he was still going through with the investigation.

I think he got tired or didn’t want to continue, so what he offered was an informal resolution – I drop my case on you, you drop your case on me, we call it over. He offered to do that twice. The first time, I said, “No. I want you to be proven guilty based on the evidence.”

The really hard part was this was someone on my cross country team. That team was my family – we were all a family. The fact that 80 percent of the team was involved because everyone started picking sides... it was horrible knowing my friends knew exactly what was happening and to see how some of the men on the team responded was awful.

One of my friends that lived with him – they were very close friends – he used to be my good friend. One of the hardest parts of this whole investigation was having people you’re close with involved, and seeing the way people picked sides or framing me or him. It was really messy.

He offered the informal resolution, I said no, and we went on for another month. Then he offered a second time and I was thinking about it a little more, but it was actually Laura Schnack who straight up said, “I am not supposed to be giving you advice or anything of that sort, but I think it would really benefit you. I don’t think you want to go forward with having a formal resolution.”

She thought it would be best if I didn’t go forth to a panel. He would have to come back to

school, come forth in front of the panel. At the time, it sounded really nice. At this point, I was still scared I was going to be found guilty, even though I didn’t do anything. This panel would have to ask really invasive questions, and I didn’t want to do it. So when she said, “It would probably be easier for you to drop it,” I really gave it a lot of thought and talked to Safe Path about it.

I felt like I was fighting through a lot. I don’t remember a big chunk of sophomore year because I was just getting through each day. Some days, I’d hear, “Oh the guys on the team were talking about you, Lyli.” I stopped cross country. People were talking about me and it was a lot. I just wanted to shut everything out, so when Laura said there was a possibility for me to just end it right there and then, I took it.

I dropped my case. He dropped his case. We signed an informal resolution sheet that basically said he couldn’t come back to campus. He’s also not allowed to come back to cross country or track meets, be they home or away.

I sometimes still think about what if I went to the panel and got a formal resolution. But I think the only difference it would’ve made for me was to say, “See? You are guilty. And I was right.” And to show all the guys on the cross country team – “Look. All the evidence was brought forward. Your friend is a rapist.” But I had already seen their true colors. So it didn’t even matter.

3. How often do you think informal resolution happens vs. actual hearings?

I actually don’t know – because there was no hearing – if that counts toward the number of rapes reported on campus. It’s weird having friends who don’t know what happened to you talk to you about sexual assault.

I think I’m getting braver talking about it. I could definitely see myself in the future sharing my story to make this real to someone.