

The Virgin Islands Consortium

Gretchen Shappert Most Likely Safe From Biden's Call on Trump-Appointed U.S. Attorneys to Resign

Politics / **Published On February 10, 2021 05:55 AM /**

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Gretchen Shappert By. U.S. DEPT. OF JUSTICE

The U.S. Attorney for the Virgin Islands, Gretchen Shappert, who has served since 2018, is most likely safe from President Joe Biden's request Tuesday that all but two U.S. attorneys appointed by President Trump resign, as she was court-appointed, [though chosen by Mr. Sessions](#). Previously, the Consortium reported that Ms. Shappert would have to leave as part of the request from the president.

The two attorneys who Mr. Biden has exempted are top prosecutors overseeing politically sensitive inquiries, among them Delaware U.S. attorney David Weiss, whose

office is conducting a criminal tax investigation into President Biden's son, Hunter, a senior Justice Department official said (via the [Wall Street Journal](#)).

According to WSJ, citing the senior Justice Department official, John Durham is the other attorney that is expected to remain as a special counsel overseeing a wide-ranging inquiry into the origins of the FBI's 2016 Russia investigation. He will, however, relinquish his position as Connecticut's U.S. attorney.

"We are committed to ensuring a seamless transition. Until U.S. Attorney nominees are confirmed, the interim and acting leaders in the U.S. Attorneys' Offices will make sure that the department continues to accomplish its critical law enforcement mission, vigorously defend the rule of law and pursue the fair and impartial administration of justice for all," said Acting U.S. Attorney General Wilkinson in a Tuesday release from the U.S. Dept. of Justice.

The release further stated, "Earlier this year, nearly all presidential appointees from the previous administration offered their resignations, though U.S. Attorneys and U.S. Marshals were asked to temporarily remain in place. Prior to the beginning of this U.S. Attorney transition process, approximately one-third of the U.S. Attorneys' Offices were already led by acting or interim leadership.

"President Biden will make announcements regarding his nominations to the Senate of new U.S. Attorneys as that information becomes available."

Last month Delegate to Congress Stacey Plaskett wrote President Joe Biden [requesting the removal](#) of Ms. Shappert. Ms. Plaskett, who currently serves as one of nine impeachment managers in the Trump trial, criticized Ms. Shappert and pointed to alleged vindictive actions the U.S. attorney has exacted.

Ms. Plaskett also called for the position to be filled by a local representative, deeming such an appointment as being "of critical importance to the Virgin Islands community."

"The circumstances surrounding the tenure of the current U.S. Attorney for the Virgin Islands, Gretchen Shappert, are untenable," said Ms. Plaskett. "She refuses to meet with my office even in a courtesy manner, obstructs other federal law enforcement agencies from engaging with local offices if she does not approve of the individuals running those offices – primarily Democrats. During her time as U.S. Attorney Ms. Shappert has exhibited blatantly discriminatory hiring practices, including firing local employees and hiring non-local, Republican leaning Assistant US Attorneys. She has bragged to those within the agency that given the Virgin Islands' lack of Senate elected official, the territory's distance and her court appointment – she will not be asked to resign by the new President. That blatant disregard of the President, our inclusion in justice and the democratic process can not be left unchecked."

It's not rare that new administrations ask holdover officials to step down so that a new president can install his selections. A U.S. president has the power to appoint 93 U.S. attorneys to serve as the top prosecutor in each judicial district. These appointments, however, must be confirmed by the Senate. These offices have the autonomy to operate independently of the executive branch, however historically they've taken direction from Justice Department headquarters. The request applies to 56 U.S. attorneys, though their

departures are not expected to be immediate.

In 2017 Mr. Sessions asked 46 remaining U.S. attorneys appointed by former President Barack Obama to submit their resignations immediately. By contrast, Mr. Obama allowed attorneys appointed by former President George W. Bush to complete the remainder of their terms. It was not so with former President Bill Clinton, who preceded Mr. Bush, as Mr. Clinton asked the U.S. attorneys to submit their resignations.

At the time of her appointment, Mr. Session praised Ms. Shappert. "Gretchen Shappert has served this Department well for more than 25 years," he said. "For five of those years, she led federal prosecutions in Western North Carolina as United States Attorney. I am confident that, with this extensive experience, she will be an excellent leader as Interim U.S. Attorney for the Virgin Islands."

According to a description on the U.S. Attorney's website, Ms. Shappert has served as the Assistant Director for the Indian, Violent and Cyber Crime Staff in the Executive Office for U.S. Attorneys (EOUSA), since 2010. Prior to joining EOUSA, Ms. Shappert served as the United States Attorney for the Western District of North Carolina from 2004-2009 and as an Assistant United States Attorney (AUSA) from 1990-2004. As the United States Attorney and as an AUSA, Ms. Shappert prosecuted a wide range of criminal defendants including outlaw motorcycle gangs and violent drug organizations. Ms. Shappert also served as an Assistant District Attorney, an Assistant Public Defender, and in private practice prior to her federal service. She received her B.A. from Duke University in 1977 and her J.D. from Washington & Lee University School of Law in 1980.