

WE KNOW WHO KILLED THREE PEOPLE AND MAIMED 260 MORE IN THAT SHOCKING ACT OF DOMESTIC TERRORISM FIVE YEARS AGO AT THE BOSTON MARATHON. BUT WHOEVER BUILT THE BOMBS THAT RIPPED APART SO MANY LIVES IS STILL ON THE LOOSE, STILL CAPABLE OF KILLING AGAIN

'I Will Have to Answer Only to God'

Story by MICHELE R. MCPHEE _ Photograph by THE VOORHES

AT 2:40 A.M. ON JUNE 9, 2013, SERGEANT DETECTIVE GARY HAYWARD WAS DISPATCHED TO AN ADDRESS NEAR THE CENTER OF THE TONY TOWN OF TOPSFIELD, IN THE NORTH SHORE REGION OF MASSACHUSETTS. THERE, HE FOUND AN ELDERLY WOMAN ON A BENCH OUTSIDE THE TOWN LIBRARY IN HER BATHROBE, SOBBING, HER DISHEVELED AND DISTRAUGHT COMPANION BESIDE HER.

HAYWARD, A PATIENT MAN WITH A CALM DEMEANOR HONED OVER nearly 30 years in law enforcement, sat with the woman, Glenda Duckworth, as she described being forced to climb out of her bedroom window to escape her 6-foot-2, 240-pound son, Daniel Morley, after he attacked her, yelling, "Witch, burn in hell!" She said her son snatched her eyeglasses off her face and began melting them on the stove, threw her in a chair and forcibly drew cat whiskers on her cheeks with a marker, and then chased her into her bedroom, where he jumped on top of her longtime partner, David Bloss. As Bloss begged, "Help me, Glenda," she climbed out of the window. Bloss wriggled out from under the 27-year-old Morley and escaped out that same window. Together they called 911 from Bloss's cellphone.

Hayward took copious notes as the terrified couple described Morley's breakdown, which had been building over the previous eight weeks, since the day two bombs were detonated near the finish line of the Boston Marathon. Morley's mother had grown so concerned about his behavior that she'd made a psychiatrist appointment for him, which she reminded him of as he assaulted her—"I am your mother, and you need help!"—according to the affidavit she swore out later that day to get a restraining order against him. Her son, Duckworth explained, had long struggled with mental health issues, but since the Boston Marathon bombing, he had become "very dark."

On the morning of April 15, 2013, hours before the explosions, Bloss told detectives, Morley was helping with yard work when he took a phone call, then left without a word. His behavior made Bloss uneasy, so much so that when the news of the deadly explosions on Boylston Street broke, he asked Duckworth, "Where is your son?"

Morley did not come home for two days. When he did, he merely told Duckworth he had gone fishing in Maine with a friend. "His mother was worried," Hayward recalled during a recent interview with *Newsweek*, adding that she was also shocked by her son's callous reaction to the deadly bombings. According to court records, when Duckworth told her son that some of their neighbors had been injured by the blasts and hospitalized, he stared coldly at her and said, "What's the big deal? People are dying all over the place."

Bloss told Hayward that Morley also called the two young women and the boy killed by the explosions "collateral damage."

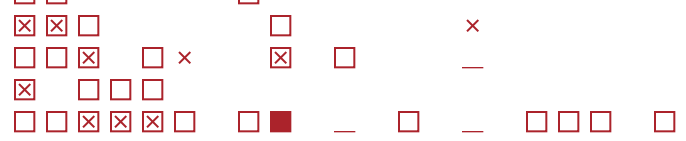
Hayward took careful notes as the couple talked. Those notes, contained in court documents obtained by *Newsweek*, are now part of a large, complicated argument about suspicions that continue to haunt local law enforcement five years after the marathon bombings. The authorities are sure they captured the two men who carried out that deadly attack—Tamerlan Tsarnaev and his brother, Dzhokhar—but they don't know who made the bombs they used that day or the explosives they had with them a few days later, when they were cornered by various law enforcement officers and agents. They are certain the Tsarnaev brothers didn't make those bombs. So who did?

