

In the
United States Court of Appeals
For the Second Circuit

August Term, 2024
No. 22-1691-cr

UNITED STATES OF AMERICA,
Appellee,

v.

MELISSA G. MCCLAIN,
Defendant-Appellant.

On Appeal from a Judgment of the United States District Court for
the Northern District of New York.

SUBMITTED: FEBRUARY 20, 2025
DECIDED: OCTOBER 8, 2026

Before: CABRANES, LIVINGSTON, and NARDINI, *Circuit Judges.*

Defendant-Appellant Melissa McClain pleaded guilty to one count of kidnapping conspiracy in the United States District Court for the Northern District of New York (Glenn T. Suddaby, *Chief Judge*), and was sentenced to 188 months in prison, to be followed by three

years of supervised release. The district court ordered McClain to comply with various conditions of supervised release, including a number of “Standard Conditions” that were listed in a general order of the Northern District, plus three “Special Conditions.” On appeal, McClain raises two claims. First, she argues that the district court erred when it imposed the Standard Conditions without reading them aloud, in full. Second, she contends that the district court erred in failing to announce its reasons for imposing each of the Standard and Special Conditions. We are unpersuaded. McClain’s first argument is foreclosed by our recent decision in *United States v. Matos*, 187 F.4th 36 (2d Cir. 2026), which held that an oral cross-reference to the Northern District’s general order satisfies the requirement for pronouncement of sentence. Her second argument also fails. The first thirteen Standard Conditions correspond to standard conditions listed in United States Sentencing Guidelines § 5D1.3(c) (2021), and we have previously held that a district court is not obliged to provide explanations for each of them. With respect to the final Standard Condition, which authorizes probation searches based on reasonable suspicion, we need not determine whether the district court’s statement of the overall reasons for imposing sentence satisfied its obligation to explain why it was imposing that condition, because the reasons for imposing that condition are self-evident from the record. As to the three Special Conditions, which relate to mental health and substance abuse treatment, McClain waived any challenge by requesting such conditions at sentencing. We therefore AFFIRM.

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Appellant.*

WILLIAM J. NARDINI, *Circuit Judge:*

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On appeal, McClain raises two claims. First, she argues that the district court erred when it imposed the Standard Conditions without reading them aloud, in full. Second, she contends that the district court erred in failing to announce its reasons for imposing each of Standard Conditions 1-13 and 15, and the three Special Conditions.

We are unpersuaded. McClain’s first argument is foreclosed by our recent decision in *United States v. Matos*, 187 F.4th 36 (2d Cir. 2026), which held that an oral cross-reference to the Northern District’s general order satisfies the requirement for pronouncement of sentence. Her second argument also fails. The first thirteen Standard Conditions correspond to standard conditions listed in United States

Sentencing Guidelines § 5D1.3(c) (2021), and we have previously held that a district court is not obliged to provide explanations for each of them. With respect to the final Standard Condition, which authorizes probation searches based on reasonable suspicion, we need not determine whether the district court's statement of the overall reasons for imposing sentence satisfied its obligation to explain why it was imposing that condition, because the reasons for imposing that condition are self-evident from the record. As to the three Special Conditions, which relate to mental health and substance abuse treatment, McClain waived any challenge by requesting such conditions at sentencing.

We therefore AFFIRM.

I. Background

On January 29, 2021, McClain pleaded guilty in the United States District Court for the Northern District of New York to conspiracy to commit kidnapping in violation of 18 U.S.C. § 1201(c). In a plea agreement with the government, McClain agreed to a detailed stipulation of the facts underlying her offense. In sum, the defendant and others learned that a group of drug traffickers had offered a bounty for a particular person, whom the group suspected of having stolen 50 kilograms of cocaine that belonged to them. McClain met with some of her co-conspirators in Quebec, where they agreed to kidnap the target's grandparents, in an effort to trade them for the target and collect the bounty. On the night of September 27, 2020, McClain and the other kidnappers went to the grandparents'

home in Moira, New York. McClain and one of the co-conspirators, Graigory Brown, stayed in the car while the others broke into the house, forced the victims out, and loaded them into the car. In various combinations, the co-conspirators drove the victims over the Canadian border, ferried them across the St. Lawrence River, and held them in a house in Quebec's eastern townships. One of the co-conspirators gave \$3,000 to Brown, which he and McClain promptly splurged on cocaine. Fortunately, due to intensive police work, the plot was foiled and the victims were rescued.

