COURT OF APPEALS
DECISION
DATED AND FILED

November 10, 2026

Samuel A. Christensen
Clerk of Court of Appeals

NOTICE

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. *See* WIS. STAT. § 808.10 and RULE 809.62.

Appeal No. 2025AP2288-CR **Cir. Ct. No. 2021CF4001**

STATE OF WISCONSIN **IN COURT OF APPEALS**
DISTRICT I

STATE OF WISCONSIN,

PLAINTIFF-RESPONDENT,

V.

JOE L. SATERFIELD,

DEFENDANT-APPELLANT.

APPEAL from a judgment and an order of the circuit court for Milwaukee County: PAUL R. VAN GRUNSVEN, Judge. *Affirmed*.

Before Colón, P.J., Geenen, and Petrashek, JJ.

Per curiam opinions may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. RULE 809.23(3).

¶1 PER CURIAM. Joe L. Saterfield appeals from the judgment of conviction, entered upon a jury's verdict, for two counts of drug possession with intent to deliver as a party to a crime, and from the order denying his motion for postconviction relief. During a search of a vehicle reported stolen, the police found large quantities of narcotics near documents in Saterfield's name. Saterfield argues that counsel was ineffective for failing to introduce body camera footage in which one officer suggested that the recording officer turn off his body camera prior to the vehicle search. However, defense counsel testified at the ***Machner*** hearing[1] that he decided not to show the video because it would have implied to the jury that there was police misconduct relating to the search when there was no other evidence to support such a theory and when the defense theory was police carelessness during the search, not malfeasance. Because counsel's decision not to introduce the video was a reasonable strategic choice, Saterfield cannot demonstrate counsel's performance was constitutionally ineffective. Accordingly, we affirm.

BACKGROUND

¶2 According to the criminal complaint, Glendale police responded to a report from Enterprise Rent-a-Car that a stolen rental vehicle had been located in the parking lot of a hotel on North Port Washington Road in September 2021. Officers used a lockout tool to enter a Chrysler Pacifica minivan registered to Enterprise. In plain sight inside the minivan, officers observed a silver Ruger pistol between the front seats. In the glove compartment, they retrieved an

[1] *See* ***State v. Machner***, 92 Wis. 2d 797, 804, 285 N.W.2d 905 (Ct. App. 1979) (providing for an evidentiary hearing to preserve counsel's reasoning and strategy when a motion for postconviction relief on the basis of ineffective assistance is sufficiently alleged).

Enterprise Rent-a-Car rental agreement in the name of Edgar Little. Officers opened a large black Easton duffle bag located on the back seat and found multiple clear plastic baggies containing suspected controlled substances.

¶3 A hotel employee confirmed that an Edgar Little had rented a room that day. When the police knocked on the door of the room registered to Little, Saterfield answered. After some questioning—during which Saterfield described Little as a brother and a friend—an officer observed a Chrysler key fob in a bag on the bed. Saterfield was then arrested.[2]

¶4 The complaint further alleged Glendale police towed the minivan to the evidence garage for a full inventory.[3] Inside the black Easton duffle bag, the police found a black garbage bag and another smaller duffle bag. Inside the black garbage bag, police found suspected heroin, fentanyl, cocaine, marijuana, digital scales, razor blades, and empty plastic bags. In the smaller duffle bag, the police found documents bearing Saterfield's name.

¶5 Police recovered 106 grams of cocaine, 196.8 grams of fentanyl, and 256 grams of marijuana from the minivan. Saterfield was charged with two counts: (1) possession with intent to deliver a controlled substance–more than 40 grams of cocaine, as a party to a crime; and (2) possession with intent to deliver narcotics, specifically fentanyl, as a party to a crime.

[2] Saterfield did not consent to a search of the hotel room. After police obtained a search warrant for the hotel room, the police found two cellphones, $186 in cash, and the previously observed keys, which were proven to belong to the stolen minivan.

[3] In the full search of the minivan, the police found paperwork in the name of "Little Charles Edgar" as well as documents in two other names. The police also found Ziploc bags of suspected cocaine and fentanyl between the second and third row of seats.

