Government Subpoena for Encrypted Messaging App Produces Almost Nothing

October 4, 2016 - A subpoena issued to Open Whisper Systems for the instant messages sent between two specific cell phone users has resulted inâ€¦ wellâ€¦ almost nothing. That's not because Open Whisper refused to comply with the subpoena. Rather, it is because the company doesn't store customer data.

Open Whisper produces a phone application called Signal; an instant messaging application that provides end to end encryption. Signal has become the go-to application for anyone who thinks privacyâ€¦ especially from government snoopingâ€¦ is important.

When a message is sent using Signal, it passes through the company's servers but is never stored there. In fact, the company stores almost no data on its computers. The only information they have access to is the actual phone numbers that messages are sent and received from and the time of their last connection.

Thinks like names, addresses, credit card information, etcâ€¦ are all items that the company has no access to. And those are the items that the government was asking for.

When the subpoena was served, the company couldn't say anything about it. That's because it came along with a very broad gag order from the court. So Open Whisper went to the ACLU and asked them to represent the company with the government. The ACLU agreed and just managed to get the gag order lifted.

Signal has been so effective that other companies - including Facebook and Google - are now beginning to use similar models for private instant messaging. While the government may not be happy about this, consumers using these types of applications can be fairly certain that the only people who are reading their private messages are the intended recipients.

byJim Malmberg

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