In anticipation of sentencing, the parties provided the district court with written submissions. For her part, McClain focused on her need for mental health and substance abuse treatment. McClain's sentencing memorandum argued that she was "a chronic drug addict, whose addictions led her directly into this trouble," and that "she desperately wants to focus on treating her mental health and finally live a positive life." App'x at 53. McClain asked the court to impose a sentence of no more than 42 months in prison, "backed up with a period of post-release supervision that allows for intense, substantive and helpful mental health and drug treatment." *Id.* at 59; *see also id.* at 62 ("Ms. McClain should be sentenced fairly with a heavy focus on drug treatment and rehabilitation.").

The Probation Office provided the district court with a presentence report (PSR), which contained a detailed narrative of McClain's participation in the kidnapping. The PSR also recounted McClain's significant mental health challenges, as well as her struggles with drugs and alcohol. Appended to the PSR were three

recommended special conditions of supervision, which would require McClain to participate in treatment for substance abuse, mental health, and alcohol abuse.

The district court held a sentencing hearing on July 20, 2022. The court heard from counsel for both sides, as well as McClain herself, regarding an appropriate sentence. Defense counsel observed that McClain had “lived a tragic life rife with abuse and addiction,” where she began using crack cocaine when she was only fifteen years old. App’x at 77. Counsel emphasized that McClain’s addictions led to her criminal history, including the offense for which she was now being sentenced.

After listening to the parties, the district court observed that this was “one of the most outrageous crimes” that it had ever encountered, with “completely innocent people being taken at gunpoint, being abducted because of drug transactions and [McClain] and another individual trying to profit, to benefit off of that by turning people over to these drug dealers.” App’x at 79. The court noted that in preparation for sentencing, it had reviewed the entire record, including the plea agreement, the parties’ submissions, and the 2021 Sentencing Guidelines Manual, as well as the sentencing factors listed in 18 U.S.C. § 3553(a).

The court adopted the facts and Sentencing Guideline calculations in the PSR. In doing so, the court rejected McClain’s argument that she had been a mere passive participant in the kidnapping, and that she therefore deserved a role reduction under

U.S.S.G. § 3B1.2(b). McClain, the court found, had been present while the kidnapping was planned, as well as during the abduction of the victims from their homes and their transportation to Canada. After the kidnapping, McClain and Brown used drugs that were bought with their payout from the crime, and she stayed with Brown until the moment of his arrest. Moreover, McClain and Brown provided false statements to law enforcement about their roles in the offense. Based on these and other findings, the district court concluded that McClain faced an advisory guidelines range of 188 to 235 months in prison.

In fashioning an appropriate sentence, the district court explained that it had considered various factors. “First and foremost” were the circumstances of the offense, which “involved two elderly victims kidnapped from their residence in their bed in the middle of the night,” and the presence of firearms during their abduction and transportation out of the United States, which “presented an increased risk of serious physical harm or death to those victims.” App’x at 81-82. The court further considered McClain’s six prior convictions, which included a series of minor offenses as well as “a felony burglary arrest at the age of 15 and a documented history of probation violations.” *Id.* at 82. Also relevant to the court’s sentencing decision was McClain’s “extensive history of substance abuse,” which had persisted “despite numerous attempts at both inpatient and outpatient treatment, which she mostly did not comply with.” *Id.* The court further considered McClain’s “history of mental health issues and the fact that she appears to have self-medicated with

the substances to alleviate her severe anxiety,” as well as the fact that “she has been offered a multitude of mental health treatment opportunities, which she has not complied with.” *Id.* at 82-83.

The district court then explained that the sentence it was about to impose was “sufficient but not greater than necessary to meet the goals of sentencing.” *Id.* at 83. Among those goals were “the need for the sentence to reflect the seriousness of the offense, promote respect for the law and provide just punishment for the offense, afford adequate deterrence to criminal conduct, and protect the public from further crimes of this defendant.” *Id.* In light of all those purposes, the district court sentenced McClain to a 188-month term of imprisonment, followed by a three-year term of supervised release, as well as \$1,396.57 in restitution and a special assessment of \$100.