¶6 The case proceeded to trial. The State presented testimony from multiple Glendale police officers and detectives who discussed the investigation into the stolen minivan and Saterfield's arrest. The State also presented police body camera footage and hotel surveillance footage that depicted Saterfield—wearing a bright orange shirt—in Little's hotel room, in the hotel gym, leaving the hotel, and then re-entering the hotel carrying a white plastic bag. An officer testified about observing a Chrysler key fob inside a white plastic bag on the hotel room bed; it was later confirmed to belong to the stolen minivan.

¶7 Multiple officers testified to observing or inventorying multiple bags within the minivan, some of which contained other bags and small plastic bags; packaged cocaine, fentanyl, and marijuana; digital scales; and razor blades. A detective testified that, in searching the Easton duffle bag, he found a smaller nylon bag that contained suspected marijuana and documents in Saterfield's name, including two American Airline boarding passes from the prior month and recent hotel paperwork. In the rear hatch of the minivan, the detective found more documents bearing Saterfield's name, including an Illinois birth certificate.

¶8 During cross-examination of the police witnesses, defense counsel elicited testimony that the minivan was messy when it was searched. A detective testified that when police realized that there were significant quantities of controlled substances, they put the bags they had removed back into the minivan and had it towed to the evidence garage, where they conducted the inventory search.

¶9 Counsel also cross-examined multiple police witnesses on whether the evidence was tested for DNA or fingerprints. No witness claimed DNA or fingerprints had been recovered from the white plastic bag or Chrysler key fob

found in the hotel room, nor from the black bags, digital scales, or razor blades recovered from the minivan. Nevertheless, an officer acknowledged that a Glendale police officer had collected seven DNA swabs from inside the minivan, including from the steering wheel, a water bottle, and sunglasses. The officer also testified that two latent fingerprints had been collected from the driver's side window.

¶10 At the close of the State's evidence, counsel moved to dismiss the case, arguing that the "scene itself was processed so poorly that there's almost no way to ascertain where the actual identifiers of Mr. Saterfield were located because at minimum three different people touched the various bags and baggies associated with this stuff[.]" The defense argued that there were document identifiers such as the airline boarding passes and birth certificate that tied Saterfield to the vehicle, but not necessarily to the drugs. The court denied the motion.

¶11 Saterfield declined to testify. The defense's lone witness was a childhood friend of Saterfield's. The friend knew both Saterfield and Edgar Little, whom the friend called "Little Charles." The friend testified that he gave Saterfield a ride to Glendale the day of the arrest and that he greeted Little Charles in the parking lot before leaving.

¶12 During closing arguments, defense counsel stated that the evidence showed "a messy van with a bunch of different stuff in it from at least three different people." He stated that there was "almost no control over who enters the van, when they enter the van, where the items are located, whether or not they're going to document where the items come from." He observed that the jury was "left to try to figure out did this thing come out of this bag or out that bag" because

the evidence was "sort of strewn all over the place." He noted that there was "quite a bit of stuff inside the van" in the photographs shown to the jury.

¶13 Counsel argued that the jury could conclude the police merely made a mistake and did not have to decide that the "cops are either inept or corrupt to believe" that Saterfield was not involved in drug trafficking. Counsel further argued that while it was reasonable to infer that Saterfield was in the van at some point, it was equally reasonable to conclude that "some [of his] junk" got mixed in with his brother's items in the minivan, especially when the minivan itself was "trashed by at least two of the police witnesses." Counsel reminded the jury that while the State presented "some scales and … a gun and … a vehicle" it did not demonstrate that Saterfield's fingerprints were on any of those items.

¶14 The jury ultimately returned guilty verdicts on both counts. Saterfield moved for postconviction relief, arguing that he received ineffective assistance of counsel because counsel did not introduce specific police body camera video footage. In the footage, one officer suggested to the recording officer that he turn off his body camera. This occurred before the initial search of the minivan in the hotel parking lot.

