

## **Defending the Homeland: The Massachusetts National Guard Responds to the 2013 Boston Marathon Bombings**

At 8:41 p.m. on Friday, April 19, 2013, Dzhokhar Tsarnaev, one of two brothers who had bombed the Boston Marathon finish line four days earlier, surrendered to authorities in the Boston suburb of Watertown, Massachusetts. Following the death of his brother Tamerlan the night before, Dzhokhar's arrest essentially brought to an end a week of terror that had consumed much of Greater Boston and had attracted worldwide attention. It also marked the conclusion of a complex and far-reaching response effort that had formed in the face of the attacks. Involving a host of local, state, and federal agencies, the response had taken place on multiple fronts in and around Boston, culminating Thursday night and throughout much of Friday with a dramatic series of events, among them: a chaotic shootout between law enforcement and the Tsarnaev brothers in Watertown; the subsequent "lock down" of Watertown, Boston, and several neighboring towns as authorities searched for Dzhokhar;<sup>1</sup> and, finally, his capture.

The intense drama of Thursday evening and Friday stood in stark contrast to the festive spirit with which Bostonians had started the week. Held annually on Patriot's Day, a Massachusetts state holiday commemorating the start of the American Revolution at the battles of Lexington and Concord, the Boston Marathon is a major event not only for the international running community but also for Greater Boston at large. Every Marathon Monday, hundreds of thousands of area residents and visitors line the 26.2 mile-long course, enthusiastically supporting the athletes surging past them.<sup>2</sup>

The 117<sup>th</sup> running of the Marathon took place on Monday, April 15, 2013, a beautiful spring day.<sup>3</sup> Throughout the morning and into the early afternoon, the scene at the finish line in Boston's Copley Square mirrored that of

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<sup>1</sup> What was commonly described by the media as a "lock down" was, in fact, a voluntary shelter-in-place request issued by Massachusetts Governor Deval Patrick and other senior public officials early Friday morning. Authorities hoped that by asking people to stay in their homes and off the streets and public transit, they would be able to search for Dzhokhar more efficiently – and that they could better ensure area residents' safety while he and possibly other accomplices were still on the loose.

<sup>2</sup> Boston Athletic Association, "2016 Boston Marathon: Race Facts," available at <http://www.bostonmarathonmediaguide.com/race/race-facts/> [accessed June 24, 2016].

<sup>3</sup> Boston Athletic Association, "Boston Marathon History: Weather Conditions," available at <http://www.baa.org/races/boston-marathon/boston-marathon-history/weather-conditions.aspx> [accessed June 24, 2016]; and Massachusetts Emergency

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years past. Runner after runner completed the race – perhaps exhausted and in pain, but also exhilarated at having conquered the infamously challenging course. Bystanders cheered them on, while volunteers, medical personnel, and public safety officials provided routine aid and support. But, then, tragedy struck, when at 2:49 p.m. two explosions rocked the area. What turned out to be improvised explosive devices made out of pressure cookers immediately took the lives of three spectators, inflicted critical injuries to scores more (264 people were injured in total), and caused serious property damage to nearby businesses.<sup>4</sup>

Quickly, a wide range of organizations and individuals – including runners and spectators, race volunteers, and professional first responders – mobilized to respond. The U.S. Federal Bureau of Investigation (FBI) soon launched a terrorism investigation into the attacks, and over the next several days, federal, state, and local authorities worked together to secure and protect the crime scene; provide security in and around Boston; preserve and review evidence; investigate leads; and identify, search for, and apprehend the perpetrators of the attack.

Among the many agencies involved in the weeklong response effort was the Massachusetts National Guard. In the immediate aftermath of the bombings, confronted by serious communication challenges and with the Guard's leadership located in different command posts across the state, senior officers and their troops – many on state active duty, but some not even on assignment that day<sup>5</sup> – took initiative and joined the rapidly emerging response. For instance, a number of Guardsmen rushed to clear runners and spectators from the finish line and elsewhere along the route, while others provided critical first aid to the injured. Over the course of the next several days, as the response became more formalized, soldiers and airmen also guarded the crime scene around Copley Square, helped bolster security on Boston's public transit system, and provided Explosive Ordnance Disposal (EOD) support. And at the end of the week, the Guard took part in the search for Dzhokhar Tsarnaev in Watertown, providing much needed manpower and specialized equipment. Meanwhile, senior Guard officers led by Massachusetts Adjutant General Scott Rice participated in the high-level incident management of the response, working alongside the governor, the state's director of emergency management, leaders of the Massachusetts State Police, senior officials from the City of Boston, and federal authorities.

The Guard's involvement was a direct function of its mission to protect the homeland against all forms of hazards, whether natural or manmade, and it made a number of important contributions to the response effort throughout the week. But the Guard also experienced significant challenges as it sought to organize and sustain a days-long operation consisting of an array of tasks and in partnership with a multitude of stakeholders. Indeed, in the minutes, hours, and days following the attacks, the Guard's commanders had to grapple with a number of

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Management Agency (MEMA), "After Action Report for the Response to the 2013 Boston Marathon Bombings," December 2014, available at <http://www.mass.gov/eopss/agencies/mema/news/press-releases/after-action-report-for-the-2013-boston-marathon.html> [accessed June 24, 2016].

<sup>4</sup> MEMA, "After Action Report."

<sup>5</sup> When operating under State Active Duty status, National Guard members are funded by the state and are commanded by the state's governor. Guard members can also operate under either Title 32 status, in which case they are still commanded by the state governor but are funded by the federal government, or Title 10 Active Duty status, in which case they are "federalized," i.e., placed under the command of the President of the United States and are paid for by the federal government. In the first two instances, the Guard can only operate domestically, but under Title 10 status it can deploy overseas (National Guard Association of the United States, "NGAUS Fact Sheet: Understanding the Guard's Duty Status," available at <http://www.ngaus.org/sites/default/files/Guard%20Statues.pdf> [accessed June 17, 2016].)

difficult questions and obstacles. How would they overcome the “fog of war” that initially hung over the incident, with the agency’s leaders scattered across the state and with those at the scene of the bombings having difficulty communicating back to headquarters and other command posts? How would the Guard integrate and partner with the civilian agencies leading the response to the bombings? What, exactly, would the Guard’s role be in the response to a terrorist attack, the first to occur in Massachusetts in living memory? And if it was to provide security against an initially unknown number of terrorists, should – *and could* – the Guard arm its soldiers and airmen (i.e., “deputize” them) in order to better ensure their own safety and that of the population they were charged with protecting?

### **Marathon Monday, April 15, 2013: The Start**

More than 400 Guard members were on state active duty for the Marathon on Monday, April 15. Bussed in early that morning from armories located across the state, the vast majority of them were stationed at intervals along the route, tasked with supporting local law enforcement in crowd control, managing car traffic, and ensuring that the course was kept clear for the runners.<sup>6</sup> They were positioned in seven municipalities, starting in Hopkinton, where the race began, and through Brookline, the last town before the Marathon entered Boston, where it terminated (traditionally, the Guard did not man the course in Boston; instead, the city – which had a much larger police force than any other municipality in the state – preferred to manage security for the event largely on its own).<sup>7</sup>

Guard officers described the mission as a routine affair. “We’ve been doing this for 30+ years,” observed Lt. Col. Mark Merlino, Commander of the 79<sup>th</sup> Troop Command, whose “Task Force Patriot” provided command and control for the Guard’s Marathon operations. “It really wasn’t all too difficult. ... [The] soldiers showed presence of force on the course, just to help the [local] police because they can’t really cover [it] all.”<sup>8</sup> Massachusetts Assistant Adjutant General, Brigadier General Paul Smith concurred, adding that while the Guard and its partners were fully committed to ensuring the public’s safety, the prevailing attitude was: “We’ve done this before. We’ve been here [before].”<sup>9</sup>

Notably, despite being tasked with supporting security operations along the race course, Guard members did not carry weapons on Marathon Monday. Unlike many other states, Massachusetts only rarely authorized its Guard to participate in domestic missions while armed, and doing so required explicit permission from the Governor. Guard leaders attributed this policy to the general political culture of Massachusetts, contrasting it with

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<sup>6</sup> James C. Lally, “Massachusetts National Guard Supports 117<sup>th</sup> Boston Marathon,” *Massachusetts Minuteman: The Nation’s First*, Spring 2013; Alfred Tripolone III, “MPs Use Training to Aid Local Authorities, Protect Citizens” *Massachusetts Minuteman: The Nation’s First*, Spring 2013; Massachusetts National Guard, “Valor Amid Terror,” *GX: The Guard Experience* 10 (2), 18-19; and telephone interview with Lt. Col. Mark Merlino, Massachusetts National Guard, March 20, 2015.

