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PRESS RELEASE

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Yuba City Man Sentenced to Six Years in Prison for Molesting Three Girls

A Butte County judge yesterday handed down a six-year sentence for a Yuba City man who was convicted of molesting three girls over the course of several years.

Frank Villanueva, 32, Yuba City, was originally charged in 2018 with child molest counts involving two young girls between the ages of 9 and 10, who came forward some years after the molests. It was alleged Villanueva inappropriately touched parts of their bodies over their clothes when he was under age 25 in Oroville.

While that case was pending, another 10-year-old victim came forward and alleged that Villanueva, who had since moved to Yuba City, touched her in the same inappropriate manner over the course of several months in 2019. Villanueva was subsequently charged with an additional count of child molest.

Villanueva was tried in front of a jury in April of 2021. The jury convicted him of a single count of felony sexual abuse against one of the victims, but acquitted him or “hung” on counts involving the other two victims.

After the first trial concluded, Villanueva fired his attorney and chose to represent himself. After over a year of delay caused by the COVID pandemic and the defendant’s inexperience, Villanueva hired a private attorney.

The Butte County District Attorney’s Office chose not to retry the case on the hung counts, in part, not to put the victims through the trauma of testifying in another trial. As part of a plea bargain to avoid a retrial, Villanueva plead to a single misdemeanor count of molesting or annoying a child, naming the remaining two victims.

“California law has changed considerably since the trial in 2021,” said Mike Ramsey, the Butte County District Attorney. “Mr. Villanueva would have likely received a 12 or even 16 year sentence had he been sentenced prior to January 1, 2022. However, due to changes in the law, the court’s hands were substantially tied and only 6 years was available.”

In 2021, the California Legislature amended the Penal Code to require judges to sentence to the lowest possible term if the defendant meets certain criteria. One of the criteria is if the defendant

is under the age of 26 at the time of his felony offense. If the prosecution wants a higher term, aggravating factors must be proven and found true by a jury at trial.

“The new, shortsighted changes imposed by the legislature mean that some if not most defendants sentenced after January 1 of 2022 must receive the lowest possible term if their trial happened before the New Year,” said Ramsey. “Unfortunately, it was impossible to prove up aggravating factors at trial, because the new law hadn’t taken effect yet.”

Despite the disappointing sentence, Ramsey praised the hard work of the jurors and the courage of the victims that testified in the case. “Child molest cases are difficult for everyone involved, from the prosecutors that try the cases, the victims that have to tell their stories in front of juries, and the jurors themselves that need to listen to horrifying facts.”

Villanueva will be sent to state prison to serve the remainder of his sentence. He will be on parole for 20 years upon release and will have to register as a sex offender for life.

