

# EPTON ENTERS JAIL FOR ROLE IN RIOTS

**He Calls Himself Scapegoat  
in Anarchy Conviction**

**By RICHARD SEVERO**

"Well, I guess there had to be a scapegoat for the police riots of 1964, and I'm it."

That was William Epton's comment yesterday when he surrendered at State Supreme Court to begin serving a one-year jail sentence for conspiring to commit criminal anarchy and riot.

But even before he was led off to the City House of Detention, his lawyers announced that they had filed a suit in Federal Court aimed at challenging the constitutionality of the state laws used to convict him.

Epton, 35 years old, who is chairman of the Harlem branch of the Progressive Labor Movement, was convicted on Jan. 27. The charges stemmed from his activities during the Harlem riots of 1964 (Epton calls them police riots, because it is his opinion that the police were rioting against people), in which he was convicted of having urged his fellow Negroes toward acts of violence.

During his trial, a tape recording of a street corner speech was played. A voice, identified as Epton's, said: "We are going to have to kill a lot of these cops, a lot of these judges and we'll have to go up against their army."

Epton, a former electrical worker and veteran of the Korean War, said he was innocent of the charges and he professed his innocence again yesterday, shortly before he was led off to jail.

Epton's lawyers are Sanford M. Katz and Mrs. Eleanor Jackson Piel. The suit they filed attacks New York's grand jury system. In a 17-page brief, they contended:

¶The grand jury that indicted Epton was "selected in such a manner so as to necessarily exclude Negroes, Puerto Ricans and members of lower-income groups."

¶The failure "to make grand jury service in New York compulsory has resulted in a . . . system of 'professional grand jurors composed essentially of the white, the elderly and the affluent."

Mrs. Piel told a reporter that although population of New York County is 27 per cent Negro, there are few Negroes on the grand jury list and none of the panel that indicted Epton.

The Epton case was appealed to the Supreme Court, which refused to hear it.