<sup>7</sup> This did not mean, however, that the Guard and the City of Boston did not work together on other occasions. Each year, for instance, the Guard plays an important role in supporting security efforts during the city’s high-profile Fourth of July celebration on Boston’s Esplanade, a park along the southern bank of the Charles River (personal communication with Brigadier General Paul Smith, Massachusetts National Guard [ret.], August 16, 2016).

<sup>8</sup> Telephone interview with Lt. Col. Mark Merlino, Massachusetts National Guard, March 20, 2015. Unless noted, subsequent quotations by and attributions to Merlino are from this interview.

<sup>9</sup> Interview with Brigadier General Paul Smith, Massachusetts National Guard [ret.], December 19, 2014. Unless noted, subsequent quotations by and attributions to Smith are from this interview.

many western states, where the attitudes, laws, and policies regarding firearms were much more permissive. They also pointed to the lasting legacy of the 1970 Kent State shootings, when Ohio National Guardsmen fired on and killed several unarmed students protesting actions related to the Vietnam War.<sup>10,11</sup>

Fortunately, soldiers and airmen assigned to the Marathon prior to 2013 rarely had to deal with seriously disruptive incidents; instead, as General Smith observed, their interactions with spectators typically consisted of small talk and pleasantries. All the same, the Guard and its partners worried about the potential for a major emergency occurring on race day, and in recent years they had made a point to establish a more sophisticated presence in the two locations along the route that they believed posed the highest security risk: Hopkinton and Boston. With tens of thousands of people crowded together in the early morning hours at and near the start line (in 2013, approximately 27,000 runners registered for the Marathon),<sup>12</sup> race organizers and local and state officials worried that Hopkinton was an especially tempting target for terrorists. Consequently, they staged a large portion of their resources there. “We couldn’t defend the whole route, it’s just not practical,” explained Lt. Col. Martin Spellacy, the Guard’s Director of Military Support. “So if you looked at how we array our forces – and not just the National Guard but [all of] public safety . . . [we] are always way heavy at Hopkinton.”<sup>13</sup>

As part of this large show of force, the Guard deployed a portion of its Weapons of Mass Destruction Civil Support Team (CST) to Hopkinton. A federally chartered (but state-controlled) unit of 22 soldiers and airmen that specialized in chemical, biological, radiological, nuclear, and explosives (CBRNE) threat detection, the CST also provided rapid response and decision-making support to local authorities in the event of an actual emergency.<sup>14</sup> Under the command of Lt. Col. Matthew Woolums, the unit began the morning of the 15<sup>th</sup> monitoring for CBRNE threats at the congested start area in Hopkinton. After the Marathon’s start, Woolums then followed the course eastward, ultimately joining another CST command post in Boston, located near the finish line. With thousands more people lining the last few miles of the course and with runners, dignitaries, the media, and other spectators crowding Copley Square, this area was also of particular concern. Thus, even though Boston declined to station

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<sup>10</sup> Merlino and Smith interviews; interview with Col. Frank Magurn, Massachusetts National Guard, December 18, 2014; interview with Major General Scott Rice, Massachusetts National Guard, November 12, 2013; and interview with Lt. Col. Matthew Woolums, Massachusetts National Guard, December 18, 2014.

<sup>11</sup> General Smith made a point to note, however, that the Commonwealth had in recent years occasionally permitted the Guard to operate in-state while armed, such as in 2011, when Guard members, under Smith’s command, performed street patrols in Springfield, MA after a destructive tornado hit the city.

<sup>12</sup> Boston Athletic Association, “Boston Marathon History: Participation,” available at <http://www.baa.org/races/boston-marathon/boston-marathon-history/participation.aspx> [accessed June 24, 2016].

<sup>13</sup> Interview with Lt. Col. Martin Spellacy, Massachusetts National Guard, December 18, 2014. Unless noted, subsequent quotations by and attributions to Spellacy are from this interview.

<sup>14</sup> For the 2013 Marathon, the full CST deployment was actually around 30 people, since the New York and Rhode Island National Guards also provided support through their own CSTs (Woolums interview; Jon Soucy, “National Guard’s Civil Support Teams Respond to Crises Nationwide,” April 18, 2013, available at <http://www.nationalguard.mil/News/Article/574389/national-guards-civil-support-teams-respond-to-crises-nationwide/> [accessed June 1, 2016]; and U.S. Department of the Army, “Information Papers: ARNG Weapons of Mass Destruction Civil Support Teams,” available at [https://www.army.mil/aps/08/information\\_papers/transform/ARNG\\_Civil\\_Support\\_Teams.html](https://www.army.mil/aps/08/information_papers/transform/ARNG_Civil_Support_Teams.html) [accessed August 8, 2016]).

National Guard troops along its stretch of the course, the city welcomed the Guard's more specialized resources, including the CST.<sup>15</sup>

Underscoring the importance of Hopkinton and Boston on race day, the Guard's senior-most leaders, Massachusetts Adjutant General Rice and Assistant Adjutant General Smith, made appearances in both locations on the 15<sup>th</sup>. Arriving in the early morning in Hopkinton, each offered words of encouragement to Guard members stationed there, while also making sure they understood their assignments and had the support they needed. After determining that operations in Hopkinton were in order, Rice and Smith then made their way to Boston. By mid-morning General Rice and his wife, accompanied by his executive officer, Major Bryan Pillai, and two Guard soldiers who had won the Guard's annual "Best Warrior" competition, had settled into their seats in the grandstand at the finish line, ready to cheer on the victors and other elite runners as they completed the race (the first wave of athletes departed Hopkinton at 9 a.m. and began arriving in Boston a little more than two hours later).<sup>16</sup> Also now in the city, General Smith checked in with the CST's command post and toured the medical tents set up to care for athletes not far from the finish line. Meanwhile, Lt. Col. Merlino, who similarly had started the day in Hopkinton, traveled along the Marathon route to the towns of Natick and Wellesley, before returning to his command's headquarters in Rehoboth, MA, located about 50 miles south of Boston. From there he planned to monitor the rest of the race and oversee the safe return of Guard members to their home armories as race operations wound down.

For his part, the Guard's Director of Military Support, Lt. Col. Martin Spellacy, was monitoring events from afar. On the morning of the 15<sup>th</sup> – as he'd done for the past several years on race day – he reported to the Marathon's Multi-Agency Coordination Center (MACC), which was located at the Massachusetts Emergency Management Agency's (MEMA) bunker in Framingham, MA, approximately 20 miles west of downtown Boston. There, Spellacy worked alongside about 80 other representatives of organizations and jurisdictions involved in the event. This group included, among others, liaisons from all the municipalities that hosted part of the Marathon; MEMA; local and state law enforcement agencies, fire departments, and emergency medical services; the Federal Emergency Management Agency (FEMA) and its parent agency, the U.S. Department of Homeland Security (DHS); the FBI; and the Boston Athletic Association (BAA), the race organizer. Designed to coordinate multi-agency and multi-jurisdictional aspects of public safety, public health, and emergency medical services during the Marathon, the MACC also helped provide overall situational awareness throughout the day.<sup>17</sup>

Every year, MEMA convened a subset of this group to review and revise the jurisdictions' and agencies' various public safety plans related to the Marathon.<sup>18</sup> While they made important adjustments, incorporating

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<sup>15</sup> Woolums interview. Unlike other Guard units, members of the CST deployed in polo shirts and khakis (as opposed to military-style attire), which was more palatable to officials in Boston concerned about having uniformed soldiers patrolling the city.

<sup>16</sup> Athletes departed Hopkinton in stages, beginning at 9 a.m. when mobility-impaired participants took off from the start line. The elite women runners began the race at 9:32 and the elite men, along with "wave 1 runners," started at 10:00 a.m. (MEMA, "After Action Report").

<sup>17</sup> Other coordination centers also operated on Marathon Monday, including Boston's Unified Command Center, which was based out of the Boston Police Department's headquarters and which hosted representatives of the city's police force, fire department, and emergency medical services, as well as officials from the MBTA's (the regional transit authority) transit police and the Massachusetts State Police (Ibid).

<sup>18</sup> Ibid.

lessons learned from previous races, the underlying framework and many of the individuals involved remained relatively constant over time. Echoing other Guard officers' appraisal of the Marathon as a generally routine mission, Spellacy noted that this framework "[hadn't] really changed over the years." Accordingly, as Spellacy and his counterparts took their places in the MACC on the morning of the 15<sup>th</sup>, they settled into a familiar set of roles and responsibilities for Marathon Monday.<sup>19</sup>

### **An Attack on the Homefront and the Initial Response: Monday Afternoon and Evening**

As the hours passed, race operations in the western-most towns of the course began to wind down, and Guard soldiers and airmen stationed in these municipalities prepared to return to their home armories.<sup>20</sup> A similar process played out at the MEMA bunker in Framingham: once all runners had made their way through a town, that town's liaison was free to leave the MACC.<sup>21</sup> Meanwhile, in Boston, the Guard's senior leaders also began moving on with the rest of their day. Shortly after noontime, once the winners of the race had been crowned, General Smith started making his way home, while General Rice and his wife took his executive officer and the two young soldiers with whom they had watched the race onto the course to congratulate military runners and then to lunch at a restaurant not far from Copley Square.