The district court also outlined the conditions to which McClain would be subject during supervised release. First, McClain was ordered not to commit another federal, state, or local crime. Second, the court directed McClain to “comply with the standard conditions that have been adopted by this [c]ourt.” *Id.* at 83. This was a reference to General Order #23 of the Northern District of New York, which set forth a list of “standard conditions of Probation, Supervised Release, and Pretrial Release.” Gov’t Add. Third, the district court imposed the three special conditions that had been recommended in the PSR relating to treatment for substance abuse, mental health, and alcohol abuse. Defense counsel stated that he had not reviewed those three conditions in detail with his client, so the district court proceeded to

read them aloud. The court explained that it was imposing the three conditions

[f]or the reasons previously outlined in the sentencing justification above including the defendant's history of mental health and substance abuse issues, . . . the nature of the instant offense as well as the history and characteristics of this defendant and to promote the rehabilitation of this defendant.

App'x at 84. Defense counsel did not object to any of the supervised release conditions; when the district court asked whether he had anything further to raise, defense counsel responded, "No, Your Honor." *Id.* at 87.

The written judgment of conviction was entered on July 21, 2022. With respect to supervised release, the judgment includes a list of "MANDATORY CONDITIONS," none of which are contested on appeal. *Id.* at 91. Under the heading "STANDARD CONDITIONS OF SUPERVISION," the judgment lists fifteen conditions that are materially identical to those contained in General Order #23. *Id.* at 92. As relevant to this appeal, Special Condition 15 authorizes the Probation Office to conduct searches upon reasonable suspicion:

You must submit your person, and any property, house, residence, vehicle, papers, effects, computer, electronic communications devices, and any data storage devices or media, to search at any time, with or without a warrant, by any federal probation officer, or any other law enforcement officer from whom the Probation Office has requested assistance, with reasonable suspicion

concerning a violation of a condition of probation or supervised release or unlawful conduct by you. Any items seized may be removed to the Probation Office or to the office of their designee for a more thorough examination.

Id. Finally, the judgment contains three “SPECIAL CONDITIONS OF SUPERVISION,” all of which the district court had read aloud during the sentencing hearing, and the full text of which appeared in the PSR. *Id.* at 93.

McClain filed a notice of appeal on August 2, 2022. Thereafter, McClain’s court-appointed counsel submitted a motion to withdraw pursuant to *Anders v. California*, 386 U.S. 738 (1967). The government filed a motion to dismiss the appeal in part, and otherwise for summary affirmance. On February 8, 2024, a motions panel of this Court granted the government’s motion to dismiss the appeal in part, based on a provision in McClain’s plea agreement in which she waived her right to appeal any term of imprisonment that did not exceed 360 months, a term of supervised release no greater than the maximum permitted by law, as well as the order of restitution. But the motions panel denied the government’s motion for summary affirmance and denied defense counsel’s *Anders* motion with respect to issues not covered by the appeal waiver. It directed the parties to brief, as relevant here, whether the district court erred in imposing Standard Condition 15 on the ground that it had not been referenced

in the PSR or orally pronounced at sentencing,¹ as well as any other issues that McClain might wish to raise, so long as they were outside the scope of the appeal waiver.

McClain then filed a supplemental brief raising two arguments. First, she contends that the district court violated her right to pronouncement of her sentence in open court when it imposed the Standard Conditions by making oral reference to the conditions adopted by the court, rather than by reading each condition aloud. Second, she argues that the district court erred by failing to announce its reasons for imposing Standard Conditions 1-13 and 15 and the three Special Conditions. We consider these claims below.

II. Discussion

The Supreme Court has clearly instructed that “appellate review of sentencing decisions is limited to determining whether they are ‘reasonable.’” *Gall v. United States*, 552 U.S. 38, 46 (2007). Sentencing appeals generally come in two varieties. The first sort, which looks at the “substantive reasonableness” of a sentence, asks whether a sentence is impermissibly harsh (or, in the case of a government appeal, impermissibly lenient). The second kind of

¹ The motions panel also directed the parties to brief the same issue with respect to Standard Condition 14, which requires McClain to make financial disclosures to the Probation Office. In her supplemental brief, McClain states that she does not challenge that condition on appeal because U.S.S.G. § 5D1.3(d)(3) (2021) expressly recommends the imposition of such a condition in cases—like hers—where the court has ordered the defendant to pay restitution. *See* Appellant’s Br. at 15 n.4. We agree with McClain that a challenge to Standard Condition 14 would, on this record, be meritless.

appeal, which inquires into the “procedural reasonableness” of a sentence, looks to whether the district court has complied with all required procedures—for example, by properly calculating the advisory range under the Sentencing Guidelines, or providing a statement of reasons pursuant to 18 U.S.C. § 3553(c).