That's why Hayward now calls the domestic abuse case one of the most maddening riddles of his long career. When Morley was coaxed out of his mother's home and hauled away in an ambulance that morning in Topsfield, Hayward and his men made an astonishing discovery: His room was a well-stocked bomb-making facility, and it had several components identical to those in the explosive devices used at the Boston Marathon, down to a box top for a 6-quart Fagor pressure cooker. The cooker was the exact

size and brand the brothers left near the finish line, filled with BBs and shrapnel, powered by Christmas lights and detonated remotely with an initiator constructed from toy car parts.

As Topsfield cops and state police continued their search of Morley's bedroom and a shed in the backyard, the FBI suddenly showed up, leading one trooper to say, "Who called the feebz?"

The FBI has said repeatedly it doesn't know who armed the Tsarnaev brothers for their bloody attack, but cops in the Boston area think that there's a suspect in plain sight and that the bureau and the U.S. attorney are protecting him for some reason. "It is incredibly troubling to look at the facts surrounding this guy Daniel Morley, and have no understanding whatsoever about why the FBI got involved [in his case]...why the charges were dismissed and how the circumstances about his connection to the marathon bombers were kept quiet," says Jerry Flynn, executive



SUSPECT BEHAVIOR Clockwise from far left: Morley at a gun range, Phillipos leaving court during his trial for making false statements to authorities about destroying evidence related to the bombing; Dzhokhar; the apartment the brothers last lived in together; Tamerlan doing mixed martial arts training.



CLOCKWISE FROM LEFT: U.S. ATTORNEYS/DISTRICT OF MASSACHUSETTS; JOHN TLUMACKI/THE BOSTON GLOBE/GETTY; FBI/GETTY; NICOLAUS CZARNECKI/ZUMA PRESS.COM/ALAMY; LIVE NEWS/THOMAS BROWN/GETTY

director of the New England Police Benevolent Association, one of Massachusetts's largest police unions. "We are talking about bombs that killed a little boy, two women. We have a dead cop. This kind of secrecy shouldn't be tolerated."

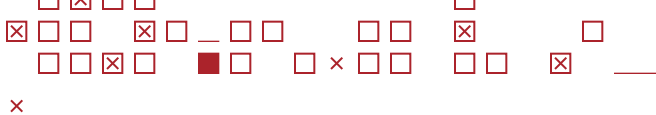
Suspect Black Hat & Suspect White Hat

FEDERAL PROSECUTORS CALLED THE BOSTON MARATHON bombings "one of the bloodiest terrorist attacks ever against American civilians." The youngest victim, Martin Richard, 8, was killed by the second blast, detonated by Dzhokhar Tsarnaev, prosecutors said, as was exchange student Lingzi Lu. Krystle Marie Campbell died in the first explosion, set off by Tamerlan Tsarnaev. Her body was riddled with shrapnel, and she took her last breaths with her best friend, Karen Ward McWatters, at her side. McWatters was one of the 17 survivors who became amputees that afternoon—she lost her left leg below the knee. Four of the 17 lost both legs.

Three dead, 260 injured, and that was only the start of a five-day bloody siege in Boston and surrounding towns. Massachusetts Institute of Technology police officer Sean Collier was killed by the brothers three days after the blasts in a shooting that authorities initially tied to a nearby 7-Eleven gunpoint robbery. Roughly 90 minutes later, a young businessman was carjacked and robbed by the brothers, and another cop, Dic Donohue, was critically wounded during a firefight that left the street littered with 251 spent shell casings from 21 guns. Tamerlan was killed in that shootout, shot nine times, his body then dragged under a Mercedes SUV for 20 feet as his younger brother fled in that stolen car. Dzhokhar's escape set off a frenzied, 16-hour manhunt until he was pulled from a dry-docked boat in a Watertown backyard. While hiding there, near death, bleeding from multiple gunshot wounds, he managed to scrawl a bloody manifesto that included a call to action to his fellow jihadis: "Know you are fighting men who look into the barrel of your gun and see heaven."

That second spasm of carnage began shortly after the FBI released photos of two men they believed were responsible for the bombings—calling them Suspect Black Hat and Suspect White Hat—along with a video of two men with backpacks (one wearing a black baseball cap, the other wearing a white one) walking down Boylston Street, along the race route, minutes before the blasts. (The bombs, packed into 6-quart Fagor pressure cookers, were placed near the finish line, hidden in those backpacks.)