Although thousands of runners continued to make their way across the finish line throughout the early afternoon, worries that the Marathon would experience a disruptive event had begun to subside. As Lt. Col. Spellacy observed, the operating assumption was that if anyone had wanted to attack the Marathon, they most likely would have done so around midday, when the elite runners were finishing the race or receiving their medals – moments of peak international media coverage, when spectators, including numerous VIPs, were still tightly packed around the finish line.

But the mid-afternoon calm was suddenly shattered when, at 2:49 p.m., two explosions rocked the area around Copley Square, the first blast occurring directly adjacent to the finish line, in front of the Marathon Sports store at 671 Boylston Street, and the second about a block and a half away, outside of the Forum Restaurant at 755 Boylston.<sup>22</sup> At first, some Guardsmen who happened to be in the vicinity weren't quite sure what they had heard – perhaps a gas explosion? But the second blast made it all too clear, especially to those with combat experience, that bombs were detonating in the heart of their city.<sup>23</sup> As the investigation into the attacks later revealed, Dzhokhar and Tamerlan Tsarnaev – brothers whose family had settled in the early 2000s in Cambridge, MA, after fleeing the turbulent Caucasus region of the former Soviet Union – had just moments earlier placed

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<sup>19</sup> Spellacy emphasized that the group members' familiarity with one another proved advantageous in several key ways. Relationships developed over time, he said, helped build trust, made clear in advance what each person and their respective organization could and could not do in support of an emergency response, and facilitated a collaborative environment when tasks were not clearly defined or anticipated (personal communication with Lt. Col. Martin Spellacy, Massachusetts National Guard, August 25, 2016).

<sup>20</sup> MEMA, "After Action Report."

<sup>21</sup> Spellacy interview.

<sup>22</sup> MEMA, "After Action Report."

<sup>23</sup> Interview with Col. George Harrington, Massachusetts National Guard, December 18, 2014; Woolums interview; and James Sullivan, "In the Company of Patriots," *GX: The Guard Experience*, Vol 10 (3), 2013, 98-101.

backpacks containing homemade bombs on the sidewalk in front of the two locations, before walking away and detonating the devices.<sup>24</sup>

### *A Rush to Save Lives*

Several off-duty members of the Guard's 1060<sup>th</sup> Transportation Company were not far from the finish line at the time of the bombings, having just finished the "Tough Ruck" march – a fundraiser benefitting families of fallen soldiers in which Guard members walked the length of the Marathon in uniform, each carrying a rucksack weighing 35 - 40 lbs.<sup>25</sup> Instinctively, they raced toward the blasts. Arriving at the bomb sites just seconds after the explosions, they came across terrible scenes of carnage – people with severed limbs, shrapnel wounds, and burns; pools of blood and debris strewn across the pavement; and, worst of all, the bodies of the three people who had immediately lost their lives as a result of the bombings: Krystle Campbell (29 years old), Lu Lingzi (23), and Martin Richard (8).<sup>26</sup>

Noticing that security netting and scaffolding were hindering access to the victims, several members of the 1060<sup>th</sup> rushed to tear down the barriers. With no knowledge of the full scale and scope of the attack, they could have very well encountered additional hazards. But the urgency of the situation propelled them forward. As 1<sup>st</sup> Lt. Steve Fiola observed, "It's like the switch turns on, and you just go, and you just do what you're supposed to do to accomplish the mission."<sup>27</sup>

Members of the company also evacuated people seated in the viewing grandstand and helped provide first aid to the injured.<sup>28, 29</sup> In doing so, they joined other bystanders and on-duty first responders, as well as volunteers from the BAA's two nearby medical tents, who had mobilized to triage and prepare the injured for transport to nearby hospitals via the ambulances now flocking to the scene.<sup>30</sup> Collectively, their efforts proved crucial in saving

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<sup>24</sup> MEMA, "After Action Report;" and Boston Globe Staff, "A Reconstruction of Terror," *The Boston Globe*, April 28, 2013, available at

<http://archive.boston.com/news/local/massachusetts/2013/04/27/bombreconstruct/fm7cz4gY8oVYEtm50cmIGN/story.html> [accessed September 20, 2016]. For more on the Tsarnaev family, see: "The Fall of the House of Tsarnaev," *The Boston Globe*, December 15, 2013, available at <http://www.bostonglobe.com/Page/Boston/2011-2020/WebGraphics/Metro/BostonGlobe.com/2013/12/15tsarnaev/tsarnaev.html> [accessed September 20, 2016].

<sup>25</sup> Bob Reinert, "National Guard Soldiers Recall Heroic Actions at Boston Marathon," April 25, 2013, available at <https://www.army.mil/article/101694/> [accessed June 1, 2016]; and Sullivan, "In the Company of Patriots."

<sup>26</sup> MEMA, "After Action Report;" Reinert, "National Guard Soldiers Recall Heroic Actions at Boston Marathon;" and Sullivan, "In the Company of Patriots."

<sup>27</sup> Quoted in Reinert, "National Guard Soldiers Recall Heroic Actions at Boston Marathon."

<sup>28</sup> Among those in the stands were relatives of victims of the mass shooting at Sandy Hook Elementary School in Newtown, CT, which had occurred just a few months earlier (Reinert, "National Guard Soldiers Recall Heroic Actions at Boston Marathon;" and Sullivan, "In the Company of Patriots").

<sup>29</sup> General Rice had made it known in advance that if an emergency occurred during the Marathon, Guard members participating in the Tough Ruck would be placed on state active duty. Thus, when the bombs exploded, scores of additional off-duty soldiers marching along the racecourse were absorbed into various aspects of the response. In addition to the action of those at the scene of the attack, others assisted the Boston Police with crowd control about a mile before the finish line, where the police had begun stopping runners following the explosions (Rice Interview).

<sup>30</sup> The effectiveness of this mass trauma medical response was due in part to measures taken in the aftermath of an unseasonably warm 2012 Marathon, when a large number of runners suffering from the heat severely taxed the medical system in place for that year's race. The BAA and its partners thus made a concerted effort to make sure that the medical tents were well staffed and supplied in 2013 (MEMA, "After Action Report").

lives and preventing even more suffering. Every single person brought to a hospital survived – including a number of people with life-threatening injuries.<sup>31</sup>

### *The Civil Support Team Responds*

The Guard's CST was also involved in the on-scene response immediately following the attack. At the time of the blasts, team commander Matthew Woolums was a few streets away from the finish line, working out of an SUV that served as his Tactical Operations Center. Following the second explosion, he looked up to see "a wall of people" rushing towards him from the direction of the finish line.<sup>32</sup> His first thoughts were of several CST members he had positioned there. Desperate to confirm their safety, he tried contacting them via the operations center. Unable to connect, he then started driving his SUV toward the site of the attack. "It was kind of like swimming upstream, with everyone running towards us," Woolums recalled. But with the SUV's lights flashing and its sirens blaring, it served as a beacon to CST members, and he was soon able to account for his entire team: no one was injured or killed. By then, the CST had also assessed its meters' readings for the presence of chemical and radiological materials in the vicinity of the finish line: all were negative (this corresponded with the results of metering separately conducted by Boston Fire and Police). It was welcome news – albeit amidst the terrible pain and destruction the bombings had otherwise wrought.

Although the CST reported the negative readings up the Guard's chain of command, reporting mechanisms were not in place to disseminate the information to all organizations now taking part in the response. As a result, concerns about possible chemical or radiological contamination lingered, and some of the hospitals that had started to receive the injured spent valuable time considering whether to conduct their own screenings (all eventually decided not to).<sup>33</sup> This, Woolums acknowledged, could easily have been avoided. "We should have been more effective in communicating our negative findings versus just saying, 'Oh, it's negative, there's nothing more to say,'" he reflected. "If people aren't told that there isn't a threat versus being told only when there is a threat, they'll make the assumption that these victims are contaminated with something."

But conducting CBRN assessments was not the only task the CST performed in the immediate aftermath of the bombings. Team members also focused on searching for secondary devices, mirroring the actions of the Guardsmen from the 1060<sup>th</sup> Transportation Company.<sup>34</sup> "We really didn't know at that point what had happened necessarily. We didn't know who did it, and we didn't know what might come next," Woolums said. "[So] you started thinking about everything from more IEDs to snipers on the rooftop – because that's how we think and that's how we train." Accordingly, CST members removed the plywood from the grandstand bleachers, so that they could crawl in the tight, dark space below and search for additional devices. They were well aware of the risk

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<sup>31</sup> MEMA, "After Action Report."