Under either rubric, the “reasonableness” standard calls for an appellate court to apply “a particularly deferential form of abuse-of-discretion review,” *United States v. Davis*, 82 F.4th 190, 195 (2d Cir. 2023) (quoting *United States v. Broxmeyer*, 699 F.3d 265, 278 (2d Cir. 2012)), “reserving *de novo* review for issues of law,” *United States v. Browning*, 185 F.4th 349, 355 (2d Cir. 2026) (citing *United States v. Jimenez*, 175 F.4th 341, 349 (2d Cir. 2026)). This standard “applies to all aspects of the sentence, including special conditions of supervised release.” *Id.*; see also *United States v. DeJesus*, 182 F.4th 233, 244 (2d Cir. 2026); *United States v. Lawrence*, 139 F.4th 115, 121 (2d Cir. 2025). We have explained that “the reasonableness standard recognizes the ‘broad latitude’ afforded to district courts to fashion special conditions of supervision.” *DeJesus*, 182 F.4th at 244 (quoting *United States v. Sims*, 92 F.4th 115, 120 (2d Cir. 2024)). Our court “lack[s] authority to simply second-guess the wisdom of a district court’s sentencing decision.” *DeJesus*, 182 F.4th at 244.

With these general standards in mind, we turn to McClain’s arguments.

A. Oral Pronouncement of Standard Conditions

We need not linger over McClain’s first contention—namely, that the district court erred by failing to read aloud all of the Standard Conditions—because our Court rejected precisely such a claim in *United States v. Matos*, 187 F.4th 36 (2d Cir. 2026). In *Matos*, as in this case, a district judge in the Northern District of New York ordered that the defendant shall “comply with the standard conditions that have been adopted by this court.” *Id.* at 41. Our Court held that “the district court’s reference to General Order #23, a publicly accessible order, ‘provided [the defendant] adequate notice to either object to the standard conditions or to ask the district court to clarify which conditions it imposed upon him.’” *Id.* at 48 (quoting *United States v. Hayden*, 102 F.4th 368, 374 (6th Cir. 2024)). This conclusion, we explained, flowed from the rule that a district court satisfies a defendant’s right to oral pronouncement of sentence when it “specifically incorporate[d] by reference particular conditions that [had] been set forth in writing and made available to the defendant in . . . a notice adopted by the court.” *Id.* at 47. (alteration adopted) (quoting *United States v. Maiorana*, 153 F.4th 306, 314 (2d Cir. 2025) (en banc)). All fifteen of the Standard Conditions imposed by the district court in this case were found in General Order #23. Accordingly, in light of *Matos*, the district court did not procedurally err when it orally adopted those conditions by reference during the sentencing hearing.

2. Rationale for Conditions of Supervised Release

McClain argues that the district court failed to provide an adequate rationale when imposing Standard Conditions 1-13 and 15, as well as the three Special Conditions. We are unpersuaded.

A. Standard vs. Special Conditions

“There are two broad categories of supervised release conditions authorized by the implementing statute: mandatory and discretionary.” *United States v. McAdam*, 165 F.4th 688, 693 (2d Cir. 2026).

Mandatory conditions are listed in 18 U.S.C. § 3583(d) and reprinted in U.S.S.G. § 5D1.3(a), and these must be imposed in every applicable case. *Id.* As noted earlier, McClain does not challenge the statutorily mandated conditions contained in her judgment.

All other conditions are “discretionary” conditions. That means that they are optional; the district court must decide whether or not to impose them. *Maiorana*, 153 F.4th at 313. Consistent with the “broad latitude” afforded at sentencing, *Sims*, 92 F.4th at 120, Congress has authorized a district court to order a defendant to comply with “any other condition it considers to be appropriate,” provided that it complies with three general principles: A condition is authorized if it

(1) is reasonably related to the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), and (a)(2)(D);

(2) involves no greater deprivation of liberty than is reasonably necessary for the purposes set forth in section 3553(a)(2)(B), (a)(2)(C), and (a)(2)(D); and

(3) is consistent with any pertinent policy statements issued by the Sentencing Commission pursuant to 28 U.S.C. § 994(a).

18 U.S.C. § 3583(d); *see also United States v. Arguedas*, 134 F.4th 54, 69 (2d Cir. 2025). The policy statements referenced in § 3583(d)(3) can be found at U.S.S.G. § 5D1.3.