The FBI maintains to this day that the bombers were not known to the bureau before those photos were made public, despite the fact that federal agents interviewed Tamerlan and his family multiple times in 2011 after Russian counterterrorism officials warned the FBI and the CIA that they had intercepted communications between Tamerlan and militants in Russia's Northern Caucasus, where the Tsarnaevs had emigrated from. FBI officials also have yet to explain why bureau agents were in



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the Tsarnaevs' neighborhood, which is roughly a mile from MIT, the night Dzhokhar killed Collier. Five months later, on October 15, 2015, Senate Judiciary Committee Chairman Chuck Grassley also wondered about that confounding coincidence, which is why he sent a letter to then-FBI Director James Comey. It read, in part: "In the hours leading up to the shooting death of MIT Police Officer Sean Collier and the death of the older suspect involved in the bombing, sources revealed that uniformed Cambridge Police Officers encountered multiple teams of FBI employees conducting surveillance in the area.... Was the surveillance being conducted in Cambridge on the Tsarnaev brothers, their associates or people later confirmed to be their acquaintances?"

Comey did not respond to Grassley's letter, but the Boston FBI field office released a statement three days later: "The Joint Terrorism Task Force was at MIT...on April 18, 2013, on a matter unrelated to the Tsarnaev brothers."

Five years on, that statement still angers former Somerville Police Chief Tom Pasquarello. "The FBI clearly knew more about the Tsarnaevs than they were willing to share with local law enforcement," he tells *Newsweek*. "There are a lot of unanswered questions about that night."

The most important one is: Who shot Sean Collier? A surveil-

FROM LEFT: BILL GREENE/THE BOSTON GLOBE/GETTY; DARREN MCCOLLESTER/GETTY; FBI/HANDOUT/CORBIS/GETTY; JOANNE RATHE/THE BOSTON GLOBE/GETTY



FIVE-DAY RAMPAGE Clockwise from left: a tribute to the young boy killed by the bombings; surveillance footage of the brothers with their bombs near the finish line; MIT police officer Collier, killed by Dzhokhar; the dry-docked boat where Dzhokhar was captured and wrote his manifesto.



lance video of his shooting shows two shadowy figures at the scene. Dzhokhar Tsarnaev was convicted of killing the officer, even though a federal prosecutor told the jury in his trial that the video images were too small to "reveal whether the defendant pulled the trigger" but that Dzhokhar was responsible for the killing. (Tamerlan couldn't be charged because he was dead.) An MIT graduate student who rode his bicycle through the courtyard that night and past the spot where Collier was killed placed Dzhokhar at the scene, telling the jury "we made eye contact." He couldn't see the second man near Collier's cruiser.

Even more intriguing are these two questions: Who held up the 7-Eleven just minutes before Collier was killed, and was that crime merely a way to raise gas money as part of the brothers' plan to drive to New York City with more bombs?

These and other unknowns continue to swirl around Daniel Morley, in part because two of his friends and a family member say he bears an uncanny resemblance to the man who robbed that 7-Eleven. Surveillance video obtained by *Newsweek* shows a white or Hispanic male with a goatee and a bucket hat approach a cashier. As she opens the register to give him change, he whips out a small silver gun, and she hands him roughly \$200. The police report of that holdup, obtained by *Newsweek*

after a Freedom of Information Act request, is heavily redacted, so that the name of the federal agency that for some inexplicable reason took over the robbery investigation, a long description of the gunman's actions while inside the store, and a physical description of the suspect are all lined out.

Police initially linked the stickup to Collier's killing but later backed away from that theory. However, there's another man in the store's video, his face obscured, clearly wearing a gray, hooded sweatshirt and carrying a backpack. In the trial of Robel Phillipos, a friend of the Tsarnaev brothers who was convicted of lying to the FBI about evidence he and two friends discarded from Dzhokhar's dorm room the night Collier was killed, a federal agent testified that Phillipos identified a photo of Dzhokhar wearing a "gray hooded sweatshirt with fluorescent lettering" from an array of "recent surveillance photos from a robbery of a 7-Eleven."

Were Morley and Dzhokhar together in that 7-Eleven? If so, that would seem to be a vital clue to pursue in one of the most infamous crimes in recent U.S. history, and after Morley was identified as a possible suspect, several police departments shared their suspicions about him with the Cambridge police.

And then, nothing. Morley's lawyer confirmed to *Newsweek* that his client was never questioned about the robbery.



RUNNING SCARED
Bomb explodes near finish line; Dzhokhar on surveillance camera while on trial; BBs imbedded in legs of a bombing victim; a memorial honoring victims with empty shoes.

