



Death sentence lifted in 1988 murder case of Mobile businessman

By Katherine Sayre

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and Brendan Kirby

MOBILE, Ala. -- Herbert Williams Jr., who was sentenced to death in the slaying of a local businessman two decades ago, had his punishment changed to life in prison without parole on Thursday in a Mobile courtroom.

Williams, 40, was serving time on death row after a jury convicted him in 1990 of shooting and killing Timothy Hasser in 1988.

The jury recommended that Williams receive life in prison, but then-Circuit Judge Ferrill McRae instead sentenced Williams to death.

A three-judge panel of the 11th U.S. Circuit Court of Appeals last year agreed with Williams' appeal claiming that he didn't receive adequate legal representation during the penalty phase of his capital murder trial.

Senior U.S. District Judge Charles Butler Jr. in Mobile ordered a new sentencing hearing in Mobile County Circuit Court.

On Thursday, prosecutors and defense attorneys said they had reached the agreement for life in prison without parole.

In exchange, Williams' attorneys agreed to drop further appeals of his conviction.

Circuit Judge Robert Smith ordered the life sentence.

Williams, who wore glasses and a brown prison uniform, declined to comment during the brief hearing.

His attorney, George Kendall, later would not discuss the case.

Jo Beth Murphree, Mobile County assistant district attorney, said in the two decades since the murder, some witnesses had died and others were no longer available, making it difficult to present a case in a sentencing hearing.

"The family has been dealing with this for 21 years and they want some closure to it," Murphree said.

Hasser's body, with three gunshot wounds to the head, was discovered in the back of his Porsche in November 1988.

Williams, then 19, was driving the car, and police found a handgun inside, according to court records.

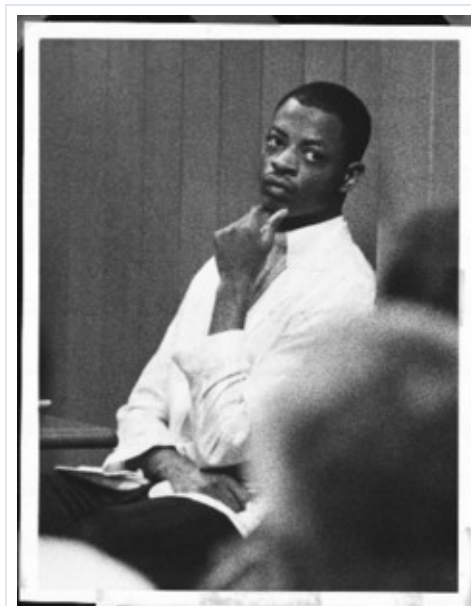
During the trial, prosecutors said that Williams shot Hasser while stealing the car, but defense attorneys claimed Hasser was shot by drug dealers, according to court records.

Hasser was vice president of American Tennis Courts and president of Player Tennis Sportswear, a company that he founded.

His brother, Jimmy Hasser, a lawyer in Mobile, said that he and other family members agreed to the sentencing approved Thursday.

"We showed him a little more mercy than he showed Timmy," he said.

Williams rejected an offer of life in prison before his 1990 trial, according to Jimmy Hasser and Murphree.



(File)

Herbert Williams Jr. listens to proceedings during his 1990 murder trial. Williams, who was convicted and sentenced to death, had his sentence changed to life in prison after a three-judge panel found that he received inadequate representation at his trial. Prosecutors reached an agreement on the new sentence Thursday.

Williams' appeals lawyer found out about the earlier offer and approached the Hasser family about reaching such an agreement this time, Jimmy Hasser said.

"We thought about it," Hasser said. "Years went by. Witnesses died."

Kent Perry, who was shot and killed in a 2007 robbery, had testified that he saw Williams with a gun in Washington Square on the afternoon of the slaying. He said that Williams told him, "The next time you see me, I'll be sitting pretty or sitting in jail."

Jimmy Hasser said that the death of his father deprived the family of its most effective witness to testify about the emotional impact of the slaying.

In the end, Hasser said, he asked the District Attorney's Office and the Alabama Attorney General's Office for advice, and both recommended the deal.

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