Not all discretionary conditions are alike. “Discretionary conditions can be further broken down into three subgroups: (1) standard, (2) special, and (3) other.” *McAdam*, 165 F.4th at 694. The differences among these subgroups “are defined by the Sentencing Guidelines and by our precedent.” *Id.*

“Standard” conditions are the thirteen conditions listed in a particular policy statement of the Sentencing Guidelines, which at the time of sentencing in McClain’s case was found at U.S.S.G. § 5D1.3(c) (2021 Manual). That policy statement provided that the standard conditions “are recommended,” and noted that some were “expansions of the conditions required by statute.” *Id.* The most recent version of the Guidelines no longer “recommend[s]” those conditions, though it still describes them as “standard.” *See* U.S.S.G. § 5D1.3(b)(2) (2025 Manual). The latest version also notes that the district court “may modify, expand, or omit” the listed conditions “in appropriate cases,” *id.*, though that has always been true; the standard conditions have never been mandated by statute, and § 3583(d)

expressly gives district courts discretion to impose “other” conditions.

While a district court retains discretion to determine whether any of these conditions is or is not suited for a particular defendant, *Maiorana*, 153 F.4th at 313, we have nevertheless recognized that the “standard” conditions are “basic administrative requirements, generally imposed by sentencing courts, and plainly appropriate to implement supervised release,” *McAdam*, 165 F.4th at 694 (quoting, with modifications, *Arguedas*, 134 F.4th at 69-70). At the risk of stating the obvious: these are called “standard” conditions precisely because they are generally suitable in the vast majority of cases.

“Special” conditions, by contrast, can involve more variation. At the time of McClain’s sentencing, the Sentencing Manual listed certain “special conditions” that were “recommended” in specified circumstances, U.S.S.G. § 5D1.3(d), and others that “may be appropriate on a case-by-case basis,” U.S.S.G. § 5D1.3(e).²

Finally, we have said that there is a third category of discretionary conditions: “other” conditions, which are not listed in any particular provision of the Sentencing Guidelines, but which district courts are authorized to fashion so long as they comply with the dictates of § 3583(d). *See McAdam*, 165 F.4th at 695. Conditions falling within this catch-all category are (pardon any confusion to the

² The 2025 Sentencing Manual combines these two subsections into § 5D1.3(b)(3). Rather than “recommend[ing]” imposition of those conditions, it now says they “may be appropriate,” including in certain listed circumstances.

reader) typically listed on a criminal judgment under the heading “Special Conditions.”³

With this taxonomy in mind, we now turn to McClain’s argument that the district court “failed to provide an adequate rationale for the discretionary conditions of supervised release,” including Standard Conditions 1-13 and 15, as well as the three Special Conditions involving treatment for substance abuse, mental health, and alcohol abuse. Appellant’s Br. at 10.

B. Standard Conditions 1-13

McClain first faults the sentencing court for failing to justify its imposition of Standard Conditions 1-13. We treat this group of conditions distinctly, because each one corresponds to a “standard condition” listed in U.S.S.G. § 5D1.3(c). According to the 2021 Sentencing Manual (which applied here), these conditions were “recommended.” *Id.* As noted earlier, we have long described such conditions as “basic administrative requirements, generally imposed by sentencing courts, and plainly appropriate to implement supervised release.” *Arguedas*, 134 F.4th at 69-70 (quoting *United States v. Jacques*, 321 F.3d 255, 263 (2d Cir. 2003)); *see also Sims*, 92 F.4th at 119 n.1 (standard conditions are “presumed suitable in all cases” (quoting *United States v. Thomas*, 299 F.3d 150, 153 (2d Cir. 2002) (internal citation omitted))). As with all discretionary conditions of

³ Indeed, going forward it may be appropriate to group together our second and third categories under the singular heading “special conditions,” now that the 2025 Manual states that it is providing only a “non-exhaustive list” of “special” conditions. U.S.S.G. § 5D1.3(b)(3).

supervised release, a district court may impose them on a particular defendant only if it concludes that the conditions satisfy the requirements of § 3583(d)—that is, if the court conducts an “individualized assessment” in that regard. *Arguedas*, 134 F.4th at 69.