¶15 The court ordered a ***Machner*** hearing, at which Saterfield's trial counsel testified that the defense strategy was to assert that Little was the one with the drugs, not Saterfield. Counsel explained the State's theory was that because Saterfield had possession of the keys to the minivan "in which a lot of drugs of different types were located … he would have something to do with the possession with intent to distribute certain drugs." Counsel stated that the video clip did not have "anything to do, one way or the other, with whether or not Mr. Saterfield had anything to do with possession of drugs for distribution." He stated that while

"the key to the van was found in a plastic bag sitting on a bed" in the hotel, "[i]t was never adduced at trial by the prosecution that Mr. Saterfield even knew that the key to the van was in the bag."

¶16 Saterfield's trial counsel stated his strategy was to show careless police work, arguing that the Glendale police search was not performed in a manner that would establish where the drugs were found in the vehicle. Instead, counsel characterized the search as "just stuff strewn everywhere." Counsel specifically disclaimed having a "police misconduct" strategy, because it would seem "ludicrous" to the jury to suggest the police "had a bunch of drugs on them when they showed up at this hotel and then stuff[ed] them into the van[.]" He noted that "the distrust that folks have for the police has to be borne out by some actual evidence if they're going to deviate away from what is apparent."

¶17 Counsel specifically did not want to ask an officer about the video clip comment without knowing the answer as to why the officer suggested turning off the body camera. In support of that stance, counsel suggested multiple legitimate, non-corrupt reasons that an officer might suggest turning off a body camera. For example, counsel speculated that an officer might testify that video storage capacity was an issue, or the officer might have been about to make statements unrelated to the case that they did not want recorded—things like "My captain's a jerk," or, "Hey, do you want to get together later and have some beers?" Counsel stated it would be "foolhardy" to ask the question without knowing the answer.

¶18 Defense counsel also testified that Saterfield felt the police were unfair to him. While counsel agreed the police conduct of the search was questionable, he thought it would be a challenge for the jury to differentiate

between arguments that this was a "failure to inventory the van in a critical legitimate documented way" versus a "police conspiracy to hide evidence covered up by the fact that they turned off video[.]"

¶19 The court denied Saterfield's postconviction motion, concluding that under counsel's defense strategy, it would defy "common sense" to introduce the video. The court stated that Saterfield's arguments did not satisfy the legal standard for an ineffective assistance claim, concluding that counsel's representation was at least minimally sufficient, the body camera footage was cumulative, and it was highly speculative that the admission of that footage would have affected the verdict. Saterfield now appeals.

DISCUSSION

¶20 Saterfield argues his trial counsel provided constitutionally ineffective assistance because he failed to introduce the body camera video footage of one officer suggesting that the recording officer turn off his body camera. He asserts that if that evidence had been admitted, it would have strengthened the defense that the State could not adequately link Saterfield to the drugs found in the duffle bag because of police officials' careless, poorly documented search of the minivan.

¶21 To prove ineffective assistance of counsel, we apply the familiar two-prong test of deficiency and prejudice. ***Strickland v. Washington***, 466 U.S. 668, 687 (1984). Satisfying the deficiency prong requires a defendant to show that counsel's performance "fell below an objective standard of reasonableness." ***Id.*** at 688. Satisfying the prejudice prong requires the defendant to "show that there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different. A reasonable probability is a

probability sufficient to undermine confidence in the outcome." ***Id.*** at 694. A defendant must satisfy both prongs for an ineffectiveness claim to merit relief; if the claim fails under one prong, a reviewing court need not consider the other. ***State v. Breitzman***, 2017 WI 100, ¶37, 378 Wis. 2d 431, 904 N.W.2d 93.

¶22 A claim of ineffective assistance of counsel presents a mixed question of fact and law. ***State v. Mull***, 2023 WI 26, ¶31, 406 Wis. 2d 491, 987 N.W.2d 707. "The factual circumstances of the case and trial counsel's conduct and strategy are findings of fact, which will not be overturned unless clearly erroneous; whether counsel's conduct constitutes ineffective assistance is a question of law," which we independently review. ***Breitzman***, 378 Wis. 2d 431, ¶37.