<sup>32</sup> Interview with Lt. Col. Matthew Woolums, Massachusetts National Guard, December 18, 2014. Unless noted, subsequent quotations by and attributions to Woolums are from this interview.

<sup>33</sup> MEMA, "After Action Report"; personal communication with Lt. Gen. Scott Rice, former Adjutant General, Massachusetts National Guard, September 3, 2016; and Woolums interview.

<sup>34</sup> CST members considered helping with first aid, but quickly determined that the emergency medical response was well in hand. "There were so many vests that said 'physician' on the back, it was just unbelievable," Woolums observed of the many medical workers who converged on the scene of the attack and took immediate action following the bombings. "So there wasn't much in terms of casualty care that we needed to worry about."

they faced, but Woolums recalled, “We felt we needed to do it because there were first responders and victims lying on the street, still within harm’s way.”

### *Improvising and Forming Command*

As this initial phase of the response played out, the Guard’s senior leadership began connecting with one another, both in person and – with some more difficulty – remotely. Like the members of the 1060<sup>th</sup>, Col. George Harrington was not on duty but happened to be close to the site of the bombings. Harrington, who had recently become Commander of the 51<sup>st</sup> Troop Command after having led the 79<sup>th</sup> (Lt. Col. Merlino had succeeded him), had been at his day job, working out of an office located just steps away from the finish line, when he heard the explosions. He immediately picked up his phone and called Merlino, who was now at his command’s headquarters in Rehoboth, to report the blasts. Having served together in Afghanistan, the two men had a close rapport, and Merlino initially thought that Harrington was making some sort of joke, intentionally giving him a hard time during his first year leading Task Force Patriot. But as Harrington continued to insist that he was serious, Merlino caught a glimpse of images from the finish line on the television in front of him, which confirmed his friend’s report. Anticipating that the Guard would be drawn into whatever response was about to unfold, the two quickly improvised a plan: Harrington would go to the site of the bombings and provide assessments and support to Merlino, as Merlino made his way from Rehoboth to Boston.<sup>35</sup>

Meanwhile, General Rice had just finished lunch with his wife, executive officer, and the two soldiers with whom they had spent the day. They were in his car, not far from Copley Square, when the bombs exploded. Following the blasts, they made their way through the crowds to the site of the attack. The soldiers stayed behind at the medical tents to help tend to the wounded, while Rice and Major Pillai found Woolums. Harrington, who by then had rushed out of his office to get a better sense of what was happening, joined the three men as they regrouped momentarily at the CST’s command post.<sup>36</sup>

Although relieved to have so quickly linked up with two of his officers on scene, General Rice struggled to connect with other Guard leaders located outside of Boston. Making and receiving calls by cellphone in the Copley Square area had become extremely difficult. Fortunately, he was able to reach several key people, including General Frank Grass, Chief of the National Guard Bureau, whom he apprised of the situation, and Merlino, who was now preparing to depart Rehoboth for Boston. Unsure of when he’d have regular phone access, the adjutant general instructed Merlino to keep in touch with the Guard’s Joint Force Headquarters, located at Hanscom Air Force Base in Bedford, MA (a suburb of Boston), to coordinate operations going forward.<sup>37</sup>

Around this time, Rice also came across Kurt Schwartz, the director of MEMA and Rice’s immediate supervisor. Along with senior leaders of the Boston Police Department, the Massachusetts State Police, and the MBTA’s transit

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<sup>35</sup> Harrington and Merlino interviews.

<sup>36</sup> Personal communication with Lt. Gen. Scott Rice, former Adjutant General, Massachusetts National Guard, September 3, 2016; and Harrington and Woolums interviews. Because he was in his business clothes, Harrington initially had some difficulty getting to the scene of the blasts, as police had begun clearing all civilians out of the area – but Woolums was soon able to solve this problem by providing Harrison with an access badge.

<sup>37</sup> Merlino, Rice, and Woolums interviews.

police, Schwartz had formed an ad hoc unified command on Boylston Street immediately after the bombings.<sup>38</sup> And within 40 minutes of the attack, he had secured space for the group at the Copley Square Westin Hotel, a convenient location that was close enough to the bombings but sufficiently removed from the commotion on the ground. Accompanied by Harrington, Woolums, and several members of the CST, Rice then relocated to the Westin to join what was still a nascent unified command – but one that was about to expand considerably to encompass a host of senior political and operational leaders, who would provide strategic oversight of the response over the next several days.<sup>39</sup>

Many of the core members of the unified command were quickly joined at the Westin by their deputies and additional staff. According to a number of people there, this made for a highly chaotic atmosphere in the first few hours following its establishment. (Adding tension and confusion were several additional explosions caused by EOD teams detonating suspicious packages left in the area.) As Woolums put it, “It was a nightmare. It was a mess. ... At one point they tried to get us squared away, [with announcements of] ‘if you don’t need to be here, get out.’ ... And it kind of cleared up, [but] next thing you know, it kind of filled up again. ... [It] ended up working out, but I wouldn’t say it was very organized.” General Rice agreed with this assessment – to an extent. He also emphasized that the Guard and other agencies at the unified command managed to work around the challenges. For instance, the senior leaders who formed the core of the unified command were eventually given their own space in the Westin, separate from the large ballroom where their subordinates remained. There, the executives could discuss strategy in a more private setting, with significantly fewer distractions. They then would periodically visit with their staffs, updating them on developments and relaying assignments.<sup>40</sup>

The first issue General Rice tackled after joining unified command was obtaining authority from MEMA Director Schwartz for mobilizing additional forces. Schwartz quickly authorized Rice to activate up to 2,000 Guardsmen. This turned out to be more than Rice needed, but knowing he could call in that many men and women gave him the flexibility to accommodate the various requests for support that his counterparts in the unified command soon began making. This included a request from the Boston Police Department (BPD) for the Guard to secure an approximately 15-block area around the finish line, which was now a crime scene associated with a suspected act of terrorism. Rice agreed to provide about 200 Guardsmen to carry out the task, which freed the FBI and BPD to focus on other elements of the ballooning investigation, and – in the case of the police – to carry out their routine duties in other parts of the city.<sup>41,42</sup>

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<sup>38</sup> MEMA, “After Action Report.”

<sup>39</sup> Among others, they included the Governor of Massachusetts, Deval Patrick; the Mayor of Boston, Tom Menino; the Secretary of the state’s Executive Office of Public Safety and Security, Andrea Cabral; MEMA Director Schwartz; the Commissioner of the Boston Police Department, Ed Davis; the Superintendent of the Massachusetts State Police, Timothy Alben; the chief of the MBTA transit police, Paul MacMillan; and the Special Agent in Charge of the FBI’s Boston office, Richard DesLauriers; along with Boston’s fire commissioner, chief of emergency medical services, and director of emergency management (MEMA, “After Action Report”).

<sup>40</sup> Harrington, Rice, and Woolums interviews.

<sup>41</sup> Harrington, Rice, and Spellacy interviews; and interview with Major Eric DiNoto, Massachusetts National Guard, December 19, 2014.

<sup>42</sup> Over the course of the next several days, groups of 3-5 Guardsmen manned each intersection in 12-hour shifts. They were eventually relieved by Boston Police (Harrington interview).

Members of Unified Command also debated whether to shut down Boston's public transit system (the "T"). On one hand, authorities worried that it represented an easy target for the Marathon bombers. But they ultimately determined that they needed to keep subway lines and bus routes open, so that Boston area residents and the throngs of tourists in town for the race could return to their homes and hotels. Still, security on the T was a real concern, and members of unified command began considering how to implement a system for searching passengers' bags and belongings. The T's transit police force was far too small to manage this process on its own, so Rice and the head of the transit police worked out an agreement in which Guardsmen would augment police in conducting random searches (as opposed to every single bag, which would have been far too time consuming and required a large amount of personnel). Another 250 Guardsmen were assigned to this task.<sup>43</sup>

Soon after joining Unified Command, Rice also learned that the state police had decided to set up a command post on Boston Common. Realizing that this would be a good location to stage Guard resources, Rice asked Col. Harrington to work with Joint Force Headquarters to spread the word that Guardsmen should report there. He also instructed Harrington to relocate to the Common himself to begin organizing the Guard's operation. The CST, however, remained at the Westin, where it provided key support to General Rice and other members of unified command. With communications challenges still plaguing the Copley Square area, Rice and others continued to have a hard time keeping in contact with their respective agency's headquarters. Fortunately, the CST was able to help overcome this hurdle by placing a vehicle with wireless capabilities directly outside the Westin and then running cables into the hotel. This enabled Rice to stay in touch with Joint Force Headquarters back at Hanscom and went a long way in facilitating better coordination across the Guard's senior leadership.