'How to Build a Bomb in the Kitchen of Your Mom'

ON MAY 15, 2015, DZHOKHAR TSARNAEV WAS SENTENCED TO death and sent to the Supermax prison in Florence, Colorado, to await his mandatory appeal. His brother Tamerlan had already been buried in an unmarked grave in Doswell, Virginia. Authorities are confident both men are where they belong, but that's a crime only half-solved, because federal prosecutors and FBI forensics experts have indicated in public statements, sworn testimony and court filings that there is "ample reason to believe that the Tsarnaevs did not act alone, that they didn't build the bombs they detonated." Nearly 1,300 pieces of evidence were examined at FBI headquarters in Quantico, Virginia, and none directly linked the brothers to the construction of those devices. During Dzhokhar's trial, federal prosecutors pointed out that other than scant traces of fireworks powder and the instructions in an online issue of Al-Qaeda's Inspire magazine, "How to Build a Bomb in the Kitchen of Your Mom," there was very little physical evidence linking either brother to the building of the deadly explosives. An FBI report on

The FBI showed up at Topsfield police headquarters and seized much of the evidence taken from Morley's home after Hayward executed a search warrant. Morley was never formally arraigned in connection with the charges that Hayward swore out in a criminal complaint, and those charges were abruptly dropped without explanation by the Essex County district attorney. When asked why, his spokeswoman referred questions to the FBI. The FBI wasn't talking, not even when it wordlessly returned the evidence to Topsfield police months after Morley's arrest, blowing off local law enforcement with a dismissive "We didn't find anything," a Topsfield police commander told *Newsweek*.

Why, local cops are still asking, did the FBI's Joint Terrorism Task Force take over the case against Morley? "Why is the FBI at the scene of a domestic call? Nobody knows," a bomb tech who was there told *Newsweek*.



'I'm Sorry for What I've Done...'

THE STOCKPILE OF BOMB-MAKING MATERIALS IN Morley's room was discovered only because he attacked his mother and her boyfriend. His breakdown led to a four-hour standoff as he barricaded himself inside the house, sporadically yelling that he wanted to hijack an airplane or that he would

— "[THERE IS] AMPLE REASON TO BELIEVE THAT THE TSARNAEVS DID NOT ACT ALONE, THAT THEY DIDN'T BUILD THE BOMBS THEY DETONATED."



CLOCKWISE FROM TOP LEFT: DAN LAMPARELLO/REUTERS; UNITED STATES ATTORNEYS OFFICE/GETTY; U.S. ATTORNEYS/DISTRICT OF MASSACHUSETTS; MICHAEL DWYER/ALAMY

the bombing also noted that the devices used were far more sophisticated than those described in the jihadi magazine's recipe.

On May 21, 2014, then-acting U.S. Attorney William Weinreb, who was on the team of federal prosecutors that convinced a Boston jury to sentence Dzhokhar to death, filed a pretrial motion asserting that the bombs were sophisticated devices that "would have been difficult for the Tsarnaevs to fabricate successfully without training or assistance from others.... [S]earches of the Tsarnaevs' residences, three vehicles and other locations associated with them yielded virtually no traces of black powder, again strongly suggesting that others had built, or at least helped the Tsarnaevs build, the bombs, and thus might have built more."

An FBI agent testified in Dzhokhar's trial that the bureau never located the brothers' bomb-making facility. Yet Massachusetts law enforcement officials say the investigation begun by Hayward on June 9, 2013, uncovered what could have been such a facility in the bedroom of Morley, who had ties to Tamerlan Tsarnaev.

Morley was arrested by Topsfield police that day, charged with two counts of assault and battery against his mother and her companion, and with making a bomb threat. And then, nothing,

set the house on fire. The siege ended around dawn, when a police team entered the house in SWAT gear, prompting Morley to emerge with his hands up. He was bundled into an ambulance for a mental health evaluation at Beverly Hospital as Bloss gave Topsfield police a signed consent to search the house, including Morley's bedroom. Bloss told police that Morley had never let him into his bedroom and always kept it locked.