For the standard conditions listed in § 5D1.3, we presume that the district court has made precisely such an individualized assessment, where the record indicates that the court considered the factors appropriate to sentencing.⁴ As we explained long ago with respect to the standard conditions, “[w]hile a court must conduct the analysis [§ 3583(d)] requires, it need not analyze the factors on the record for each condition.” *United States v. Smith*, 982 F.2d 757, 764 (2d Cir. 1992). Because these are “basic administrative requirement[s] essential to the functioning of the supervised release system,” it would be the height of pedantry to require a district court to place on the record justifications for each of these conditions. *Id.* Consider, for

⁴ As we have recognized, the updated Guidelines Manual “substantially revises,” and indeed consolidates, the subsections on standard and special conditions. See *McAdam*, 165 F.4th at 692 n.2. As a result, “[s]tandard conditions now require an individualized assessment as well.” *Id.* at 695 n.5. We emphasize that the “amount of explanation” necessary for each condition necessarily depends on “the nature of the condition imposed.” *United States v. Rogers*, 961 F.3d 291, 298 n.1 (4th Cir. 2020) (internal quotation marks and citation omitted). Where, as here, the standard conditions are “necessary to the administration of supervised release,” such conditions are “presumed suitable in all cases.” *Sims*, 92 F.4th at 119 n.1 (internal quotation marks and citations omitted). Under such circumstances, the district court need not analyze the same “requirements a court must satisfy when imposing special conditions of supervised release.” *Id.* at 123–26. Instead, as we have long maintained, the sentencing judge must simply comply with the mandates of 18 U.S.C. § 3583.

example, the first standard condition: that a defendant report to her probation officer within 72 hours of release from imprisonment. U.S.S.G. § 5D1.3(c)(1) (2021 Manual). The same goes for the second standard condition: that after the initial reporting, “the defendant will receive instructions from the court or the probation office about how and when to report to the probation officer, and the defendant shall report to the probation officer as instructed.” *Id.* § 5D1.3(c)(2). And so on. These conditions are considered “standard” precisely because they are nearly always appropriate for a probation officer to assist the district court in supervising a defendant after her release from prison. *See Sims*, 92 F.4th at 119 n.1 (citing *Thomas*, 299 F.3d at 153). In the unusual case where a party believes that a standard condition is inappropriate, the party is free to bring that to the attention of the district court, which can then rule as needed.⁵

We break no new ground in reaffirming that, so long as the record shows that the sentencing court “considered the factors required by statute” when imposing sentence, it need “not explicitly discuss the connection between these factors and each imposed [standard] condition.” *Smith*, 982 F.2d at 764. In reaching this conclusion, we are guided by the principle that sentencing judges are not required to utter “robotic incantations,” *United States v. Brown*, 98

⁵ Because the updated Guidelines Manual combines the subsections on standard and special conditions, *see* U.S.S.G. § 5D1.3(b) (2025 Manual), we also note that in the even more unusual case where the district court fails to follow the mandates of 18 U.S.C. § 3583 when imposing a standard condition, we will consider whether “the reason for such condition[] is self-evident in the record.” *United States v. Balon*, 384 F.3d 38, 41 n.1 (2d Cir. 2004).

F.3d 690, 694 (2d Cir. 1996), and that the “length and level of detail required” when explaining a sentencing decision “varies depending upon the circumstances,” *United States v. Villafruerte*, 502 F.3d 204, 210 (2d Cir. 2007). As we have said: “Sentencing is a responsibility heavy enough without our adding formulaic or ritualized burdens.” *United States v. Cavera*, 550 F.3d 180, 193 (2d Cir. 2008) (en banc).

Here, the record demonstrates that the district court “reviewed and considered” the circumstances of the offense, McClain’s personal characteristics, and the factors set forth by statute for imposing the sentence as a whole. App’x at 80-82. “This is sufficient.” *Smith*, 982 F.2d at 764. We therefore reject McClain’s argument that the district court erred by failing to set forth reasons to impose Standard Conditions 1-13.

C. The Special Conditions

McClain also challenges the imposition of the search condition outlined in Standard Condition 15, as well as the three Special Conditions. None of these four conditions appears in the list of standard conditions in U.S.S.G. § 5D1.3, and so we review them as “special conditions” regardless of the label placed upon them in the judgment.

To impose these special conditions, the “district court [wa]s required to make an individualized assessment when determining whether to impose [those] special condition[s] of supervised release, and to state on the record the reason[s] for imposing [them].”

McAdam, 165 F.4th at 697 (alterations in original) (quoting *United States v. Betts*, 886 F.3d, 198 202 (2d Cir. 2018)).