Several other Guardsmen played important roles at the Westin as well. Among them was Major Eric DiNoto, who arrived there in the late afternoon. He had been enjoying the Patriots Day holiday with his family, but following the bombings he received orders from Hanscom instructing him – as the Guard's alternate liaison officer to MEMA (Martin Spellacy's back-up) – to report to the unified command center at the Westin. Most of the decision making for the unfolding response was taking place there, and with Spellacy at the MEMA bunker in Framingham, the Guard needed DiNoto in Boston.

Upon arriving at the Westin, DiNoto came across what he described as a scene of "controlled chaos" – a mass of officials, clustered together by agency. "No one really [was] interacting with one another," DiNoto recalled.<sup>44</sup> Thus, after checking in with the CST, DiNoto made a point to circulate around the room, introducing himself to other agency representatives, distributing his business cards, and explaining that he could help facilitate requests for Guard resources. Among the first to take him up on the offer were representatives of the Boston Police Department (BPD), who wanted to follow up on the agreement made in the unified command to deploy Guardsmen to the crime scene. DiNoto, in turn, began explaining the next steps in formalizing the arrangement. "[First, local authorities] send up a request, and the request goes to MEMA. We have an LNO [liaison officer] at MEMA – they vet it, and then it goes to the National Guard," he told the BPD representatives, assuring them that he would walk them through the process and help write the official request. But when DiNoto advised his

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<sup>43</sup> MEMA, "After Action Report;" and Rice interview.

<sup>44</sup> Interview with Major Eric DiNoto, Massachusetts National Guard, December 19, 2014. Unless noted, subsequent quotations by and attributions to DiNoto are from this interview.

superiors back at Hanscom that he was working on putting together a formal request, he was instructed to forgo the typical process of routing missions through MEMA. “You are ICS qualified, you know what’s feasible, what’s legal, what’s attainable, and what can be done at your level,” DiNoto recalled being told.<sup>45</sup> Having received this guidance, he subsequently proceeded to work directly with the BPD on finalizing the number of Guardsmen that would be assigned to the task, determining how they would coordinate with their police counterparts, and deciding where they would be positioned around the crime scene.<sup>46</sup>

### *Taking Action in Framingham*

Meanwhile, at the MEMA bunker in Framingham, MACC liaisons first received word of an incident at the finish line through the state police radio channel. Learning that there had been not one, but two blasts, Spellacy and his counterparts at the bunker fully realized that this was no mere accident. “Two explosions confirmed conspiracy,” he said. “It [was] an attack.” His mind immediately turned to thinking about the whereabouts and safety of National Guard assets and personnel deployed around the Copley Square area, such as the CST. Frustratingly, Spellacy was unable to reach anyone in Boston by phone. He was, however, able to connect with General Rice’s Army Chief of Staff, Colonel Charles Cody, who was back at the Guard’s Joint Force Headquarters at Hanscom. With an incomplete picture of what had taken place – but with rapidly increasing awareness that it was extremely serious – the two discussed steps the Guard could take in the near term, so that it was prepared to respond to requests for assistance once they started coming in. Anticipating that the needs would be great, they made preparations to push large amounts of resources and supplies into Boston. Among other things, they decided to stage the Guard’s fleet of Blackhawk helicopters out of Hanscom. They also alerted the Guard’s medevac unit, based out of Westfield, MA, that it might be called on to surge medical assets into the city. (It soon became apparent, however, that this would not be necessary, given the speed and effectiveness of the emergency medical response at the finish line and at the nearby hospitals.)

Spellacy and Cody then began considering how the Guard could aid the possible evacuation of parts of Boston and the securing of critical infrastructure (e.g., power plants and transportation routes), which they and other public safety officials worried the bombers might target next. In fact, reports began surfacing less than an hour after the Marathon bombings of a major fire at the John F. Kennedy Presidential Library and Museum, a prominent tourist attraction on Boston’s waterfront. With television stations now broadcasting ominous images of clouds of thick, dark smoke billowing around the library it seemed quite plausible that it, too, had been struck by terrorists. If so, were there more casualties there? Would other tourist destinations and high profile venues be targeted next?

As concern mounted over the scale of the attack, Spellacy was eager for the Guard to bring its resources to bear on the response. But he also recognized that the full scale and scope of the Guard’s involvement was

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<sup>45</sup> This guidance, Martin Spellacy explained, stemmed in part from the fact that Boston, the state’s largest city, had a robust emergency management system of its own and often operated independently of MEMA when responding to domestic incidents. The decision to directly support Boston, as opposed to following the normal process of routing mission assignments through MEMA, reflected this dynamic – and, Spellacy added, ultimately helped streamline requests during the response to the bombings (personal communication with Lt. Col. Martin Spellacy, Massachusetts National Guard, August 25, 2016).

<sup>46</sup> Personal communication with Major Eric DiNoto, Massachusetts National Guard, August 23, 2016.

contingent on what its local and state partners wanted. “We don’t own an incident site, we support the local [authorities],” Spellacy explained. “So we’re going to be driven by their guidance and their directives.” And indeed, this guidance was beginning to emerge out of unified command at the Westin, where civilian authorities had begun making requests for Guard support to General Rice and Major DiNoto. Plans for implementing them would crystalize as the day wore on.

### *Establishing a Joint Task Force*

As he pulled into his driveway back in central Massachusetts, Assistant Adjutant General Smith received a call from Lt. Col. Merlino, who informed him of the bombings. After finishing his call with Merlino, Smith managed to briefly connect with General Rice via cell phone. As Assistant Adjutant General, Smith was the designated Joint Task Force Commander for the Guard’s domestic emergency response operations, and the two agreed that Smith would proceed with activating and overseeing the Joint Task Force (JTF) at Hanscom.<sup>47</sup> In this role, Smith would focus on bridging the strategic and tactical elements of the response, freeing Rice to focus exclusively on the strategic.

Smith and Rice were unable to discuss much else, however, as their connection suddenly went dead.<sup>48</sup> Unable to immediately reconnect with the adjutant general, Smith then reached Colonel Cody, whom he notified of the decision to stand up the JTF. They then began talking through who and what they needed for the JTF, which would operate out of the Guard’s joint operations center (JOC). With the JOC usually manned by just one person at a time, the JTF would require considerably more staff, including operations, logistics, and personnel officers; lawyers (JAGs); and chaplains.<sup>49</sup>

As Colonel Cody began assembling the JTF staff, Smith proceeded to make his way to Hanscom. By the time he arrived, there were about 25 people in the JOC. None had ever experienced a terrorist attack on their home state’s soil, but Smith had no reason to believe they weren’t up to the challenge. This was a well-practiced group, he noted, having worked together on responses to a series of in-state weather emergencies over the past several years. Although the threat they now encountered was new to them, the general protocols and modes of operation were consistent across emergencies, and Smith believed the accumulated experience gave those assembled in the JOC much-needed confidence in the face of the bombings. “[The] battle drills, patterns of behavior, roles and responsibilities that have been practiced kick in – [even] in a novel situation,” Smith recalled. “They understood in those first initial minutes that this is something they had done before – [just] with a much higher level of lethality.”

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<sup>47</sup> Because of the routine nature of the Marathon, the Guard had not activated a Joint Task Force in advance of the event, leaving operational oversight to Taskforce Patriot, commanded by Merlino. As General Smith explained, “This is such a routine mission, involving only about 400 soldiers.” A JTF for this type of mission, he added, was “just overkill.”

<sup>48</sup> Smith noted that an important lesson learned from this experience was that cell phones are not a reliable means of communication during a crisis – and, accordingly, that the Guard and other response-oriented organizations should have redundant communications systems in place to ensure continuous and effective communication (personal communication with Brigadier General Paul Smith, Massachusetts National Guard [ret.], August 16, 2016).

<sup>49</sup> Chaplains from the Massachusetts National Guard would provide spiritual support and counselling to Guardsmen and their law enforcement and civilian partners (Jon Soucy, “National Guard Chaplains Provide Spiritual Support to Boston Marathon Terror Responders,” April 24, 2013, available at <http://www.nationalguard.mil/News/Article/574414/national-guard-chaplains-provide-spiritual-support-to-boston-marathon-terror-re/> [accessed June 1, 2016]).

Initially, Smith planned to assemble troops at Camp Curtis Guild in Reading, MA, and the Lexington Armory (both located in close proximity to Interstate 95, which looped around Greater Boston). This strategy, he explained, adhered to military battle practices, in which commanders first organize and resource forces at assembly points outside the combat zone.