What Topsfield police found when they entered the bedroom was a staggering cache of explosive materials: metallic BBs, electrical wires, batteries, cellphone parts, circuit boards—all signatures of a pressure-cooker bomb and similar to parts recovered on Boylston Street in the aftermath of the marathon bombings. Other materials commonly used in homemade explosives—buckets of aluminum foil, rice flour, tubs of chemicals, bags of powdery rice flour, hobby fuse and wires, batteries, dismantled cellphones, fire starters—were also in the room. There was a collection of empty whipped cream cans "hides"—containers that look like cans of whipped cream but are empty so they can be used as a secret stash or, more alarmingly, as homemade grenades. Police were concerned about these because of a recipe they found

written in a notebook on Morley's desk: It was for Thermite, a pyrotechnic composition of a metal powder and a metal oxide that is often put inside such metal canisters to produce small bombs. (A swastika was scrawled on another page of that notebook.) He also had a recipe for chlorine gas, a deadly chemical weapon, and notes that mentioned "magnesium slivers to aid ignition." Morley had plastic zip ties like the ones used by police when they are making large-scale arrests, as well as several knives, decorative swords, a loaded 9 mm pistol and a large, fully loaded Russian bolt action rifle, along with several hundred rounds of high-caliber ammunition. A search of a nearby shed, which Morley's mother described as her son's "work area," turned up a machete, steel wool, a Duraflame log, coffee grinders and shards of metal shavings—all known elements in homemade bombs.

All that was troubling, but it was what Hayward found in a bedroom closet that spurred a "holy shit moment" he says was one of the more memorable events of his life. It was a 24-quart pressure cooker hidden under a pile of dirty clothes, alongside a massive bag of fertilizer, the kind often used by bomb builders, and a duffel bag big enough to stash the pressure cooker. Inside the duffel bag were multiple pairs of blue surgical gloves, the sort used by criminals who don't want to leave fingerprints.

When Hayward realized what he had found, he jumped back and got on his police radio: "Get the bomb squad in here, now!" He then ordered a police cruiser to chase down the ambulance transporting Morley so someone could question him about the pressure cooker. He also had the neighborhood evacuated and the gas main for the area shut off.

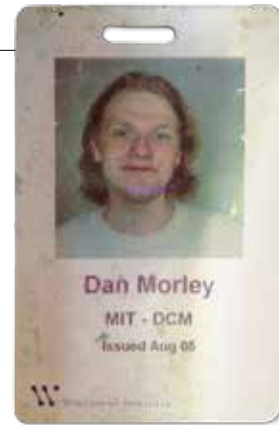
As the bomb squad suited up to examine the pressure cooker, a cruiser driven by Topsfield Officer Gary Wildes pulled up behind Morley's ambulance as it arrived in the emergency room bay at Beverly Hospital. Wildes jumped out, opened the back door of the ambulance and asked Morley, "Is that pressure cooker bomb active?"

Morley smirked and said, "Yes, sir. I'm sorry, sir. It is." Wildes immediately got on his radio: "It is an active bomb. Repeat. Suspect says it is an active bomb."

By now Hayward knew Morley was a dangerous man with a stockpile of ominous materials, but he says he was more concerned with keeping his cops and the community safe than in following procedure by notifying the Boston Regional Intelligence Center about the bomb factory he'd just discovered. In other words, he did not contact federal authorities to tell them what he'd found, which is why the unanticipated arrival of the FBI that morning was unnerving to cops there.

As Morley was admitted to the hospital for observation, Massachusetts State Police bomb technicians examined the pressure cooker and determined that he'd lied, that it was not a live bomb.

Later that day, Hayward swore out a complaint in Massachu-



FREEDOM IS ANOTHER WORD

The cache of bomb-making materials found in Morley's bedroom included what he told police was a live bomb, right. He also had a wide range of anarchist propaganda—he once accused his mother and her companion of being "slaves to the government."



**"KNOW YOU ARE
FIGHTING MEN WHO
LOOK INTO THE
BARREL OF YOUR GUN
AND SEE HEAVEN."**

setts District Court charging Morley with two counts of assault and battery, making a bomb/hijack threat and a threat to commit a crime. He also filed an application for a search warrant in Ipswich District Court, seeking any additional evidence, including "any part, product, ingredient that may be an element or consistent with items used in the making of a bomb or infernal machine," along with "notes, drawings, paperwork, literature, firearms, ammunition or weapons."