¶23 "The first step in the analysis of a claim of ineffective assistance of counsel is to determine what the attorney did or did not do and the basis for the challenged conduct." ***State v. Felton***, 110 Wis. 2d 485, 504, 329 N.W.2d 161 (1983). At the ***Machner*** hearing, counsel explained his defense strategy was to show that the police conducted a careless, chaotic search, implying that the drugs found in the minivan could not be conclusively connected to Saterfield. During trial, counsel elicited police testimony that established that the minivan was messy, officers had looked through bags in the parking lot, and they decided to reload everything into the minivan for transport to the evidence garage for a full inventory. Counsel repeatedly emphasized during his questioning of police witnesses that there was no DNA or fingerprint evidence to tie Saterfield to the drug evidence found in the minivan.

¶24 As the circuit court recognized, counsel's testimony showed he had a clear defense strategy, and his decision not to present the video clip was strategic

and reasonable. "Counsel's decisions in choosing a trial strategy are to be given great deference." ***State v. Balliette***, 2011 WI 79, ¶26, 336 Wis. 2d 358, 805 N.W.2d 334. To "overcome the strong presumption of reasonableness of … defense counsel's trial strategy" requires a defendant to show that the strategy "was irrational or based on caprice." ***Breitzman***, 378 Wis. 2d 431, ¶65.

¶25 Saterfield asserts that the body camera footage would have only strengthened the defense case that the police search was careless and chaotic. He also argues there was no strategic reason not to present it. However, trial counsel testified that he was concerned that the video would suggest the police were acting corruptly or maliciously, when he wanted the jury to focus on the negligent performance of the search. He stated that he did not have any evidence of police malfeasance, and that by showing the video, he would be raising that issue without having any other evidence to support it. Saterfield has not shown that counsel's strategy based on how he believed the jury would interpret the video clip was irrational or capricious. It was reasonable to avoid risking an allegation of police misconduct without any other evidence to substantiate it, particularly when it would have required additional effort on the part of the defense attorney to make clear that he was *not* suggesting police malfeasance.[4]

¶26 Saterfield disputes that the body camera footage would be cumulative to the evidence already presented. Saterfield believes that the footage

[4] Similarly, Saterfield disputes counsel's ***Machner*** hearing position that asking the police officer about the suggestion to turn off his body camera without knowing the answer was too risky. He asserts that the maxim that a lawyer should not ask a question to which she or he does not know the answer holds true only if there are potential answers that would hurt the defendant's case. Although Saterfield argues there was no answer that could have hurt his defense, we consider it a reasonable strategy to avoid introducing answers that are not relevant to the defense.

would have broken the link in the State's strongest evidence—namely, that his recent airline boarding passes were found in the same bag as large amounts of cocaine and fentanyl. However, Saterfield has not shown how the officer's request to stop recording would have materially enhanced the defense case that the search was sloppy and disorganized.[5] In essence, Saterfield asks for counsel to have been more successful in convincing the jury that the police were careless in their search resulting in the drugs and his personal identification documents being found together in the minivan. This is not the standard for effectiveness. "[C]ounsel's performance need not be perfect, nor even very good, to be constitutionally adequate." ***State v. Carter***, 2010 WI 40, ¶22, 324 Wis. 2d 640, 782 N.W.2d 695. Counsel's decision not to present the video clip was not objectively unreasonable. *See* ***Strickland***, 466 U.S. at 688.

¶27 We conclude that Saterfield has not overcome the strong presumption that counsel's decisions were reasonable. He has not shown that the decision to ignore this video clip was irrational or capricious. *See* ***Breitzman***, 378 Wis. 2d 431, ¶65. Counsel's performance was not deficient because his strategic decision not to present the video clip "was objectively reasonable considering all the circumstances." ***Carter***, 324 Wis. 2d 640, ¶24. Because Saterfield has not shown deficient performance, his claim of ineffective assistance of counsel fails

[5] Saterfield also argues that the video clip was not cumulative because there was no other evidence presented of the police discussing their body cameras. This argument begs the question of the relevance of the police discussing their body camera unless the "fact … of consequence" to be determined is police misconduct. *See* WIS. STAT. § 904.01 (2023-24). If the video clip is meant only to further support the inference that the police were careless in their search, it is cumulative.

All references to the Wisconsin Statutes are to the 2023-24 version.

and we need not address the question of prejudice. ***Breitzman***, 378 Wis. 2d 431, ¶37.

By the Court.—Judgment and order affirmed.

This opinion will not be published. *See* WIS. STAT. RULE 809.23(1)(b)5.