Smith also planned to distribute weapons and ammunition to Guardsmen in an effort to protect them from possible follow-on attacks. But he soon learned of the decision to stage the Guard's resources on Boston Common and that as of yet, there was no authorization from civilian authorities to deputize Guard members – and likely wouldn't be for the time being. Smith felt uneasy about the men and women under his command remaining unarmed in the aftermath of the bombings, marshalling just blocks from where the bombings had occurred. As he put it: "I am now saying to [the soldiers and airmen], 'Go on the streets. We have terrorist activity in the city of Boston. We have no idea how large this is, but you're not going to be armed. Good luck.'" But he understood that deputizing the Guard was not an automatic process in Massachusetts (it required obtaining approval from the Governor through the state's Executive Office of Public Safety and Security, which oversaw the Guard). Moreover, he realized, he had a duty to ensure the Guard was ready to support local and state authorities' needs, no matter his personal reservations. "I knew," he said, "that if I dug in my heels it would screw up the mission badly." He thus turned his attention to leading those assembled at the JTF to begin working through the logistical and operational details of the response now emerging in Boston.<sup>50</sup>

#### *Boston Common*

With word spreading of the decision to marshal on Boston Common, groups of Guardsmen on state active duty reported there throughout the remainder of the afternoon. As he waited for Merlino's team to arrive from Rehoboth and assume command, Harrington managed an ad hoc system of accounting for the incoming troops and assigning them to various tasks as requests came in from partner agencies and unified command at the Westin.

At the request of the Boston Police, which was also staging resources on the Common, Harrington sent a small team of Guardsmen to help bolster security at the JFK Library. (It was eventually determined that the fire there was accidental and not another terrorist attack.) A separate team went to Faneuil Hall Marketplace, a major tourist destination in downtown Boston, to perform a similar function.<sup>51</sup> Meanwhile, back at the Westin, General Rice had by now committed the Guard to manning the 15 block cordon around the site of the attack, and Harrington proceeded to assign Guardsmen to that task as well.<sup>52</sup>

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<sup>50</sup> After tasking the JTF staff, Smith traveled to the Westin in downtown Boston so that he could interface in person with General Rice. Once they connected, the two reviewed the number of troops they would need to mobilize as well as the Guard's primary missions in support of the response (e.g., guarding the crime scene, providing security on the MBTA, and supporting the FBI investigation). Smith also revisited the issue of arming the Guard, but again was told that this was not possible at the time. He reluctantly accepted the decision, but remained highly concerned about his troops being vulnerable to additional attacks (personal communication with Brigadier General Paul Smith, Massachusetts National Guard [ret.], August 16, 2016).

<sup>51</sup> Kerri Cole, "Massachusetts Air National Guardsmen Respond to Marathon Bombing," *Massachusetts Minuteman: The Nation's First*, Spring 2013.

<sup>52</sup> Harrington, Merlino, and Spellacy interviews.

Because of continued problems with cellphone communication, Harrington primarily communicated with the Westin and the JTF back at Hanscom via text messaging.<sup>53</sup> But in these first few hours following that attack, he directly coordinated with other partner agencies at the Common. Like Major DiNoto, the Guard's liaison officer at the Westin, Harrington was accustomed to a process of routing requests for support from civilian authorities through MEMA and then through Joint Force Headquarters at Hanscom. Explaining the dynamic on the Common, he said:

This was an entirely new paradigm. ... They [i.e., partner agencies, such as the BPD] were coming and asking for us to do things without having the request go all the way up to [MEMA], get approved, and come all the way down.<sup>54</sup>

Harrington did not take the decision to circumvent established procedures lightly. With a deep understanding of how the mission assignment process usually worked, he weighed the advantages and disadvantages of taking a new approach. Above all, he determined, time was of the essence. "The decision cycle was very, very fast," he explained. "You couldn't slow it down." Harrington realized that given these circumstances, trying to follow normal procedures was simply unrealistic. "So," he said, "we made it work on the ground."<sup>55</sup>

After about four hours, Harrington was relieved by Lt. Col. Allen Aldenberg, Commander of the 211<sup>th</sup> MP Battalion, who stood in for Lt. Col. Merlino until Merlino was able to arrive and take command early Monday evening. Along with other leaders of the Guard, Merlino and his team then began working on a plan to cycle in replacements and to provide logistical support for the operation on the Common. Among other things, they developed plans for having soldiers and airmen work 12-hour shifts – and made arrangements for delivering and distributing Meals Ready-to-Eat (MREs) to feed them. (Guard members who had started the day on state active duty had been supplied with some food and water – but only for what was anticipated to be an assignment lasting less than a day.)<sup>56</sup> The Guard also brought in busses to help transport troops to their various deployments around the city and to help keep them warm overnight.<sup>57</sup>

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<sup>53</sup> Once the CST was no longer needed at the Unified Commander Center at the Westin, Lt. Col. Woolums relocated the vehicle he had parked outside of the hotel to the Common in order to support communications there until a more formal communications operation – the Guard's Joint Incident Site Communications Capability (JISCC) – could arrive (Woolums interview). A JISCC is a "stand-alone" system that provides computers, web access, and telephone access through its own satellite and helps facilitate interagency communications. (Cole, "Massachusetts Air National Guardsmen Respond to Marathon Bombing;" Massachusetts National Guard, "Valor Amid Terror;" and "Marathon Terror: Massachusetts National Guard Supports Boston Police," April 16, 2013.)

<sup>54</sup> Interview with Col. George Harrington, Massachusetts National Guard, December 18, 2014. Unless noted, subsequent quotations by and attributions to Harrington are from this interview.

<sup>55</sup> Harrington made a point to consult with senior Guard leaders, including the TAG and officials at the JTF, all of whom supported his decision to take direct action. "All of the indications that I was given," he recalled, "was we need to do what's right first, then we'll worry about process."

<sup>56</sup> Martin Spellacy recalled the Guard's Joint Force Headquarters requesting his help in procuring water for the troops assembled on the Common. When Spellacy raised the issue with his counterparts at the state's MACC in Framingham, the Red Cross representative immediately offered a tractor trailer truck loaded with pallets of bottled water. To arrange the delivery, they then worked with the Massachusetts State Police, who escorted the truck into the city, and the Boston Police, who helped coordinate the parking of the truck on the Common. "Because the different agency [liaisons] assigned to MEMA are empowered to make decisions," Spellacy said, "we were able to get the water to our troops in a timely manner" (personal communication with Lt. Col. Martin Spellacy, Massachusetts National Guard, August 25, 2016).

<sup>57</sup> Merlino interview.

By then, the Guard's leadership had also decided to transfer command of the Guard's response from the 79<sup>th</sup> to the 26<sup>th</sup> Maneuver Enhancement Brigade, one of the state's largest units, which provided command and control for the Homeland Response Force that covered FEMA Region 1 (New England).<sup>58</sup> According to Col. Frank Magurn, who commanded the 26<sup>th</sup>, it had made sense to designate the 79<sup>th</sup> as the lead unit for the Marathon from an "economy of force" perspective, given that each year the Guard only mobilized to a moderate extent for the Marathon; but it simply wasn't designed for a multi-day operation.<sup>59</sup> Lt. Col. Merlino agreed, noting he had a small command staff and that it was "going to be a tough fight if [we needed] to keep on going, because most of us were running on no sleep." The much larger 26<sup>th</sup>, which as the HRF had trained for responding to major disruptive events, was much better suited to undertaking a long-term response operation.

### **The Week Wears On: Tuesday, April 16 – Wednesday, April 17**

On Tuesday, April 16, command of the Guard's Marathon response operation formally transferred to the 26<sup>th</sup> Maneuver Enhancement Brigade.<sup>60</sup> Because most of the Guard's missions in support of the response had already been determined, Col. Magurn described his role over the next few days in this way: "In many ways, I was a resource manager and not a commander. I wasn't making any tactical decisions or operational decisions." Instead, his main responsibility was to work out which units, and how many soldiers and airmen from each, to assign to the Guard's primary response activities – and to adapt plans as the operations began to contract over the course of the week. To maximize his situational awareness, Magurn drew from a communication network that included liaison officers the Guard had assigned to the BPD and the transit police,<sup>61</sup> as well official channels through MEMA and the JTF at Hanscom.

#### *Patrolling Public Transit*

Also on Tuesday, the Guard began partnering with MBTA transit police to provide additional security and conduct bag checks on Boston's subway system. Despite the extra hassle, both Guardsmen and members of the public reported that the effort was generally well received. Spc. Matthew Martin of the 182<sup>nd</sup> Infantry observed,

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<sup>58</sup> Each of the 10 FEMA regions in the U.S. has a "Homeland Response Force" (HRF), which consists of trained National Guard personnel and specialized equipment for command and control functions; casualty assistance; search and extraction; decontamination; medical triage; and fatality search and recovery in the event of CBRNE incident within that region. In FEMA Region 1, the HRF is shared between Connecticut, Massachusetts, and Vermont (U.S. Government Accountability Office, "Defense Civil Support: DOD Has Made Progress Incorporating the Homeland Response Force into the Chemical, Biological, Radiological, and Nuclear Response Enterprise," June 2016, available at [http://www.gao.gov/products/GAO-16-599?utm\\_medium=email&utm\\_source=govdelivery](http://www.gao.gov/products/GAO-16-599?utm_medium=email&utm_source=govdelivery) [accessed June 29, 2016]; and U.S. National Guard Bureau, "Homeland Response Force [HRF]," September 2014).