Hayward also consulted a terrorism expert to try to gain insight into Morley's troubled psyche. Over multiple interviews, Bloss told Hayward he had harbored great fears about his girlfriend's son from the day Morley moved in with them after he quit his job as a laboratory technician at MIT. Part of that job involved euthanizing mice by the dozens, which according to Marc Pasciuto—the friend Morley said he went fishing with on Marathon Monday—tormented Morley. Pasciuto told *Newsweek* in 2013 that he went fishing with Morley a lot but "couldn't remember" if April 15 was one of those days. Bloss grew increasingly concerned about living with Morley as his angry anarchist tirades, anti-Semitic rants and his beliefs that "women destroyed men" became an unrelenting stream of hate in the weeks after the bombings. Morley also frequently ac-

cused Bloss and his mother of being "slaves to the government."

Investigators suspect Morley also knew Tamerlan—they were in the same criminal justice class at Bunker Hill Community College in 2008 and were both devotees of mixed martial arts, as was Pasciuto. And Duckworth told Hayward that her son had told her Pasciuto was friends with Tamerlan and that her son was essentially Pasciuto's lap dog—his driver. The night before she was attacked by Morley, he erupted with an eerie statement that Pasciuto had tried to get him to "do something really bad." He also made a cryptic confession that night. "I'm sorry for what I've done," he told his mother, "and I have to answer only to God."

'The FBI Got It Wrong'

HAYWARD BEGAN TO PREPARE A CASE AGAINST MORLEY IN JUNE 2013, carefully cataloging Duckworth's and Bloss's suspicions about him. "I asked them if Daniel had Muslim beliefs," he wrote in a search warrant affidavit, and was told that "he did read the Quran." Morley was also studying Russian and Arabic on his computer and had a video that offered careful instructions on how to make a detonator similar to the ones used for the Boston Marathon bombs.

But Hayward's detailed files never made it into a courtroom, which law enforcement officials across the state find perplexing.

On March 26, 2014, Essex County District Attorney Jonathan Blodgett filed a *nolle prosequi*—a legal term that means he had dropped all the charges against Morley and would not pursue others. "What's the point of having laws written to deter exactly what this guy did?" says a retired Boston bomb technician familiar with the case, speaking on condition of anonymity. "Everything this guy had in his house was in violation of the state bomb bill."

Blodgett gave no explanation, other than the statement issued by his spokeswoman: "Mr. Morley must comply with Department of Mental Health, including medications, and not abuse his family."

The FBI declined to answer *Newsweek's* questions about Morley in 2013, refused to answer questions about him during Dzhokhar's trial in 2015 and declined to do so again last month. Morley's court-appointed lawyer, Robert LeBlanc, has a simple explanation for the dropped charges, saying in a text message to *Newsweek*, "The FBI got it wrong. Obviously there was a lot of pressure from law enforcement on this case. They followed a lead that led to a dead end with Dan." When asked why his client had stockpiled so many bomb-making materials, LeBlanc said Morley didn't remember doing that and "he had a breakdown."

That explanation doesn't satisfy Hayward, who remains befuddled by the FBI's handling of his case. Morley never appeared in any courtroom on the charges. His appearance was waived at his arraignment, where his father posted \$20,000 bail, which was returned to him when the Essex County DA dropped all the charges in 2014, while Morley was still confined to one of three separate mental health facilities he resided in full time between June 9, 2013, and June 2015. He was released from Tewksbury State Hospital about a month after a federal jury sentenced Dzhokhar Tsarnaev to death. Cops wonder if that is a coincidence. "That's a good way to keep someone out of sight until the trial is over," remarked an MIT police officer who knew Sean Collier but isn't authorized to speak on the record. MIT police have also declined to answer questions about Morley, his time on campus or the contents of the locker he maintained on campus even after he quit.

It's unclear who paid for Morley's expensive inpatient treatment, which led Bloss to ask an investigator, "Could the FBI hide him in hospitals?"

Because his case was dismissed, Morley does not have a criminal record, and he has landed a state job driving a van that transports the elderly.

Morley's lawyer told *Newsweek* this month that his client is "doing very well and is being productive. Other than that, I can't say a word."

Hayward told *Newsweek* late last year that he hasn't given up on the case, and on the many vexing questions related to that horrific day five years ago. "As more information becomes available," he said, "we continue to track it." ■

CLOCKWISE FROM TOP LEFT: U.S. ATTORNEYS/DISTRICT OF MASSACHUSETTS; TOPSFIELD POLICE (2)