1. Standard Condition 15

McClain did not object to the district court's imposition of Standard Condition 15, which authorizes the probation office to conduct searches based on reasonable suspicion. Because McClain failed to object, the government argues, her challenge is reviewed only for plain error under Federal Rule of Criminal Procedure 52(b). *See United States v. Williams*, 998 F.3d 538, 540 (2d Cir. 2021). "To establish plain error, a defendant must demonstrate: (1) error, (2) that is plain, and (3) that affects substantial rights." *United States v. Rivera*, 115 F.4th 141, 147 (2d Cir. 2024) (quoting *United States v. Taylor*, 961 F.3d 68, 81 (2d Cir. 2020)). "If all three requirements are satisfied, then we must also consider whether the error 'seriously affects the fairness, integrity, or public reputation of judicial proceedings.'" *Id.* (quoting *United States v. Bleau*, 930 F.3d 35, 39 (2d Cir. 2019)).

McClain concedes that she did not object to Standard Condition 15 and that plain-error review applies, but nevertheless argues that she lacked advance notice of the challenged condition, and that this Court should therefore apply a "less rigorous plain error review." Appellant's Br. at 4 (citing *United States v. Sofsky*, 287 F.3d 122, 125 (2d Cir. 2002)). We have had occasion to note our Court's uneven application of what has sometimes been described as a "relaxed" plain error standard, and we have not yet addressed whether this practice has "survived" more recent Supreme Court precedent.

United States v. Osuba, 67 F.4th 56, 65 n.6 (2d Cir. 2023) (citing *Davis v. United States*, 589 U.S. 345, 346-47 (2020), which rejected the Fifth Circuit’s “outlier practice of refusing to review certain unpreserved factual arguments for plain error”). We need not reanimate the remnants of this standard of review here because we discern no reversible error, plain or otherwise, by the district court.

McClain argues that the district court erred by not providing a distinct explanation for imposing the search condition. But this takes too cramped a view of the statement-of-reasons requirement, the point of which is simply “to make sure that there is a reasonable relationship between the Section 3553(a) sentencing factors and the special condition at issue.” *United States v. Salvador*, 180 F.4th 470, 479 (2d Cir. 2026) (internal quotation marks omitted). This requirement, we have explained, “is not a straitjacket.” *Id.* A district court is not obliged to “pick through every condition and explain, point-by-point, how each was responsive to the offending conduct.” *United States v. Kunz*, 68 F.4th 748, 760 (2d Cir. 2023). When a sentencing court has explained “the overall reasons for its sentencing decision,” it has also “demonstrated its individualized assessment of the search condition” and generally satisfied the statement-of-reasons requirement with respect to that condition. *United States v. Thompson*, 143 F.4th 169, 178 (2d Cir. 2025); *see also Lawrence*, 139 F.4th at 124 (“The specific obligation to state on the record the reason for imposing a special condition is merely a subset of the broader requirement to ‘state in open court the reasons for . . . the particular sentence.’” (quoting 18 U.S.C. § 3553(c))).

Here, the district court provided ample explanation for the entire sentence that it imposed, which includes the search authorization in Standard Condition 15. The district court identified the statutory purposes that would be served: “the need for the sentence to reflect the seriousness of the offense, promote respect for the law and provide just punishment for the offense, afford adequate deterrence to criminal conduct, and protect the public from further crimes of this defendant.” App’x at 83. The district court highlighted the central role that McClain played in the kidnapping; her deceptive conduct following her arrest, when she lied to the police about her involvement; her criminal record, including a string of probation violations; her extensive history of substance abuse; and her repeated failures to comply with treatment programs. Moreover, the district court expressly adopted the factual findings of the PSR, which contained additional details on all of these points. As we held in *Lawrence*, where the PSR “contained a lengthy discussion of [the defendant’s] criminal history, personal background, and offense conduct,” the district court will have satisfied its “obligation to make an individualized assessment and state on the record the reason for imposing the search condition.” 139 F.4th at 124; *see also Browning*, 185 F.4th at 357-58 (rejecting procedural reasonableness challenge to supervised release condition, based on a reading of the “sentencing transcript as a whole”). The district court’s statements here would appear to be just as satisfactory as those we approved in *Lawrence*.

But there is a wrinkle to this case that was not present in *Lawrence*: here, the district court imposed the search condition as part

of its adoption of General Order #23. We recently considered such a situation in *McAdam*, where the district court similarly imposed the conditions listed in General Order #23 without separate discussion of those conditions, and we concluded that upon that record, the district court had “made no assessment whatsoever of the need for these conditions,” including the search authorization in Standard Condition 15. 165 F.4th at 697. Even in such circumstances, we explained that “[w]e may nonetheless uphold a special condition if the district court’s reasoning is self-evident in the record, and the condition is reasonably related to the sentencing objectives.” *Id.* (internal quotation marks and citation omitted).