<sup>59</sup> Interview with Col. Frank Magurn, Massachusetts National Guard, December 18, 2014. Unless noted, subsequent quotations by and attributions to Magurn are from this interview.

<sup>60</sup> In fact, the 26<sup>th</sup> had begun its involvement in the response soon after the bombs went off. Magurn had been in Boston, having just left the Red Sox game at Fenway Park, at the time of the explosions. He immediately called his brigade's headquarters at the Reading, MA armory and asked his deputy to look into the matter. Within minutes she called him back, confirming an incident at the finish line, adding that it did not look good. He then instructed her to convene the brigade's leadership and begin preparing equipment, supplies, and personnel to deploy if needed. "We just figured we would be on deck [just in case]," Magurn recalled. "And it proved to be true."

<sup>61</sup> At around 4 or 5 a.m. on Tuesday, Major DiNoto relocated from the Westin to BPD headquarters. From there, he continued to serve as the Guard's liaison in Boston, before being relieved of his duties Tuesday afternoon. While at BPD headquarters, he helped finalize arrangements for the Guard's involvement in bolstering security on the T.

“People were willing to have their bags checked, and some even offered without being asked after seeing the person checked before them.” A Marathon participant from Houston, TX, David Comstock, said of the Guard’s searches, “It brings a sense of safety.” Abby Myette of Boston added, “It’s a scary time for all [of] us. It’s great to have [the Guard] out here.”<sup>62</sup>

All the same, Guard leaders felt that the operation had its limitations. The soldiers assigned to the task – members of the 182<sup>nd</sup> infantry – were not armed, nor did they wear body armor. “As a citizen of Boston, a resident of Boston, I understand the hesitance to put soldiers out in what looks like ... war gear,” Harrington acknowledged. But, he continued, with it still unclear who the Marathon bombers were or whether they were part of a larger network with intent to inflict more damage, deploying unarmed Guardsmen on the T exposed them to serious risk. “What happens when you find somebody [on the T] that has something they shouldn’t?” Harrington asked. “You know they generally don’t react civilly.” To address this issue, the soldiers were paired with armed transit police officers. All the same, Harrington argued, “It still isn’t, in my mind, the ultimate, right solution.” Lt. Col. Merlino concurred, saying the hesitation to arm the Guard in Massachusetts was perplexing, given that “we had been overseas, walking around armed all the time. ... We’re able to show discipline and control with our weapons.”

In fact, the MBTA’s transit police were none-too-thrilled with the arrangement, either. Frank Magurn recalled one leader of that agency saying to him, “You guys aren’t armed .... That’s kind of a pain in my neck, because when I send people to the T station, you send me six guys for each one of these stations – but now we have to have an extra officer with a sidearm with them because you don’t have the ability to protect yourself.”

All the same, there were also some positives in pairing the Guard with the transit police. As Martin Spellacy recalled, transit police leaders were especially impressed by the way the Guard employed a “two-man rule,” in which one person inspected a bag while the other kept a close eye on the bag’s owner. Interested in training their own officers on the technique— which the Guard had learned through its recent deployments overseas – transit police commanders later asked Guard leaders to formally write up and share the process with them.<sup>63</sup>

### **A Dramatic End: Thursday, April 18 – Friday, April 19**

Over the next several days, the Guard continued to man the cordon around the site of the bombings and to conduct bag checks on the T, while the FBI and other agencies involved in the response focused on identifying and tracking down the bombers. Then, on Thursday, April 18, a high-profile memorial service featuring President and Mrs. Obama and other dignitaries, took place in Boston’s Catholic Cathedral. The event served as an important moment of commemoration and reflection for the community and the nation – but also added to the burden of public safety agencies tasked with providing security for the high profile event amidst the lingering threat posed by the bombers still on the loose. However, the Guard -- in part because it was still not armed – was not asked to play a large role for the event. Instead, its leaders were now focused on scaling back its operations. In fact, from the Guard’s standpoint, already by Wednesday things had quieted down substantially, when the cordon around Copley Square had been reduced to about just five blocks. “So I’m really pushing to release a lot of forces Thursday,”

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<sup>62</sup> Quoted in Michael V. Broughey, “Soldiers Deploy to MBTA Subway Stations Following the Boston Marathon Bombing,” *Massachusetts Minuteman: The Nation’s First*, Spring 2013.

<sup>63</sup> Personal communication with Lt. Col. Martin Spellacy, Massachusetts National Guard, August 25, 2016.

General Rice remembered, “[and] my hope is that everyone is gone by Friday.”<sup>64</sup> According to Rice, the Guard’s presence dropped from a high of about 1,500 personnel assigned to the various elements of its Marathon response on Tuesday to about 900 on Thursday.

But as the Guard was reducing its footprint, events on Thursday evening led to another round of intense action for the Guard and its partners in the response. During a 5:20 p.m. press conference, the FBI released images of the suspected bombers, later identified as Dzhokhar and Tamerlan Tsarnaev, to the public. This was followed by a dramatic series of events over the course of the next 24 hours. That evening, the Tsarnaev brothers ambushed and killed Massachusetts Institute of Technology (MIT) policeman Sean Collier, as he sat in his patrol car on the MIT campus in Cambridge, MA. News of Collier’s murder circulated widely among the law enforcement community, and a large number of police rapidly converged on MIT. Meanwhile, the Tsarnaevs drove across the Charles River and into the Allston neighborhood of Boston, where they took hostage a man parked on the side of the road. After commandeering his Mercedes SUV, they proceeded to drive, with the car’s owner captive, through the nearby towns of Watertown and Waltham. They then returned to Cambridge, where they stopped at a gas station on Memorial Drive, a busy roadway that ran parallel to the Charles River. While there, the hostage jumped out of the car and escaped to another gas station, located across the street from where they had stopped. From there, he connected with law enforcement, as the Tsarnaevs made their escape and headed back toward Watertown.<sup>65</sup>

Based on information provided by the Tsarnaev’s former hostage and by tracking the GPS system on his Mercedes, authorities were able to trace the movement of the car, which Watertown police soon encountered in a quiet but densely populated residential neighborhood. The brothers then began shooting at the policemen, who were quickly joined by scores of other law enforcement officers who flocked to the scene. In the intense firefight that ensued, Tamerlan was brought to the ground and was about to be apprehended when Dzhokhar suddenly floored the Mercedes, forcing policemen to scatter as he ran over his brother and disappeared into the darkness. Tamerlan was loaded into an ambulance, but after arriving at a nearby hospital, he was pronounced dead. Now, all attention turned toward finding and apprehending Dzhokhar.

As events developed on the streets of Watertown, the Guard was drawn back into the response. For one thing, Lt. Col. Woolums of the Guard’s Civil Support Team received a late night call from the FBI, asking for his help. Worried about what types of materials the Tsarnaevs (and possible co-conspirators) might have at their disposal, the FBI asked him to put the CST on standby.<sup>66</sup> In response, Woolums convened a core group of CST leaders to monitor radio communications in case they were needed at some point on Friday. Separately, senior law enforcement authorities now on the scene in Watertown also wanted to use the Guard’s heavily armored

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<sup>64</sup> Interview with Major General Scott Rice, Massachusetts National Guard, November 12, 2013. Unless noted, subsequent quotations by and attributions to Rice are from this interview.

<sup>65</sup> For summaries of these and other events on Thursday evening and Friday, see: MEMA, “After Action Report;” and Herman B. “Dutch” Leonard, Christine M. Cole, Arnold M. Howitt, and Philip B. Heymann, *Why Was Boston Strong? Lessons from the Boston Marathon Bombing* (Cambridge, MA: Program on Crisis Leadership, Harvard Kennedy School, 2014).

<sup>66</sup> Woolums interview.

