What is it

WhatsApp was created by Ukraine native Jan Koum along with his Yahoo colleague Brian Acton, who wanted to create a communication app that showcased a user's status next to their profile. The early days of WhatsApp proved difficult for Koum, as there were few users, and the app often crashed. With the Apple launch of push notifications came increased success for WhatsApp. WhatsApp was able to use push notifications to ping everyone in a user's network each time a user updated their status. Additionally, the app offered a unique type of instant messaging that allowed a user to login with their phone number. For these reasons, the app grew exponentially. In February 2014, Koum sold WhatsApp to Facebook for $19 million.

One reason that WhatsApp is so widely used is that it offers more features than most texting apps. It uses your phone’s Wi-Fi or cellular connection to facilitate messaging and voice calling. It supports free worldwide messaging and calling, even if the users aren't in the same country. You can share your location, share your status, share contacts, set customized wallpapers, email chat history, and simultaneously share messages with multiple contacts. WhatsApp is now the leading mobile messaging app in 112 countries and dominates in India, Germany, Russia, and the United Kingdom. It is currently used by over 1 billion users worldwide.

Importance to Law Enforcement

A major security concern for WhatsApp users is malware threats and spam. WhatsApp’s extremely large user base makes it a target for cybercriminals, as there have been instances of attackers passing off malicious software as the WhatsApp desktop application. If someone downloads imposter software, the installations can distribute malware on your computer. While messages you send on WhatsApp are end-to-end encrypted, the app allows you to back up your messages to Google Drive or iCloud, and these backups contain the decrypted messages from your device. This means the security of your data is at the mercy of your cloud provider. Additionally, because the company is now owned by Facebook, WhatsApp users are subject to their parent company’s data sharing.

Fast facts

#1 IN 112 COUNTRIES 1 BILLION USERS
Perhaps the biggest concern WhatsApp poses today is its vulnerability to spread misinformation rapidly, which has led to dangerous situations. In 2017 and 2018, WhatsApp was implicated in widespread violence that occurred in India. False messages spread around the platform containing word of fabricated child abduction. These messages resulted in the lynching of the individuals accused of these fake crimes. The company did implement a change following the incident, decreasing the size of groups a user can forward messages to from 250 to 5.

**Investigative Information**

In the United States, WhatsApp discloses account records in accordance with their terms and services and applicable U.S. laws.

Under U.S. law:

- A valid subpoena must be issued in connection with an official criminal investigation (defined in 18 U.S.C. Section 2703(c)(2)).
- A court order is required to compel the disclosure of certain records or other information pertaining to the account which may include numbers blocked by the user.
- A search warrant issued under the procedures described in the Federal Rules of Criminal Procedure is required to compel the disclosure of stored contents of any account.

In the event of an emergency, or a matter involving “imminent harm to a child or risk of death or serious physical injury to any person and requiring disclosure of information without delay” a law enforcement official may submit a request via the Law Enforcement Online Request System. To expedite the process of such a request, the WhatsApp team suggests including the word “EMERGENCY” in the subject line of the message.

WhatsApp says it will report all apparent instances of child exploitation to the National Center for Mission and Exploited Children (NCMEC), no matter where in the world such instance may take place. This includes any content brought to WhatsApp’s attention by government requests. The guide for law enforcement on the WhatsApp website says that they are unable to process overly broad or vague requests, so specificity is required when submitting a request. The user should include the following:

- The name of the issuing authority, badge number of responsible agent, email address from a law enforcement domain, and a direct contact number.
- The WhatsApp account number in question.

Law Enforcement may use the Law Enforcement Online Request System for submissions, or reach the company by mail at:

WhatsApp Inc.
1601 Willow Road
Menlo Park, California 94025
United States of America
For more detailed information, visit the Information for Law Enforcement Authorities page at https://faq.whatsapp.com/en/general/26000050.

References


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