The reasoning of the district court for imposing Standard Condition 15 in *McAdam* was not, we concluded, self-evident. For example, we noted that the defendant in that case posed no “particular risk to reoffend,” and “did not obstruct justice or deny the scope and wrongfulness of his actions after his arrest.” *Id.* at 698. Importantly, *McAdam* already faced a number of “additional, onerous conditions of supervised release” that already “closely restrict[ed his] access to the internet,” for example allowing “any electronic device he uses to be searched without prior notice.” *Id.* at 698 & n.8. Based on that record, we could not say that the overlapping, and more expansive, search condition was “self-evidently necessary.” *Id.* at 698. Accordingly, we vacated that condition and remanded for the district court to reconsider whether to reimpose it.

We need not decide whether this case is more like *Lawrence* or *McAdam* with respect to the adequacy of the district court's explanation for imposing Standard Condition 15 because, in any event, the district court's basis for subjecting McClain to that condition is more than apparent from the record; indeed, it is glaringly obvious. Unlike McAdam, McClain suffered from a long history of substance abuse and mental health problems that consistently led her to commit criminal offenses, both minor and major. Unlike McAdam, McClain lied repeatedly to the authorities upon her arrest, trying to hide her complicity in the kidnapping. And unlike McAdam, McClain was not subject to any other overlapping conditions of supervised release that would otherwise allow her probation officer to conduct searches (of her electronic devices or otherwise) to ensure her compliance with the conditions of supervised release. Any one of these three reasons would suffice to differentiate McClain's case from McAdam's, and to make plain why the district court authorized the probation officer to conduct reasonable-suspicion searches. The search condition was sensibly aimed at various goals, such as protecting the public from McClain's further misconduct, deterring her from violating her terms of supervised release, and promoting her rehabilitation.

In sum, we need not decide whether the district court's articulation of reasons for Standard Condition 15 was facially adequate in the context of its blanket adoption of the conditions listed in General Order #23, because in any event its reasoning was self-

evident from the record and that condition was reasonably related to the purposes of sentencing.

2. The Three Special Conditions

We do not address the merits of McClain's argument with respect to the three Special Conditions, because any objection to them has been waived. These three conditions require McClain to (1) participate in substance abuse treatment, (2) participate in mental health treatment, and (3) refrain from the use of alcohol and be subject to alcohol testing and treatment. In her written and oral arguments in connection with sentencing, McClain repeatedly ascribed her criminal conduct to her substance abuse and mental health problems. *See, e.g.*, App'x at 53 ("All of her actions in late September of 2020 can be directly attributed to her addictions."). In her sentencing memorandum, she asked the court to impose "a period of post-release supervision that allows for intense, substantive and helpful mental health and drug treatment." *Id.* at 59; *see also id.* at 62 (asking to be "sentenced fairly with a heavy focus on drug treatment and rehabilitation"); *id.* at 65 (requesting a sentence "with post-release supervision with drug treatment"). And during her pretrial interview with the probation office, McClain made it clear that her substance abuse problems included both alcohol and illicit drugs. In short, McClain told the district court that she wanted—no, *needed*—post-release treatment, and she got what she asked for. This claim is therefore waived. *See, e.g., United States v. Quinones*, 511 F.3d 289, 321 (2d Cir. 2007) (holding that there has been a "true waiver" where the defendant "actively solicited" a particular action by the district court);

see also Salvador, 180 F.4th at 478 (explaining that waiver results from intentional conduct by a party).

III. Conclusion

In summary, we hold:

1. So long as the record shows that the sentencing court considered the factors required by statute when imposing sentence, it need not explicitly discuss the connection between these factors and each imposed standard condition of supervised release. Consequently, the district court did not err in this case when it imposed a number of standard conditions contained in U.S.S.G. § 5D1.3.
2. With respect to Standard Condition 15, which authorizes the probation officer to conduct searches based on reasonable suspicion, we need not determine whether the district court's statement of the overall reasons for imposing sentence satisfied its obligation to explain why it was imposing that condition, because the reasons for imposing that condition are self-evident from the record, and the condition was reasonably related to the purposes of sentencing.
3. McClain waived any challenge to the special conditions of supervised release relating to treatment for substance abuse, mental health, and alcohol abuse, because she affirmatively asked the district court to impose such conditions.

We therefore **AFFIRM** the judgment of the district court.