Humvees to cordon off the neighborhood and help support a door-to-door search in the area of the shootout. The police planned to use the Humvees for cover, in case they were attacked by Dzhokhar or accomplices.<sup>67</sup>

Asleep in his own bed for the first time since Sunday night, General Rice was awoken by several rounds of phone calls informing him of what was taking place in Watertown – and of the request for the Guard’s Humvees. Rice, in turn, instructed the JOC to make arrangements to provide the vehicles, but at the same time, he – along with much of the rest of his leadership team – was deeply concerned about deploying Guard personnel to the volatile frontlines of the response without adequate protection. He thus decided that he would aggressively press for permission to arm those he would commit to Friday’s operations. As he began the two-hour drive from his home to Watertown, he connected with his superior, MEMA director Kurt Schwartz, by phone, and made his case for arming the Guard. While clarifying that he wasn’t interested in having his men and women perform law enforcement duties, Rice stressed that he needed to ensure that they were adequately protected as they engaged in potentially life threatening activities. Schwartz replied that if Rice could deploy military policeman (MPs), they could be armed.<sup>68</sup>

Following his conversation with Schwartz, Rice issued orders for 200 MPs and Security Forces (Air Guard MPs) to report to Watertown. Rice also instructed lawyers based at Hanscom to write up rules for the use of force to cover the operation.<sup>69</sup> Because the Guard already had prepared rules for such an occasion, Hanscom was able to quickly deliver them to Rice, who reviewed and approved them while still on the road. As a result, by the time the adjutant general arrived in Watertown at around 7 a.m., everything was in place, and the MPs were being issued their weapons, ammunition, and body armor, which the Guard had airlifted by helicopter from armories.<sup>70</sup>

Upon his arrival, Rice joined a reconstituted unified command that included many of the same players who had been at the Westin earlier in the week, as well as representatives from Watertown. This group, which worked out of a State Police vehicle in the parking lot of the Arsenal Mall, was now overseeing a rapidly expanding response operation that featured several unusual aspects, most notably including what was commonly referred to as the “lock down” of a significant part of Greater Boston. Earlier that morning, as this group was still forming, Governor Patrick and others had decided via conference call to shut down the region’s mass transit system and to issue what was, in actuality, a shelter-in-place request for residents of Watertown and several surrounding towns, eventually including all of Boston. This decision, which was intended to help with the search for Dzhokhar and keep area residents safe while he was still on the loose, was announced to the public at 5:45 a.m.<sup>71</sup> Meanwhile, thousands of law enforcement officers and other public safety officials – including some from out of state – poured into Watertown throughout the morning, eager to have a role in the response. “It was incredible,” General Rice

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<sup>67</sup> Rice interview.

<sup>68</sup> Ibid.

<sup>69</sup> “The key thing is rule of engagement,” Lt. Col. Merlino said in regard to the rare occasions when the state allowed the Guard to deploy while armed. “You’re supposed to use the least lethal means [and then] there’s an escalation of force. ... [For this escalation of force], there’s a bunch of procedures that have to be agreed upon legally. It has to be a legal document, which is reviewed at the Governor’s office as well as with our JAGs. If something does happen, and someone does get killed and goes to court, [it] goes back to what’s the authority for that soldier to actually use force? Did they use the right force in this particular situation?”

<sup>70</sup> Rice and Spellacy interviews.

<sup>71</sup> MEMA, “After Action Report.”

observed. “The number of forces there and the number of people there was just overwhelming. ... We are talking thousands of police officers.” In addition to overseeing the manhunt for Dzhokhar, the unified command also had to deal with this huge show of force that threatened to overtake the operation.

For their part, the Guard’s MPs performed several different tasks on Friday, including operating the Humvees in support of the search process (although they did not participate directly in the house searches, which were conducted primarily by law enforcement) and guarding the perimeter of the search zone.<sup>72</sup> In addition, when authorities determined that Tsarnaev might have escaped Watertown and returned to his college, in southeastern Massachusetts, General Rice offered the Guard’s Blackhawk helicopters to transport the state police’s special weapons units there. The offer was quickly accepted, and 3 Blackhawks soon took off from Hanscom, headed to Watertown to pick up the SWAT team.<sup>73</sup>

Rice delegated to Lt. Col. Martin Spellacy the task of arranging the Blackhawks’ arrival in Watertown – by no means an easy job, given how densely packed the area was and that the Blackhawks were set to arrive any minute. Spellacy moved quickly to find space big enough to land the helicopters, and after the state police towed a few cars from one corner of a parking lot, he felt he had secured just enough room. He then picked up some brightly colored safety vests, waving them at the Blackhawks circling above to guide them to the landing spot. Spellacy’s improvisation paid off, as the Blackhawks successfully landed and then quickly took to the air again with the state police’s SWAT team onboard. But soon thereafter, local and state fire officials made a point to remind Spellacy that he should have first consulted with them before bringing in the Blackhawks. They noted that the helicopters’ size and the fuel they carried posed a major fire risk in such a crowded area. If Spellacy had taken the time to advise them of his plans, the fire officials continued, they could have arranged for some fire trucks and firemen to be on site, which would have gone a long way in mitigating the risks.

Fortunately, the mission had gone smoothly and the fire officials recognized Spellacy’s good intentions. All the same, Spellacy recollected, the incident served as a wake-up call that even in the heat of the moment, when everyone was focused on apprehending Tsarnaev as quickly as possible, one must “never compromise on safety” and must always “follow your check list.” But, Spellacy also pointed out, this incident was due in part to not having a robust incident management structure in place in Watertown, through which the many different aspects of landing the Blackhawks would have likely been considered and talked through. (He noted that despite the formation of unified command, a comprehensive coordination structure didn’t exist at the more operational levels.)<sup>74</sup>

As it turned out, Tsarnaev was nowhere to be found on his college’s campus, nor had the house-by-house search in Watertown revealed any clues. Consequently, late Friday afternoon the members of unified command

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<sup>72</sup> The command post in Watertown organized the house-by-house search by dividing the area into a grid of five zones, in which teams from different agencies operated under their own command. Residents had to give their permission for their homes to be searched, but teams faced little resistance from homeowners throughout this hours-long process (Leonard et al, *Why Was Boston Strong?*).

<sup>73</sup> Rice and Spellacy interviews.

<sup>74</sup> General Smith emphasized, however, that in comparison to Boston earlier in the week, the command structure in Watertown was well defined and organized, which led to a greater unity of effort and speed of execution (personal communication with Brigadier General Paul Smith, Massachusetts National Guard [ret.], August 16, 2016).

decided to lift the shelter-in-place request they had issued that morning. With the search for Dzhokhar having concluded for the time being, the Guard began preparing to send its soldiers and airmen home.<sup>75</sup>

Soon thereafter, however, a Watertown resident reported having seen someone in a boat he had dry-docked in his backyard. In response, law enforcement quickly surrounded his property. Following a dramatic standoff that at one point included an intense – and unauthorized – round of gunfire from law enforcement (but not involving any Guard members), Dzhokhar eventually climbed out of the boat and surrendered to authorities. The Guard, along with the many other public safety entities that had played a part in the response, joined with area residents in breathing a massive sigh of relief that the surviving perpetrator of the Marathon bombings had been apprehended, bringing the weeklong drama to an end.

## Looking Forward

Many aspects of the response to the 2013 Marathon bombings were celebrated, including several involving the Guard – from the heroic rush to save lives at the finish line to securing the site of the bombings and bolstering security on the T. Moreover, Guard members found great meaning in their contributions to the response effort. Their own state had been attacked, their family, friends, and neighbors directly affected, and they were proud that they could help provide a sense of security in the difficult hours and days following the bombings. “Just know that we have your backs; this is our home,” Sgt. Steven Halloran, a military police soldier involved in the Guard’s Watertown mission, said to the public after Dzhokhar’s arrest. “We’re all family out here. ... And that’s why we’re here – to make sure [our neighbors and relatives] are secure.”<sup>76</sup> For his part, General Rice lauded the work of his men and women. “On the personal side of it, your heart and soul [go] out to all those people who were caught by this terrible circumstance,” he observed. “On the professional side, it’s great to see those Soldiers [and Airmen] who were in there and didn’t run from this blast but ran to [it] to see what they could do to help.”<sup>77</sup>

Yet the Guard’s leaders, along with their public safety partners in Massachusetts, also wondered if they had, in part, benefitted from some luck. What if the Tsarnaev brothers had been more sophisticated in their attack? For instance, what if they had detonated the bombs somewhere else along the Marathon route – somewhere that was almost just as crowded but that was equipped with far fewer resources than what had been staged at the finish line? What if they had attacked multiple locations, as was originally feared when reports of the fire at the JFK library first surfaced? Could the Guard have as nimbly supported local and state authorities in a much more complex incident, requiring a much more substantial amount of resources? These and other questions hung over the Guard as it moved on from the events of April 2013 and began preparing for its role in the next running of the Boston Marathon, which promised to be more high profile than ever before.

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<sup>75</sup> Magurn interview.

<sup>76</sup> Quoted in Alfred Tripolone, “MPs Use Training to Aid Local Authorities, Protect Citizens,” *Massachusetts Minuteman: The Nation’s First*, Spring 2013.

<sup>77</sup> Quoted in Broughney, “Soldiers Deploy to MBTA Subway Stations Following the Boston Marathon Bombing.”