



Written by [Bob Adelman](#) on April 24, 2024

House Committee Demands Details From ATF on Raid That Killed Bryan Malinowski

After learning that the early morning raid by more than two dozen armed and swatted agents from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) was conducted outside the ATF's and Department of Justice's rules, House Judiciary Committee Chairman Jim Jordan (R-Ohio) [sent a letter](#) to the agency on Monday demanding answers:

The circumstances surrounding the raid, the subsequent death of Mr. Malinowski, and recent related rulemaking by the ATF raises serious questions about the weaponization of the agency against Americans....

Mr. Malinowski exercised his Second Amendment rights and was a firearms enthusiast. Even if, as ATF has alleged, Mr. Malinowski violated federal law, it does not justify ATF's actions that ultimately led to the use of deadly force....

ATF has not explained why it resorted to a no knock entry of Mr. Malinowski's home when it could have peacefully executed the warrant while he was away from his residence.



Christopher Ebdon/Flickr

The letter asked about the ATF agents' "no-knock" protocol and about the agents not wearing body cams, and demanded that the ATF respond to its inquiry no later than Monday, May 6.

The [48-page search warrant](#) is heavily redacted, but reveals the ATF's case against Malinowski, including their surveillance of him for a long period of time before the raid. The agency tracked and followed him during the day, and placed a tracking device on his SUV in case they lost him.

ATF agents fooled Malinowski into thinking they were ordinary citizens perusing his table at various gun shows where he was offering for sale some of his private collection of firearms along with some of his collection of gold coins. When the agency felt they had enough evidence to show that Malinowski wasn't just an occasional seller of firearms but instead was making a business out of it, it moved to obtain the search warrant.

The warrant allowed the ATF to perform a search anytime between 6:00 a.m. and 10:00 p.m. on



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Tuesday, March 19. Ten ATF vehicles showed up at his place of residence at 6:03 a.m., while Malinowski and his wife were still sleeping.

Let Bud Cummins, the Malinowski family attorney, [explain what happened next](#):

Bryan's wife Maer only heard loud banging immediately followed by the crash of the front door being forced open....

Bryan Malinowski was asleep but rose to the sound of the door crashing and located a firearm. His wife believed the noise must have been intruders and she fully believes her husband thought the same.

He loaded a magazine into a pistol and emerged from the master bedroom into a hallway leading indirectly to the front entryway.

He reached a corner in the hall and looked around it to see several unidentifiable figures already several steps inside his home.

We do not know who shot first, but it appears that Bryan shot approximately three times at a decidedly low angle, probably at the feet of the intruders who were roughly 30 feet away.

Agents immediately returned fire and struck him at least once in the head, causing massive injury to his skull and brain.

Mrs. Malinowski, in thin night clothes, was roughly taken out of the house in 34-degree weather and placed in custody in the back seat of a police car, prohibited from going to a neighbor's home for clothes or to use the bathroom [for] as many as four or five hours.

The Malinowski family believes the already known facts amply demonstrate ATF's tactics on March 19 were reckless and incompetent, and completely unnecessary.

There is just too much coincidence about the timing of the raid to conclude that the ATF raid was "reckless and incompetent." It matched almost perfectly with the ATF's expansion of the definition of just who is now a gun "dealer" instead of just an ordinary gun "owner." Malinowski is Exhibit One as someone who might, under the ATF's new definition, qualify as a "dealer," and the raid was conducted to provide an example to other gun owners exercising their Second Amendment rights.

Investigative journalist Lee Williams, writing for *Ammoland*, [revealed](#) that the ATF knew where Malinowski lived, and that he had a highly paid position at the Clinton National Airport in Arkansas. So highly paid, in fact — \$250,000 a year — that he had little need for additional income. And he certainly wouldn't have knowingly jeopardized his position with some illegal gun sales at gun shows.

In addition, he was following Arkansas law regarding those sales. Private citizens selling to other private citizens in the state aren't required, under state law, to run a background check.

Malinowski had a video camera installed at his front door, but ATF agents covered it up as they began their raid. And without body cams the agents were free to terrorize Malinowski and his family without recording their behavior. A neighbor recorded the raid which revealed the ten — *ten!* — ATF vehicles that arrived on scene to assist in the raid.

[As Williams noted](#):

ATF had a host of less-lethal arrest options available, any one of which would have spared



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Malinowski's life.

They could have arrested him at the Clinton National Airport, where he served as executive director. They could have pulled him over on his way home and arrested him in his vehicle. They could have called Malinowski's attorney and told him to turn in his client.

If agents were dead set on confronting Malinowski at his home, a callout would have been much safer for all involved. Once the home was surrounded, agents could have contacted Malinowski on his cellphone — they knew the number since they had a warrant to search his phone — and ordered him to come out with his hands up. If he didn't answer his phone, a bullhorn would have sufficed....

ATF's raid planners chose the most dangerous option — the one tactic most likely to end in gunfire — that any seasoned tactical officer would utilize only as a final course of action, after all else had failed.

When Deputy Attorney General Lisa Monaco introduced the broadened language that allegedly snared Malinowski in the ATF's evil net, [she said](#): "Today's rule clarifying application of that definition will save lives...."

Ironically, the first life lost through the ATF's brutal example was that of an innocent man, a legal gun owner and law-abiding citizen of the United States who was targeted as an example by the rogue ATF.

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